

SETTLEMENT AGREEMENT WITH THE STATE BOARD OF PHARMACY
(Docket No. D-990726-010)

In The Matter Of:

SUELLEN OGDEN, R.Ph.
147 Greenway Drive
Elyria, Ohio 44035
(R.Ph. No. 03-1-20832)

THIS SETTLEMENT AGREEMENT IS ENTERED INTO BY AND BETWEEN SUELLEN OGDEN AND THE OHIO STATE BOARD OF PHARMACY, A STATE AGENCY CHARGED WITH ENFORCING THE PHARMACY PRACTICE ACT AND DANGEROUS DRUG DISTRIBUTION ACT, CHAPTER 4729. OF THE OHIO REVISED CODE.

SUELLEN OGDEN VOLUNTARILY ENTERS INTO THIS AGREEMENT BEING FULLY INFORMED OF HER RIGHTS AFFORDED UNDER CHAPTER 119. OF THE OHIO REVISED CODE, INCLUDING THE RIGHT TO REPRESENTATION BY COUNSEL, THE RIGHT TO A FORMAL ADJUDICATION HEARING ON THE ISSUES CONTAINED HEREIN, AND THE RIGHT TO APPEAL. SUELLEN OGDEN ACKNOWLEDGES THAT BY ENTERING INTO THIS AGREEMENT SHE HAS WAIVED HER RIGHTS UNDER CHAPTER 119. OF THE REVISED CODE.

WHEREAS, the State Board of Pharmacy is empowered by Section 4729.16 of the Ohio Revised Code to suspend, revoke, place on probation, refuse to grant or renew an identification card, or impose a monetary penalty on the license holder for violation of any of the enumerated grounds therein.

WHEREAS, Suellen Ogden is licensed as a registered pharmacist in the state of Ohio and, therefore, falls under the jurisdiction of the State Board of Pharmacy.

WHEREAS, on or about July 26, 1999, and again on November 23, 1999, pursuant to Chapter 119. of the Ohio Revised Code, Suellen Ogden was notified of the allegations or charges against her, her right to a hearing, her rights in such hearing, and her right to submit contentions in writing. The Notices of Opportunity for Hearing contain the following allegations or charges:

- (1) Records of the Board of Pharmacy indicate that Suellen Ogden was originally licensed in the state of Ohio on April 27, 1995, pursuant to examination, and on November 23, 1999, her license was summarily suspended in accordance with Section 3719.121(C) of the Ohio Revised Code. Records further indicate that during the relevant time periods stated herein, Suellen Ogden was the Responsible Pharmacist at Chesterfield Pharmacy, 1799 E. 12th St., Cleveland, Ohio pursuant to Sections 4729.27 and 4729.55 of the Ohio Revised Code and Rule 4729-5-11 of the Ohio Administrative Code.
- (2) Suellen Ogden, as the Responsible Pharmacist did, on or about January 1, 1996, and dates previous, fail to keep a record of drugs purchased, possessed, and dispensed, to wit: a Compliance Agent for the Board was advised on July 21 and July 22, 1997,

that all records of drugs dated before January 1, 1996, were purged from the computer and not kept at Chesterfield Pharmacy; the Compliance Agent's inspection confirmed this fact. Such conduct is in violation of Section 3719.07 of the Ohio Revised Code and Rule 4729-5-28(F) of the Ohio Administrative Code.

- (3) Suellen Ogden did, from November 16, 1995, through February 26, 1996, dispense drugs pursuant to improper prescriptions and kept them in the pharmacy, to wit: Suellen Ogden failed to either record the date of the dispensing and/or manually record her initials on original prescriptions numbered 23112401, 23112402, 23112403, 23112404, and 23118119. Such conduct is in violation of Section 3719.07 of the Ohio Revised Code and Rule 4729-5-27(A) of the Ohio Administrative Code.
- (4) Suellen Ogden, as the Responsible Pharmacist did, on or about July 21 and July 22, 1997, fail to provide effective and approved controls and procedures to guard against theft and diversion of dangerous drugs, to wit: a computer terminal which allowed access to the records of dangerous drugs and an after-hours drop box containing dangerous drugs at Chesterfield Pharmacy were located outside the confines of the physical barricade, allowing access by unlicensed persons other than health professionals. Such conduct is in violation of Rules 4729-9-05 and 4729-9-11(A)(2)(f) of the Ohio Administrative Code.
- (5) Suellen Ogden, as the Responsible Pharmacist did, on or about July 21 and July 22, 1997, fail to properly execute controlled substance order forms, i.e. D.E.A. 222 forms, to wit: when drugs were received at Chesterfield Pharmacy pursuant to the following D.E.A. 222 forms, the forms were not completed as to the amount of controlled substances received nor the date received: 961201879, 961201880, 961201906, 962251283, 962251305, 970778598, and 970778599. Such conduct is in violation of Section 3719.07 of the Ohio Revised Code and Section 1305.09 of the Code of Federal Regulations.
- (6) Suellen Ogden, as the Responsible Pharmacist did, on or about July 21 and July 22, 1997, and dates preceding, continuously fail to perform prospective drug utilization review and patient counseling, to wit: when dispensing medications to a patient pursuant to prescriptions, Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy failed to review the original prescription and/or refill information for over-utilization, incorrect drug dosage and duration of drug treatment, and misuse; and pharmacists failed to offer patient counseling. Such conduct is in violation of Rules 4729-5-20 and 4729-5-22 of the Ohio Administrative Code.
- (7) Suellen Ogden, as the Responsible Pharmacist did, from January 12, 1996, through June 29, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #1 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23115644	Hydromet Syrup	240ml	1/12/96
23115648	hydrocodone 5mg/APAP 500mg	60	1/12/96
23115644	Hydromet Syrup	240ml	1/17/96
23115648	hydrocodone 5mg/APAP 500mg	60	1/18/96
23115644	Hydromet Syrup	240ml	1/22/96
23115648	hydrocodone 5mg/APAP 500mg	60	1/24/96
23115648	hydrocodone 5mg/APAP 500mg	60	1/30/96
23117003	hydrocodone 5mg/APAP 500mg	60	2/6/96
23117006	Hydromet Syrup	240ml	2/6/96
23117006	Hydromet Syrup	240ml	2/10/96
23117003	hydrocodone 5mg/APAP 500mg	60	2/13/96
23117006	Hydromet Syrup	240ml	2/15/96
23117003	hydrocodone 5mg/APAP 500mg	60	2/19/96
23117003	hydrocodone 5mg/APAP 500mg	60	2/24/96
23118328	hydrocodone 5mg/APAP 500mg	60	2/28/96
23118330	Hydromet Syrup	240ml	2/28/96
23118330	Hydromet Syrup	240ml	3/4/96
23118328	hydrocodone 5mg/APAP 500mg	60	3/5/96
23118330	Hydromet Syrup	240ml	3/9/96
23118328	hydrocodone 5mg/APAP 500mg	60	3/11/96
23118330	Hydromet Syrup	240ml	3/14/96
23118328	hydrocodone 5mg/APAP 500mg	60	3/18/96
23119990	hydrocodone 5mg/APAP 500mg	60	3/27/96
23119991	Hydromet Syrup	240ml	3/27/96
23119991	Hydromet Syrup	240ml	3/30/96
23119990	hydrocodone 5mg/APAP 500mg	60	4/2/96
23119991	Hydromet Syrup	240ml	4/3/96
23119990	hydrocodone 5mg/APAP 500mg	60	4/8/96
23119990	hydrocodone 5mg/APAP 500mg	60	4/15/96
23121655	Hydromet Syrup	240ml	4/25/96
23121655	Hydromet Syrup	240ml	4/29/96
23121655	Hydromet Syrup	240ml	5/4/96
23123584	Hydromet Syrup	240ml	5/30/96
23123585	hydrocodone 5mg/APAP 500mg	60	5/30/96
23123584	Hydromet Syrup	240ml	6/4/96
23123585	hydrocodone 5mg/APAP 500mg	60	6/7/96
23123584	Hydromet Syrup	240ml	6/10/96
23123585	hydrocodone 5mg/APAP 500mg	60	6/13/96
23123585	hydrocodone 5mg/APAP 500mg	60	6/24/96
23125375	hydrocodone 5mg/APAP 500mg	60	6/29/96
23125376	Hydromet Syrup	240ml	6/29/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (8) Suellen Ogden, as the Responsible Pharmacist did, from July 3, 1996, through September 28, 1996, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #1 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23125376	Hydromet Syrup	240ml	7/3/96
23125375	hydrocodone 5mg/APAP 500mg	60	7/5/96
23125376	Hydromet Syrup	240ml	7/9/96
23125375	hydrocodone 5mg/APAP 500mg	60	7/18/96
23125375	hydrocodone 5mg/APAP 500mg	60	7/25/96
23127024	Hydromet Syrup	240ml	7/31/96
23127026	hydrocodone 5mg/APAP 500mg	60	7/31/96
23127024	Hydromet Syrup	240ml	8/5/96
23127024	Hydromet Syrup	240ml	8/9/96
23127026	hydrocodone 5mg/APAP 500mg	60	8/13/96
23127999	hydrocodone 5mg/APAP 500mg	60	8/21/96
23128001	Hydromet Syrup	240ml	8/21/96
23128001	Hydromet Syrup	240ml	8/26/96
23128001	Hydromet Syrup	240ml	8/30/96
23127999	hydrocodone 5mg/APAP 500mg	60	9/3/96
23129363	Hydromet Syrup	240ml	9/18/96
23129363	Hydromet Syrup	240ml	9/23/96
23129363	Hydromet Syrup	240ml	9/28/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (9) Suellen Ogden, as the Responsible Pharmacist did, from July 31, 1996, through September 18, 1996, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #1 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23127023	Roxicet	120	7/31/96
23127998	Roxicet	120	8/21/96
23129364	Roxicet	120	9/18/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (10) Suellen Ogden, as the Responsible Pharmacist did, from October 14, 1995, through June 26, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719.,

4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #2 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23110600	Hydromet Syrup	240ml	10/14/95
23110601	hydrocodone 5mg/APAP 500mg	100	10/14/95
23110601	hydrocodone 5mg/APAP 500mg	100	11/6/95
23112203	Hydromet Syrup	240ml	11/13/95
23110601	hydrocodone 5mg/APAP 500mg	100	11/15/95
23112203	Hydromet Syrup	240ml	11/16/95
23110601	hydrocodone 5mg/APAP 500mg	100	11/25/95
23110601	hydrocodone 5mg/APAP 500mg	100	12/5/95
23113937	Hydromet Syrup	240ml	12/13/95
23113939	hydrocodone 5mg/APAP 500mg	84	12/13/95
23113937	Hydromet Syrup	240ml	12/16/95
23113939	hydrocodone 5mg/APAP 500mg	84	12/21/95
23115287	Hydromet Syrup	240ml	1/8/96
23115289	hydrocodone 5mg/APAP 500mg	84	1/8/96
23115287	Hydromet Syrup	240ml	1/11/96
23115289	hydrocodone 5mg/APAP 500mg	84	1/20/96
23116699	Hydromet Syrup	240ml	2/1/96
23116713	hydrocodone 5mg/APAP 500mg	84	2/1/96
23116699	Hydromet Syrup	240ml	2/5/96
23116713	hydrocodone 5mg/APAP 500mg	84	2/12/96
23118339	hydrocodone 5mg/APAP 500mg	84	2/28/96
23118340	Hydromet Syrup	240ml	2/28/96
23118340	Hydromet Syrup	240ml	3/4/96
23118339	hydrocodone 5mg/APAP 500mg	84	3/11/96
23119248	Hydromet Syrup	240ml	3/14/96
23119258	hydrocodone 5mg/APAP 500mg	125	3/14/96
23119248	Hydromet Syrup	240ml	3/18/96
23119258	hydrocodone 5mg/APAP 500mg	125	4/3/96
23119258	hydrocodone 5mg/APAP 500mg	125	4/22/96
23121647	Hydromet Syrup	240ml	4/25/96
23121647	Hydromet Syrup	240ml	4/29/96
23119258	hydrocodone 5mg/APAP 500mg	125	5/8/96
23119258	hydrocodone 5mg/APAP 500mg	40	5/25/96
23123589	Hydromet Syrup	240ml	5/30/96
23123749	Hydromet Syrup	240ml	6/3/96
23123749	Hydromet Syrup	240ml	6/7/96
23125144	hydrocodone 5mg/APAP 500mg	84	6/26/96
23125145	Hydromet Syrup	240ml	6/26/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (11) Suellen Ogden, as the Responsible Pharmacist did, from December 13, 1995, through June 26, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #2 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23113938	Roxicet	90	12/13/95
23115288	Roxicet	90	1/8/96
23116714	Roxicet	90	2/1/96
23118338	Roxicet	90	2/28/96
23119259	Roxicet	125	3/14/96
23121675	Roxicet	125	4/25/96
23123590	Roxicet	90	5/30/96
23123750	Roxicet	90	6/3/96
23125146	Roxicet	90	6/26/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (12) Suellen Ogden, as the Responsible Pharmacist did, from July 1, 1996, through October 10, 1996, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #2 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23125145	Hydromet Syrup	240ml	7/1/96
23125144	hydrocodone 5mg/APAP 500mg	84	7/9/96
23125144	hydrocodone 5mg/APAP 500mg	84	7/22/96
23126525	Hydromet Syrup	240ml	7/23/96
23126525	Hydromet Syrup	240ml	7/29/96
23125144	hydrocodone 5mg/APAP 500mg	84	8/3/96
23127713	hydrocodone 5mg/APAP 500mg	60	8/14/96
23127713	hydrocodone 5mg/APAP 500mg	60	8/20/96
23128348	Hydromet Syrup	240ml	8/28/96
23128349	hydrocodone 5mg/APAP 500mg	84	8/28/96
23128348	Hydromet Syrup	240ml	9/3/96
23128349	hydrocodone 5mg/APAP 500mg	84	9/9/96
23128349	hydrocodone 5mg/APAP 500mg	84	9/21/96
23128349	hydrocodone 5mg/APAP 500mg	84	10/10/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (13) Suellen Ogden, as the Responsible Pharmacist did, from July 23, 1996, through August 21, 1996, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #2 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23126526	Roxicet	90	7/23/96
23127712	Roxicet	60	8/14/96
23128003	Roxicet	60	8/21/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (14) Suellen Ogden, as the Responsible Pharmacist did, from February 2, 1996, through June 28, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #3 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23116765	alprazolam 1mg	112	2/28/96
23119729	alprazolam 1mg	112	3/22/96
23119729	alprazolam 1mg	112	4/17/96
23122555	alprazolam 1mg	112	5/10/96
23122555	alprazolam 1mg	112	6/4/96
23125306	alprazolam 1mg	112	6/28/96
23116765	alprazolam 1mg	112	2/2/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (15) Suellen Ogden, as the Responsible Pharmacist did, from March 22, 1996, through June 28, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #3 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23119726	diazepam 10mg	168	3/22/96
23119726	diazepam 10mg	168	4/17/96
23119726	diazepam 10mg	168	5/10/96
23119726	diazepam 10mg	168	6/4/96
23119726	diazepam 10mg	168	6/28/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (16) Suellen Ogden, as the Responsible Pharmacist did, from July 24, 1996, through June 5, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #3 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23125306	alprazolam 1mg	112	7/24/96
23127783	alprazolam 1mg	112	8/16/96
23127783	alprazolam 1mg	112	9/12/96
23130509	alprazolam 1mg	112	10/8/96
23130509	alprazolam 1mg	112	11/8/96
23133144	alprazolam 1mg	112	11/29/96
23133144	alprazolam 1mg	112	12/23/96
23133144	alprazolam 1mg	112	1/31/97
305243	alprazolam 1mg	120	5/9/97
305243	alprazolam 1mg	120	6/5/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (17) Suellen Ogden, as the Responsible Pharmacist did, from July 24, 1996, through June 5, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #3 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23119726	diazepam 10mg	168	7/24/96
23127786	diazepam 10mg	168	8/16/96
23127786	diazepam 10mg	168	9/12/96
23127786	diazepam 10mg	168	10/8/96
23127786	diazepam 10mg	168	11/4/96
23127786	diazepam 10mg	168	11/29/96
23127786	diazepam 10mg	168	12/23/96
300841	diazepam 10mg	168	1/31/97
301671	diazepam 10mg	168	2/19/97
301671	diazepam 10mg	168	3/16/97
301671	diazepam 10mg	168	4/16/97
301671	diazepam 10mg	168	5/9/97
301671	diazepam 10mg	168	6/5/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (18) Suellen Ogden, as the Responsible Pharmacist did, from July 12, 1995, through June 12, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #4 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23105227	phentermine 37.5mg	14	7/12/95
23106097	phentermine 37.5mg	14	7/26/95
23106858	phentermine 37.5mg	14	8/9/95
23107624	phentermine 37.5mg	14	8/23/95
23108336	phentermine 37.5mg	14	9/6/95
23115472	phentermine 37.5mg	14	1/10/96
23116293	Adipex-P	14	1/24/96
23117099	phentermine 37.5mg	14	2/7/96
23117853	phentermine 37.5mg	14	2/21/96
23118700	phentermine 37.5mg	14	3/6/96
23119585	phentermine 37.5mg	14	3/20/96
23120463	phentermine 37.5mg	14	4/3/96
23122821	phentermine 37.5mg	14	5/15/96
23124332	phentermine 37.5mg	14	6/12/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (19) Suellen Ogden, as the Responsible Pharmacist did, from November 14, 1996, through July 8, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding fifty times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #4 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23131680	hydrocodone 5mg/APAP 500mg	60	11/14/96
23132417	Hydromet Syrup	240ml	11/14/96
23132417	Hydromet Syrup	240ml	11/20/96
23132417	Hydromet Syrup	240ml	11/25/96
23133099	hydrocodone 5mg/APAP 500mg	60	11/27/96
23133101	hydrocodone/homatropine syrup	240ml	11/30/96
23133099	hydrocodone 5mg/APAP 500mg	60	12/7/96
23133101	hydrocodone/homatropine syrup	240ml	12/7/96
23133704	hydrocodone/homatropine syrup	240ml	12/11/96
23133099	hydrocodone 5mg/APAP 500mg	60	12/16/96
23133704	Hydromet Syrup	240ml	12/24/96
23133099	hydrocodone 5mg/APAP 500mg	60	12/26/96
23133099	hydrocodone 5mg/APAP 500mg	60	1/4/97
23133099	hydrocodone 5mg/APAP 500mg	60	1/14/97
300282	hydrocodone 5mg/APAP 500mg	60	1/22/97

300282	hydrocodone 5mg/APAP 500mg	60	1/31/97
300283	Hydromet Syrup	240ml	2/5/97
300282	hydrocodone 5mg/APAP 500mg	60	2/10/97
300283	Hydromet Syrup	240ml	2/10/97
300282	hydrocodone 5mg/APAP 500mg	60	2/20/97
300282	hydrocodone 5mg/APAP 500mg	60	3/3/97
302301	Hydromet Syrup	240ml	3/5/97
300282	hydrocodone 5mg/APAP 500mg	60	3/12/97
302301	Hydromet Syrup	240ml	3/12/97
303143	hydrocodone 5mg/APAP 500mg	60	3/24/97
303143	hydrocodone 5mg/APAP 500mg	60	4/5/97
303143	hydrocodone 5mg/APAP 500mg	60	4/16/97
304060	Hydrocodone compound	240ml	4/16/97
303143	hydrocodone 5mg/APAP 500mg	60	4/26/97
304060	hydrocodone compound	240ml	4/26/97
303143	hydrocodone 5mg/APAP 500mg	60	5/5/97
303143	hydrocodone 5mg/APAP 500mg	60	5/14/97
305948	hydrocodone 5mg/APAP 500mg	60	5/24/97
305948	hydrocodone 5mg/APAP 500mg	60	6/3/97
305948	hydrocodone 5mg/APAP 500mg	60	6/13/97
305948	hydrocodone 5mg/APAP 500mg	60	6/21/97
305948	hydrocodone 5mg/APAP 500mg	60	6/30/97
305948	hydrocodone 5mg/APAP 500mg	60	7/8/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (20) Suellen Ogden, as the Responsible Pharmacist did, from July 10, 1996, through July 22, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #4 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23125861	phentermine 37.5mg	14	7/10/96
23127256	phentermine 37.5mg	14	8/7/96
23131678	phentermine 37.5mg	14	10/30/96
23132414	phentermine 37.5mg	14	11/14/96
23133100	phentermine 37.5mg	14	11/27/96
23133703	phentermine 37.5mg	14	12/11/96
23134402	phentermine 37.5mg	14	12/24/96
303468	phentermine 37.5mg	14	4/2/97
304055	phentermine 37.5mg	14	4/16/97
305478	phentermine 37.5mg	14	5/14/97
306191	phentermine 37.5mg	14	5/30/97
306722	phentermine 37.5mg	14	6/10/97
307299	phentermine 37.5mg	14	6/24/97
307855	phentermine 37.5mg	14	7/8/97
308392	phentermine 37.5mg	14	7/22/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (21) Suellen Ogden, as the Responsible Pharmacist did, from December 18, 1995, through June 3, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #5 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23113453	diazepam 10mg	56	12/18/95
23113453	diazepam 10mg	56	12/27/95
23113453	diazepam 10mg	56	1/23/96
23113453	diazepam 10mg	56	2/8/96
23117970	diazepam 10mg	56	2/23/96
23117970	diazepam 10mg	56	3/5/96
23113453	diazepam 10mg	56	3/16/96
23117970	diazepam 10mg	56	3/25/96
23117970	diazepam 10mg	56	4/8/96
23121468	diazepam 10mg	84	4/23/96
23121468	diazepam 10mg	84	5/23/96
23123730	diazepam 10mg	84	6/3/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (22) Suellen Ogden, as the Responsible Pharmacist did, from December 14, 1995, through June 20, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #5 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23112912	Klonopin 2mg	35	12/14/95
23112912	Klonopin 2mg	35	12/23/95
23114819	Klonopin 2mg	42	1/13/96
23114819	Klonopin 2mg	42	1/23/96
23114819	Klonopin 2mg	42	2/1/96
23114819	Klonopin 2mg	42	2/8/96
23117335	Klonopin 2mg	42	2/12/96
23117969	Klonopin 2mg	112	2/23/96
23117969	Klonopin 2mg	112	3/5/96
23118704	Klonopin 2mg	100	3/6/96
23117969	Klonopin 2mg	112	3/16/96
23118704	Klonopin 2mg	100	3/25/96

23122341	Klonopin 2mg	100	5/7/96
23118704	Klonopin 2mg	100	5/23/96
23118704	Klonopin 2mg	100	6/6/96
23118704	Klonopin 2mg	100	6/20/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (23) Suellen Ogden, as the Responsible Pharmacist did, from December 27, 1995, through June 3, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #5 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23113454	flurazepam 30mg	14	12/27/95
23116233	flurazepam 30mg	14	1/23/96
23117334	flurazepam 30mg	14	2/12/96
23116233	flurazepam 30mg	14	2/23/96
23117334	flurazepam 30mg	14	3/5/96
23118702	flurazepam 30mg	14	3/6/96
23118702	flurazepam 30mg	14	3/16/96
23120777	flurazepam 30mg	14	4/9/96
23122344	flurazepam 30mg	14	5/7/96
23123733	flurazepam 30mg	14	6/3/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (24) Suellen Ogden, as the Responsible Pharmacist did, on or about July 1, 1996, knowingly sell or offer to sell a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold 84 unit doses of diazepam 10mg, pursuant to prescription number 23123730, to Patient #5 without a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.
- (25) Suellen Ogden, as the Responsible Pharmacist did, on or about July 1, 1996, knowingly sell or offer to sell a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold 100 unit doses of Klonopin 2mg, pursuant to prescription number 23118704, to Patient #5 without a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (26) Suellen Ogden, as the Responsible Pharmacist did, from November 25, 1995, through June 24, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #6 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23109697	hydrocodone 5mg/APAP 500mg	84	11/25/95
23112889	Hydromet Syrup	240ml	11/25/95
23112889	Hydromet Syrup	240ml	12/4/95
23112890	hydrocodone 5mg/APAP 500mg	84	12/4/95
23112890	hydrocodone 5mg/APAP 500mg	84	12/15/95
23112890	hydrocodone 5mg/APAP 500mg	84	12/26/95
23112890	hydrocodone 5mg/APAP 500mg	84	1/5/96
23115188	hydrocodone 5mg/APAP 500mg	84	1/19/96
23115188	hydrocodone 5mg/APAP 500mg	84	1/31/96
23116668	Hydromet Syrup	240ml	1/31/96
23115188	hydrocodone 5mg/APAP 500mg	84	2/13/96
23116668	Hydromet Syrup	240ml	2/13/96
23115188	hydrocodone 5mg/APAP 500mg	84	2/27/96
23118360	Hydromet Syrup	240ml	2/28/96
23118360	Hydromet Syrup	240ml	3/12/96
23119069	hydrocodone 5mg/APAP 500mg	84	3/12/96
23119069	hydrocodone 5mg/APAP 500mg	84	3/25/96
23119069	hydrocodone 5mg/APAP 500mg	84	4/8/96
23120803	Hydromet Syrup	240ml	4/9/96
23119069	hydrocodone 5mg/APAP 500mg	84	4/20/96
23120803	Hydromet Syrup	240ml	4/20/96
23121838	hydrocodone 5mg/APAP 500mg	90	4/27/96
23121838	hydrocodone 5mg/APAP 500mg	90	5/8/96
23121838	hydrocodone 5mg/APAP 500mg	90	5/18/96
23121838	hydrocodone 5mg/APAP 500mg	90	5/31/96
23124162	Hydromet Syrup	240ml	6/8/96
23124163	hydrocodone 5mg/APAP 500mg	84	6/11/96
23124162	Hydromet Syrup	240ml	6/17/96
23124163	hydrocodone 5mg/APAP 500mg	84	6/24/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (27) Suellen Ogden, as the Responsible Pharmacist did, from July 8, 1996, through July 22, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding fifty times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #6 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23124163	hydrocodone 5mg/APAP 500mg	84	7/8/96
23124163	hydrocodone 5mg/APAP 500mg	84	7/20/96
23124162	Hydromet Syrup	240ml	7/26/96
23126552	hydrocodone 5mg/APAP 500mg	84	8/1/96
23124162	Hydromet Syrup	240ml	8/8/96
23126552	hydrocodone 5mg/APAP 500mg	84	8/12/96
23127583	Hydromet Syrup	240ml	8/12/96
23126552	hydrocodone 5mg/APAP 500mg	84	8/22/96
23127583	Hydromet Syrup	240ml	8/22/96
23126552	hydrocodone 5mg/APAP 500mg	84	8/31/96
23127946	hydrocodone 5mg/APAP 500mg	125	9/5/96
23127946	hydrocodone 5mg/APAP 500mg	43	9/5/96
23127583	Hydromet Syrup	240ml	9/7/96
23129956	hydrocodone 5mg/APAP 500mg	84	9/27/96
23127583	Hydromet Syrup	240ml	10/11/96
23129956	hydrocodone 5mg/APAP 500mg	84	10/11/96
23129956	hydrocodone 5mg/APAP 500mg	84	10/19/96
23131415	Hydromet Syrup	240ml	10/24/96
23129956	hydrocodone 5mg/APAP 500mg	84	10/28/96
23131421	hydrocodone 5mg/APAP 500mg	84	11/6/96
23131415	Hydromet Syrup	240ml	11/9/96
23131421	hydrocodone 5mg/APAP 500mg	84	11/15/96
23131415	Hydromet Syrup	240ml	11/26/96
23131421	hydrocodone 5mg/APAP 500mg	84	11/26/96
23131421	hydrocodone 5mg/APAP 500mg	84	12/6/96
23131415	Hydromet Syrup	240ml	12/17/96
23134024	hydrocodone 5mg/APAP 500mg	84	12/17/96
23134025	Hydromet Syrup	240ml	12/24/96
23134024	hydrocodone 5mg/APAP 500mg	84	12/28/96
23134024	hydrocodone 5mg/APAP 500mg	84	1/7/97
23134025	Hydromet Syrup	240ml	1/7/97
23134024	hydrocodone 5mg/APAP 500mg	84	1/17/97
300736	hydrocodone 5mg/APAP 500mg	84	1/29/97
23134025	Hydromet Syrup	240ml	1/31/97
300736	hydrocodone 5mg/APAP 500mg 0	84	2/11/97
23134025	Hydromet Syrup	240ml	2/12/97
301605	Hydromet Syrup	240ml	2/18/97
300736	hydrocodone 5mg/APAP 500mg	84	2/20/97
300736	hydrocodone 5mg/APAP 500mg	84	3/1/97
301605	Hydromet Syrup	240ml	3/5/97
302605	hydrocodone 5mg/APAP 500mg	90	3/10/97
301605	Hydromet Syrup	240ml	3/18/97
302605	hydrocodone 5mg/APAP 500mg	90	3/19/97
301605	Hydromet Syrup	240ml	3/27/97
302605	hydrocodone 5mg/APAP 500mg	90	3/28/97
302605	hydrocodone 5mg/APAP 500mg	90	4/7/97
303974	hydrocodone 5mg/APAP 500mg	90	4/15/97
303975	hydrocodone compound	240ml	4/15/97

303975	hydrocodone compound	240ml	4/22/97
303974	hydrocodone 5mg/APAP 500mg	90	4/25/97
303974	hydrocodone 5mg/APAP 500mg	90	5/3/97
303975	hydrocodone compound	240ml	5/3/97
303975	hydrocodone compound	240ml	5/12/97
305346	hydrocodone 5mg/APAP 500mg	90	5/12/97
305346	hydrocodone 5mg/APAP 500mg	90	5/21/97
305784	hydrocodone compound	240ml	5/21/97
305346	hydrocodone 5mg/APAP 500mg	90	5/31/97
305784	hydrocodone compound	240ml	5/31/97
305784	hydrocodone compound	240ml	6/5/97
306511	hydrocodone 5mg/APAP 500mg	90	6/10/97
305784	hydrocodone compound	240ml	6/19/97
307320	hydrocodone compound	240ml	6/24/97
307321	hydrocodone 5mg/APAP 500mg	90	6/24/97
307320	hydrocodone compound	240ml	7/15/97
307320	hydrocodone compound	240ml	7/22/97
308402	hydrocodone 5mg/APAP 500mg	90	7/22/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (28) Suellen Ogden, as the Responsible Pharmacist did, from December 31, 1996, through July 21, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding fifty times the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #7 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23133915	Vicodin	90	12/31/96
23133467	Hydromet Syrup	240ml	1/2/97
23133915	Vicodin	90	1/15/97
23133467	Hydromet Syrup	240ml	1/30/97
23133915	Vicodin	90	1/30/97
23133915	Vicodin	90	2/15/97
302075	Hycodan Syrup	240ml	2/27/97
302074	Vicodin	90	3/3/97
302074	Vicodin	90	3/17/97
302075	Hycodan Syrup	240ml	3/17/97
302074	Vicodin	90	3/31/97
302075	Hycodan Syrup	240ml	3/31/97
302074	Vicodin	90	4/14/97
303958	Hycodan Syrup	240ml	4/14/97
302074	Vicodin	90	4/28/97
303958	Hycodan Syrup	240ml	4/28/97
303958	Hycodan Syrup	240ml	5/12/97
305319	Vicodin	90	5/12/97
305319	Vicodin	90	5/27/97
306034	Hycodan Syrup	240ml	5/27/97

305319	Vicodin	90	6/9/97
306034	Hycodan Syrup	240ml	6/9/97
305319	Vicodin	90	6/23/97
306034	Hycodan Syrup	240ml	6/23/97
305319	Vicodin	90	7/7/97
308377	Vicodin	90	7/21/97
308379	Hycodan Syrup	240ml	7/21/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (29) Suellen Ogden, as the Responsible Pharmacist did, from April 9, 1997, through July 23, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #8 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
303827	alprazolam 2mg	100	04/09/97
303827	alprazolam 2mg	100	04/29/97
303827	alprazolam 2mg	100	05/19/97
303827	alprazolam 2mg	100	06/11/97
303827	alprazolam 2mg	100	07/02/97
303827	alprazolam 2mg	100	07/23/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (30) Suellen Ogden, as the Responsible Pharmacist did, from March 4, 1997, through May 19, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding the bulk amount, but in an amount less than five times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #8 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
302195	diazepam 10mg	90	03/04/97
302195	diazepam 10mg	90	03/19/97
302195	diazepam 10mg	90	04/03/97
302195	diazepam 10mg	90	04/19/97
302195	diazepam 10mg	90	05/05/97
302195	diazepam 10mg	90	05/19/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (31) Suellen Ogden, as the Responsible Pharmacist did, from March 4, 1997, through May 19, 1997, knowingly sell or offer to sell a controlled substance in an amount equal to or exceeding the bulk amount, but in an amount less than five times bulk when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #8 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
302199	oxazepam 30mg	30	03/04/97
302199	oxazepam 30mg	30	03/19/97
303825	oxazepam 30mg	30	04/09/97
303825	oxazepam 30mg	30	05/19/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (32) Suellen Ogden, as the Responsible Pharmacist did, from May 3, 1995, through May 16, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #9 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23101144	lonamin 30mg	14	5/3/95
23102693	lonamin 30mg	14	5/30/95
23103667	lonamin 30mg	14	6/14/95
23103971	lonamin 30mg	14	6/20/95
23105136	lonamin 30mg	14	7/11/95
23105984	lonamin 30mg	14	7/25/95
23106780	lonamin 30mg	14	8/8/95
23112253	lonamin 30mg	14	11/14/95
23113121	lonamin 30mg	14	11/29/95
23113717	lonamin 30mg	14	12/9/95
23114997	lonamin 30mg	14	1/3/96
23115947	lonamin 30mg	14	1/17/96
23116522	lonamin 30mg	14	1/30/96
23117508	lonamin 30mg	14	2/14/96
23118194	lonamin 30mg	14	2/27/96
23119154	lonamin 30mg	14	3/13/96
23119887	lonamin 30mg	14	3/26/96
23120892	lonamin 30mg	14	4/10/96
23122897	lonamin 30mg	14	5/16/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (33) Suellen Ogden, as the Responsible Pharmacist did, from August 9, 1995, through April 29, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #9 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23106898	Pondimin 20mg	42	8/9/95
23108181	Pondimin 20mg	42	9/2/95
23109101	Pondimin 20mg	42	9/19/95
23110245	Pondimin 20mg	42	10/6/95
23110788	Pondimin 20mg	42	10/17/95
23111811	Pondimin 20mg	42	11/4/95
23114575	Pondimin 20mg	42	12/23/95
23115700	Pondimin 20mg	42	1/15/96
23116677	Pondimin 20mg	42	1/31/96
23118091	Pondimin 20mg	42	2/24/96
23119753	Pondimin 20mg	42	3/22/96
23120671	Pondimin 20mg	42	4/5/96
23121932	Pondimin 20mg	42	4/29/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (34) Suellen Ogden, as the Responsible Pharmacist did, on or about July 5, 1996, knowingly sell or offer to sell a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold 14 unit doses of Adipex-P, pursuant to prescription number 23125634, to Patient #9 without a legitimate medical purpose. Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (35) Suellen Ogden, as the Responsible Pharmacist did, from August 16, 1996, through September 4, 1996, knowingly sell or offer to sell a controlled substance in an amount less than the bulk amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #9 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23127831	Pondimin 20mg	42	8/16/96
23128189	Pondimin 20mg	42	8/24/96
23128552	Pondimin 20mg	42	9/4/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (36) Suellen Ogden, as the Responsible Pharmacist did, from October 17, 1995, through March 12, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #10 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23110826	Roxiprin	125	10/17/95
23111579	Roxiprin	125	10/31/95
23112140	Roxiprin	125	11/13/95
23112948	Endodan	125	11/27/95
23114484	Endodan	125	12/22/95
23115116	Endodan	125	1/5/96
23115116	Endodan	15	1/5/96
23115739	Endodan	125	1/15/96
23116531	Roxiprin	125	1/30/96
23117365	Roxiprin	125	2/12/96
23118146	Endodan	125	2/26/96
23119000	Roxiprin	125	3/12/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (37) Suellen Ogden, as the Responsible Pharmacist did, from October 14, 1995, through March 16, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #10 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23110589	hydrocodone 5mg/APAP 500mg	40	10/14/95
23112141	Hydromet Syrup	240ml	11/13/95
23113837	Hydromet Syrup	240ml	12/12/95
23115115	Hydromet Syrup	240ml	1/5/96
23115115	Hydromet Syrup	240ml	1/11/96
23115743	Hydromet Syrup	240ml	1/15/96
23115743	Hydromet Syrup	240ml	1/20/96
23118999	Hydromet Syrup	240ml	3/12/96
23118999	Hydromet Syrup	240ml	3/16/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (38) Suellen Ogden, as the Responsible Pharmacist did, from February 25, 1997, through July 12, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #10 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
301925	oxycodone 4.88mg/ASA 325mg	120	2/25/97
303185	oxycodone 4.88mg/ASA 325mg	125	3/25/97
304065	oxycodone 4.88mg/ASA 325mg	125	4/16/97
305426	Roxicet	125	5/13/97
306539	oxycodone 4.88mg/ASA 325mg	125	6/6/97
308010	oxycodone 4.88mg/ASA 325mg	125	7/12/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (39) Suellen Ogden, as the Responsible Pharmacist did, from February 25, 1997, through June 17, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #10 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
301921	Hydromet Syrup	240ml	2/25/97
301921	Hydromet Syrup	240ml	3/6/97
301921	Hydromet Syrup	240ml	3/14/97
301921	Hydromet Syrup	240ml	3/20/97
303184	hydrocodone compound	240ml	3/25/97
303184	hydrocodone compound	240ml	4/2/97
303184	hydrocodone compound	240ml	4/7/97
303184	hydrocodone compound	240ml	4/11/97
304064	hydrocodone compound	240ml	4/16/97
304064	hydrocodone compound	240ml	4/21/97
304064	hydrocodone compound	240ml	4/28/97
306538	hydrocodone compound	240ml	6/6/97
306538	hydrocodone compound	240ml	6/12/97
306538	hydrocodone compound	240ml	6/17/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (40) Suellen Ogden, as the Responsible Pharmacist did, from December 14, 1995, through June 27, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #11 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23113982	APAP 325mg/codeine 15mg	90	12/14/95
23113982	APAP 325mg/codeine 15mg	90	12/28/95
23113982	APAP 325mg/codeine 15mg	90	1/11/96
23113982	APAP 325mg/codeine 15mg	90	1/23/96
23113982	APAP 325mg/codeine 15mg	90	2/8/96
23113982	APAP 325mg/codeine 15mg	90	2/22/96
23118772	APAP 325mg/codeine 15mg	90	3/7/96
23118772	APAP 325mg/codeine 15mg	90	3/20/96
23118772	APAP 325mg/codeine 15mg	90	4/4/96
23118772	APAP 325mg/codeine 15mg	90	4/17/96
23118772	APAP 325mg/codeine 15mg	90	5/2/96
23118772	APAP 325mg/codeine 15mg	90	5/15/96
23123558	APAP 325mg/codeine 15mg	90	5/30/96
23123558	APAP 325mg/codeine 15mg	90	6/15/96
23123558	APAP 325mg/codeine 15mg	90	6/27/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (41) Suellen Ogden, as the Responsible Pharmacist did, from December 14, 1995, through June 27, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #11 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23113981	hydrocodone 5mg/APAP 500mg	90	12/14/95
23113981	hydrocodone 5mg/APAP 500mg	90	12/28/95
23115565	hydrocodone 5mg/APAP 500mg	90	1/11/96
23115565	hydrocodone 5mg/APAP 500mg	90	1/25/96
23117156	hydrocodone 5mg/APAP 500mg	90	2/8/96
23117156	hydrocodone 5mg/APAP 500mg	90	2/22/96
23118771	hydrocodone 5mg/APAP 500mg	90	3/7/96
23118771	hydrocodone 5mg/APAP 500mg	90	3/20/96
23120564	hydrocodone 5mg/APAP 500mg	90	4/4/96
23120564	hydrocodone 5mg/APAP 500mg	90	4/17/96

23122105	hydrocodone 5mg/APAP 500mg	90	5/2/96
23122105	hydrocodone 5mg/APAP 500mg	90	5/15/96
23123560	hydrocodone 5mg/APAP 500mg	90	5/30/96
23123560	hydrocodone 5mg/APAP 500mg	90	6/11/96
23125201	hydrocodone 5mg/APAP 500mg	90	6/27/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (42) Suellen Ogden, as the Responsible Pharmacist did, from July 9, 1996, through October 17, 1996, knowingly sell or offer to sell a controlled substance in an amount exceeding the bulk amount, but in an amount less than five times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy the pharmacy sold the following controlled substances to Patient #11 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23123558	APAP 325mg/codeine 15mg	90	7/9/96
23123558	APAP 325mg/codeine 15mg	90	7/24/96
23123558	APAP 325mg/codeine 15mg	90	8/6/96
23129371	APAP 325mg/codeine 15mg	90	9/18/96
23129371	APAP 325mg/codeine 15mg	90	10/2/96
23129371	APAP 325mg/codeine 15mg	90	10/17/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (43) Suellen Ogden, as the Responsible Pharmacist did, from July 9, 1996, through October 2, 1996, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #11 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23125201	hydrocodone 5mg/APAP 500mg	90	7/9/96
23126691	hydrocodone 5mg/APAP 500mg	90	7/25/96
23126691	hydrocodone 5mg/APAP 500mg	90	8/8/96
23128045	hydrocodone 5mg/APAP 500mg	90	8/22/96
23128045	hydrocodone 5mg/APAP 500mg	90	9/4/96
23129372	hydrocodone 5mg/APAP 500mg	90	9/18/96
23129372	hydrocodone 5mg/APAP 500mg	90	10/2/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (44) Suellen Ogden, as the Responsible Pharmacist did, from January 5, 1996, through June 24, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #12 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23115157	hydrocodone 5mg/APAP 500mg	60	01/05/96
23115157	hydrocodone 5mg/APAP 500mg	60	01/19/96
23115157	hydrocodone 5mg/APAP 500mg	60	02/06/96
23115157	hydrocodone 5mg/APAP 500mg	60	02/16/96
23115157	hydrocodone 5mg/APAP 500mg	60	02/27/96
23115157	hydrocodone 5mg/APAP 500mg	60	03/11/96
23119830	hydrocodone 5mg/APAP 500mg	60	03/25/96
23119830	hydrocodone 5mg/APAP 500mg	60	04/06/96
23119830	hydrocodone 5mg/APAP 500mg	60	04/17/96
23119830	hydrocodone 5mg/APAP 500mg	60	04/29/96
23119830	hydrocodone 5mg/APAP 500mg	60	05/13/96
23119830	hydrocodone 5mg/APAP 500mg	60	05/24/96
23124092	hydrocodone 5mg/APAP 500mg	60	06/07/96
23124092	hydrocodone 5mg/APAP 500mg	60	06/17/96
23124092	hydrocodone 5mg/APAP 500mg	60	06/24/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (45) Suellen Ogden, as the Responsible Pharmacist did, from January 2, 1996, through June 28, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #12 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23114917	Roxiprin	125	01/02/96
23116520	Roxiprin	125	01/30/96
23117986	Roxiprin	125	02/23/96
23119473	Roxiprin	125	03/19/96
23121008	Roxiprin	125	04/12/96
23122499	Roxiprin	125	05/10/96
23123807	Roxiprin	125	06/04/96
23125266	Roxiprin	125	06/28/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (46) Suellen Ogden, as the Responsible Pharmacist did, from July 6, 1996, through December 13, 1996, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #12 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23124092	hydrocodone 5mg/APAP 500mg	60	07/06/96
23124092	hydrocodone 5mg/APAP 500mg	60	07/15/96
23124092	hydrocodone 5mg/APAP 500mg	60	08/01/96
23127790	hydrocodone 5mg/APAP 500mg	60	08/17/96
23127790	hydrocodone 5mg/APAP 500mg	60	08/28/96
23127790	hydrocodone 5mg/APAP 500mg	60	09/05/96
23127790	hydrocodone 5mg/APAP 500mg	60	09/12/96
23127790	hydrocodone 5mg/APAP 500mg	60	09/21/96
23127790	hydrocodone 5mg/APAP 500mg	60	09/30/96
23131570	hydrocodone 5mg/APAP 500mg	60	11/02/96
23131570	hydrocodone 5mg/APAP 500mg	60	11/09/96
23131570	hydrocodone 5mg/APAP 500mg	60	11/16/96
23131570	hydrocodone 5mg/APAP 500mg	60	11/25/96
23131570	hydrocodone 5mg/APAP 500mg	60	12/03/96
23131570	hydrocodone 5mg/APAP 500mg	60	12/13/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (47) Suellen Ogden, as the Responsible Pharmacist did, from July 23, 1996, through December 17, 1996, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #12 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23126486	Roxiprin	125	07/23/96
23127789	Roxiprin	125	08/16/96
23128933	Roxiprin	125	09/10/96
23130204	Roxiprin	125	10/03/96
23131569	Roxiprin	125	10/29/96
23132829	Roxiprin	125	11/22/96
23133921	oxycodone 4.88mg/ASA 325mg	125	12/17/96

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (48) Suellen Ogden, as the Responsible Pharmacist did, from January 15, 1996, through June 21, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #13 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23112927	hydrocodone 5mg/APAP 500mg	60	1/15/96
23112927	hydrocodone 5mg/APAP 500mg	60	1/27/96
23112927	hydrocodone 5mg/APAP 500mg	60	2/13/96
23116440	hydrocodone 7.5mg/APAP 650mg	60	2/26/96
23116440	hydrocodone 7.5mg/APAP 650mg	60	3/15/96
23116440	hydrocodone 7.5mg/APAP 650mg	60	3/28/96
23116440	hydrocodone 7.5mg/APAP 650mg	60	4/9/96
23121075	hydrocodone 7.5mg/APAP 650mg	60	4/19/96
23121075	hydrocodone 7.5mg/APAP 650mg	60	4/29/96
23121075	hydrocodone 7.5mg/APAP 650mg	60	5/13/96
23121075	hydrocodone 7.5mg/APAP 650mg	60	5/24/96
23121075	hydrocodone 7.5mg/APAP 650mg	60	6/8/96
23121075	hydrocodone 7.5mg/APAP 650mg	60	6/21/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (49) Suellen Ogden, as the Responsible Pharmacist did, from January 15, 1996, through June 21, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #13 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23112924	APAP 325mg/codeine 30mg	60	1/15/96
23112924	APAP 325mg/codeine 30mg	60	1/27/96
23112924	APAP 325mg/codeine 30mg	60	2/13/96
23116442	APAP 325mg/codeine 30mg	60	2/26/96
23116442	APAP 325mg/codeine 30mg	60	3/15/96
23116442	APAP 325mg/codeine 30mg	60	3/28/96
23116442	APAP 325mg/codeine 30mg	60	4/9/96
23121076	APAP 325mg/codeine 30mg	60	4/19/96
23121076	APAP 325mg/codeine 30mg	60	4/29/96
23121076	APAP 325mg/codeine 30mg	60	5/13/96
23121076	APAP 325mg/codeine 30mg	60	5/24/96
23121076	APAP 325mg/codeine 30mg	60	6/8/96
23121076	APAP 325mg/codeine 30mg	60	6/21/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (50) Suellen Ogden, as the Responsible Pharmacist did, from July 2, 1996, through July 2, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #13 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23125512	hydrocodone 5mg/APAP 500mg	112	7/2/96
23126563	hydrocodone 5mg/APAP 500mg	49	7/24/96
23127205	hydrocodone 5mg/APAP 500mg	42	8/7/96
23127960	hydrocodone 5mg/APAP 500mg	38	8/21/96
23128633	hydrocodone 5mg/APAP 500mg	34	9/5/96
23129321	hydrocodone 5mg/APAP 500mg	38	9/18/96
23130075	hydrocodone 5mg/APAP 500mg	35	10/1/96
23130818	hydrocodone 5mg/APAP 500mg	35	10/15/96
23131562	hydrocodone 5mg/APAP 500mg	32	10/29/96
23132297	hydrocodone 5mg/APAP 500mg	29	11/12/96
23132992	hydrocodone 5mg/APAP 500mg	26	11/26/96
23133556	hydrocodone 5mg/APAP 500mg	25	12/9/96
23134375	hydrocodone 5mg/APAP 500mg	23	12/24/96
23134945	hydrocodone 5mg/APAP 500mg	23	1/7/97
300171	hydrocodone 5mg/APAP 500mg	23	1/21/97
300171	hydrocodone 5mg/APAP 500mg	23	2/4/97
301424	hydrocodone 5mg/APAP 500mg	23	2/14/97
301424	hydrocodone 5mg/APAP 500mg	23	3/3/97
302872	hydrocodone 5mg/APAP 500mg	23	3/18/97
302872	hydrocodone 5mg/APAP 500mg	23	3/31/97
303979	hydrocodone 5mg/APAP 500mg	46	4/15/97
303979	hydrocodone 5mg/APAP 500mg	46	5/12/97
306701	hydrocodone 5mg/APAP 500mg	46	6/10/97
306701	hydrocodone 5mg/APAP 500mg	46	7/2/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (51) Suellen Ogden, as the Responsible Pharmacist did, from July 2, 1996, through July 2, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #13 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23125514	APAP 325mg/codeine 30mg	112	7/2/96
23126565	APAP 325mg/codeine 30mg	42	7/24/96
23127207	APAP 325mg/codeine 30mg	42	8/7/96
23127959	APAP 325mg/codeine 30mg	42	8/21/96
23128632	APAP 325mg/codeine 30mg	42	9/5/96
23129320	APAP 325mg/codeine 60mg	38	9/18/96
23130077	APAP 325mg/codeine 60mg	35	10/1/96
23130815	APAP 325mg/codeine 30mg	42	10/15/96
23131560	APAP 325mg/codeine 60mg	32	10/29/96
23132295	APAP 325mg/codeine 60mg	29	11/12/96
23132990	APAP 325mg/codeine 60mg	26	11/26/96
23133555	APAP 325mg/codeine 60mg	25	12/9/96
23134374	APAP 325mg/codeine 60mg	23	12/24/96
23134944	APAP 325mg/codeine 60mg	23	1/7/97
300170	APAP 325mg/codeine 60mg	23	1/21/97
300170	APAP 325mg/codeine 60mg	23	2/4/97
301423	APAP 325mg/codeine 60mg	23	2/14/97
301423	APAP 325mg/codeine 60mg	23	3/3/97
302874	APAP 325mg/codeine 60mg	23	3/18/97
302874	APAP 325mg/codeine 60mg	23	3/31/97
303980	APAP 325mg/codeine 60mg	46	4/15/97
303980	APAP 325mg/codeine 60mg	46	5/12/97
306703	APAP 325mg/codeine 60mg	46	6/10/97
306703	APAP 325mg/codeine 60mg	46	7/2/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (52) Suellen Ogden, as the Responsible Pharmacist did, from January 3, 1996, through June 25, 1996, knowingly sell or offer to sell a controlled substance in an amount greater than three times the bulk amount, but in an amount less than one hundred times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #14 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23110472	hydrocodone 5mg/APAP 500mg	120	1/3/96
23116146	hydrocodone 5mg/APAP 500mg	120	1/20/96
23116146	hydrocodone 5mg/APAP 500mg	120	1/29/96
23116146	hydrocodone 5mg/APAP 500mg	120	2/7/96
23116146	hydrocodone 5mg/APAP 500mg	120	2/16/96
23116146	hydrocodone 5mg/APAP 500mg	120	2/26/96
23116146	hydrocodone 5mg/APAP 500mg	120	3/6/96
23119399	hydrocodone 5mg/APAP 500mg	120	3/16/96
23119399	hydrocodone 5mg/APAP 500mg	120	3/26/96
23119399	hydrocodone 5mg/APAP 500mg	120	4/9/96
23119399	hydrocodone 5mg/APAP 500mg	120	4/19/96
23119399	hydrocodone 5mg/APAP 500mg	120	4/30/96

23119399	hydrocodone 5mg/APAP 500mg	120	5/10/96
23123282	hydrocodone 5mg/APAP 500mg	120	5/24/96
23123282	hydrocodone 5mg/APAP 500mg	120	6/3/96
23123282	hydrocodone 5mg/APAP 500mg	120	6/12/96
23123282	hydrocodone 5mg/APAP 500mg	120	6/25/96

Such conduct is in violation of Section 2925.03(A)(7) (as was in effect during said time period) of the Ohio Revised Code.

- (53) Suellen Ogden, as the Responsible Pharmacist did, from July 10, 1996, through January 17, 1997, knowingly sell or offer to sell a controlled substance in an amount exceeding five times the bulk amount, but in an amount less than fifty times that amount when the conduct was not in accordance with Chapters 3719., 4729., and 4731. of the Ohio Revised Code, to wit: Suellen Ogden or a pharmacist under her control at Chesterfield Pharmacy sold the following controlled substances to Patient #14 without a legitimate medical purpose:

<u>Rx No.</u>	<u>Drug</u>	<u>Quantity</u>	<u>Date</u>
23123282	hydrocodone 5mg/APAP 500mg	120	7/10/96
23123282	hydrocodone 5mg/APAP 500mg	120	7/20/96
23127578	hydrocodone 5mg/APAP 500mg	120	8/12/96
23127578	hydrocodone 5mg/APAP 500mg	120	8/21/96
23127578	hydrocodone 5mg/APAP 500mg	120	8/30/96
23127578	hydrocodone 5mg/APAP 500mg	120	9/9/96
23127578	hydrocodone 5mg/APAP 500mg	120	9/18/96
23127578	hydrocodone 5mg/APAP 500mg	120	9/28/96
23132338	hydrocodone 5mg/APAP 500mg	120	11/12/96
23132338	hydrocodone 5mg/APAP 500mg	120	11/23/96
23132338	hydrocodone 5mg/APAP 500mg	120	12/5/96
23132338	hydrocodone 5mg/APAP 500mg	120	12/20/96
23132338	hydrocodone 5mg/APAP 500mg	120	1/2/97
23132338	hydrocodone 5mg/APAP 500mg	120	1/17/97

Such conduct is in violation of Section 2925.03(A) of the Ohio Revised Code.

- (54) Suellen Ogden did, on or about October 22, 1999, plead guilty to three counts of Illegal Processing of Drug Documents in violation of Section 2925.23 of the Ohio Revised Code, one a felony of the third degree, one a felony of the fourth degree, and one a felony of the fifth degree. State of Ohio vs. Suellen Ogden, Case No. CR 359485, Cuyahoga County Common Pleas Court.

WHEREAS, Suellen Ogden denies some or all of the allegations or charges. Notwithstanding Suellen Ogden's denial of the allegations, the Board hereby adjudicates the same.

WHEREAS, Suellen Ogden admits and acknowledges that she is not a "prevailing eligible party" for purposes of Sections 119.092 and 2335.39 of the Revised Code. Further, Suellen Ogden waives any rights she may have under Sections 119.092 and 2335.39 of the Revised Code.

WHEREAS, Suellen Ogden, with intention of binding herself and her successors in interest and assigns, hereby releases, and holds harmless from liability and forever discharges the State of Ohio, the Board, the Ohio Attorney General, and any and all of their present and former members, officers, attorneys, agents and employees, personally and in their official capacities, from any and all claims, demands, causes of actions, judgments, or executions that she ever had, or now has or may have, known or unknown, or that anyone claiming through or under her may have or claims to have, created by or arising out of the allegations or charges filed by the Board against Suellen Ogden set forth in the Notices of Opportunity for Hearing.

WHEREAS, Suellen Ogden acknowledges that she has had an opportunity to ask questions concerning the terms of this agreement and that all questions asked have been answered in a satisfactory manner.

THEREFORE, the parties, in consideration of the mutual covenants and promises contained herein, and in lieu of any further formal proceedings at this time, and intending to be bound by said covenants, agree as follows:

- (A) The Summary Suspension Order issued by the Board is removed as of the effective date of this agreement.
- (B) A three-year suspension of Suellen Ogden's pharmacist identification card, No. 03-1-20832, to be calculated from the effective date of the Summary Suspension of her license (November 23, 1999).
 - (1) Suellen Ogden may be employed by or work in a facility licensed by the State Board of Pharmacy to possess or distribute dangerous drugs during such period of suspension, however her duties must be outside the confines of the barricaded pharmacy area. This term includes allowing Suellen Ogden to work as a pharmaceutical drug representative.
 - (2) Division (B) of Section 4729.16 of the Revised Code provides that: "Any individual whose identification card is revoked, suspended, or refused, shall return the identification card and license [wall certificate] to the offices of the state board of pharmacy within ten days after receipt of notice of such action." The certificate and identification card should be forwarded by certified mail, return receipt requested.
- (C) Suellen Ogden must take and successfully complete the Jurisprudence examination offered by the Board prior to reinstatement and, if Suellen Ogden has not successfully completed the Jurisprudence examination prior to November 23, 2002, her license will remain suspended until this condition has been achieved.
- (D) Suellen Ogden's license, upon the completion of the terms of suspension and after having passed the Jurisprudence examination, will be issued automatically upon renewal which will require submission of continuing pharmacy education as set forth in Chapter 4729-7 of the Ohio Administrative Code.

- (E) Upon reinstatement, Suellen Ogden's pharmacist identification card, No. 03-1-20832, will be placed on probation for five years. The terms of probation are as follows:
- (1) The State Board of Pharmacy hereby declares that Suellen Ogden's pharmacist identification card is not in good standing and thereby denies the privilege of being a preceptor and training pharmacy interns pursuant to paragraph (D)(1) of Rule 4729-3-01 of the Ohio Administrative Code.
 - (2) Suellen Ogden may not serve as a responsible pharmacist.
 - (3) Suellen Ogden must not violate the drug laws of the state of Ohio, any other state, or the federal government.
 - (4) Suellen Ogden must abide by the rules of the State Board of Pharmacy.
 - (5) Suellen Ogden must comply with the terms of this agreement.
- (F) If, in the judgment of the Board, Suellen Ogden appears to have violated or breached any terms or conditions of this agreement, the State Board of Pharmacy reserves the right to, at any time, revoke probation, modify the conditions of probation, and reduce or extend the period of probation, and/or the Board may institute formal disciplinary proceedings for any and all possible violations or breaches, including but not limited to, alleged violation of the laws of Ohio occurring before the effective date of this agreement.

THIS AGREEMENT EMBODIES THE ENTIRE AGREEMENT BETWEEN AND OF THE PARTIES. THERE ARE NO EXPRESSED OR IMPLIED PROMISES, GUARANTEES, TERMS, COVENANTS, CONDITIONS, OR OBLIGATIONS OTHER THAN THOSE CONTAINED HEREIN; AND THIS AGREEMENT SUPERSEDES ALL PREVIOUS COMMUNICATIONS, REPRESENTATIONS, OR AGREEMENTS, EITHER VERBAL OR WRITTEN, BETWEEN THE PARTIES.

THE PARTIES HERETO ACKNOWLEDGE THAT THIS AGREEMENT SHALL BE CONSIDERED A PUBLIC RECORD AS THAT TERM IS USED IN SECTION 149.43 OF THE OHIO REVISED CODE AND SHALL BECOME EFFECTIVE UPON THE DATE OF THE BOARD PRESIDENT'S SIGNATURE BELOW.

SIGNED AND EFFECTIVE APRIL 3, 2000

SUMMARY SUSPENSION ORDER/NOTICE OF OPPORTUNITY FOR HEARING

November 23, 1999

Suellen Ogden, R.Ph.
147 Greenway Drive
Elyria, Ohio 44035

Re: Ohio Registered Pharmacist
Number 03-1-20832

Dear Ms. Ogden:

Records of the Board indicate that you are a pharmacist registered by this Board to practice pharmacy in the state of Ohio.

In accordance with Section 2929.24 of the Ohio Revised Code, the office of the Prosecuting Attorney of Cuyahoga County, Ohio, has submitted to this Board information which indicates that on October 22, 1999, you pled guilty in the Common Pleas Court of Cuyahoga County, Ohio, to a felony drug abuse offense under Section 2925.23 of the Ohio Revised Code.

YOU ARE HEREBY ADVISED that, in addition to the allegations stated in the July 26, 1999, Notice of Opportunity for Hearing letter, the following allegation will also be considered, as numbered:

(54) You did, on or about October 22, 1999, plead guilty to three counts of Illegal Processing of Drug Documents in violation of Section 2925.23 of the Ohio Revised Code, one a felony of the third degree, one a felony of the fourth degree, and one a felony of the fifth degree. State of Ohio vs. Suellen Ogden, Case No. CR 359485, Cuyahoga County Common Pleas Court. Such conduct, constitutes being guilty of a felony or gross immorality and/or guilty of dishonesty or unprofessional conduct in the practice of pharmacy within the meaning of Section 4729.16 of the Ohio Revised Code.

YOU ARE HEREBY NOTIFIED that Section 3719.121 of the Ohio Revised Code states, in pertinent part:

(C) On receiving notification pursuant to Section 2929.24 or 3719.12 of the Revised Code, the Board under which a person has been issued a license, certificate, or evidence of registration immediately shall suspend the license, certificate, or registration of that person on a plea of guilty to, a finding by a jury or court of the person's guilt of, or conviction of a felony drug abuse offense ...

WHEREFORE, PURSUANT TO SECTION 3719.121(C) OF THE OHIO REVISED CODE, YOU ARE HEREBY NOTIFIED THAT YOUR REGISTRATION AND LICENSE TO PRACTICE PHARMACY IN THE STATE OF OHIO IS HEREBY SUSPENDED. FURTHER, PURSUANT TO RULE 4729-9-01(F) OF THE OHIO ADMINISTRATIVE CODE, DURING THIS TERM OF SUSPENSION YOU MAY NOT BE EMPLOYED BY OR WORK IN ANY FACILITY LICENSED BY THE BOARD OF PHARMACY TO POSSESS OR DISTRIBUTE DANGEROUS DRUGS. This suspension shall remain in effect until an adjudicatory hearing is held by the Board under Chapter 119. of the Revised Code, during which time you may not engage in the practice of pharmacy.

YOU ARE FURTHER NOTIFIED that Section 4729.16 of the Ohio Revised Code states in pertinent part:

(A) The State Board of Pharmacy, after notice and hearing in accordance with Chapter 119. of the Ohio Revised Code, may revoke, suspend, place on probation, or refuse to grant or renew an identification card, or may impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Ohio Revised Code for a similar offense, or in the case of a violation of a section of the Ohio Revised Code that does not bear a penalty, a monetary penalty or forfeiture of no more than five hundred dollars, if the Board finds a pharmacist or pharmacy intern:

- (1) Guilty of a felony or gross immorality;
- (2) Guilty of dishonesty or unprofessional conduct in the practice of pharmacy;
- (3) Addicted to or abusing liquor or drugs or impaired physically or mentally to such a degree as to render the pharmacist or pharmacy intern unfit to practice pharmacy;
- (4) Has been convicted of a misdemeanor related to, or committed in, the practice of pharmacy;
- (5) Guilty of willfully violating, conspiring to violate, attempting to violate, or aiding and abetting the violation of any of the provisions of this chapter, sections 3715.52 to 3715.72 or Chapter 2925. or 3719. of the Revised Code;
- (6) Guilty of permitting anyone other than a pharmacist or pharmacy intern to practice pharmacy;
- (7) Guilty of knowingly lending the pharmacist's or pharmacy intern's name to an illegal practitioner of pharmacy or having professional connection with an illegal practitioner of pharmacy;
- (8) Guilty of dividing or agreeing to divide remuneration made in the practice of pharmacy with any other individual, including, but not limited to, any licensed health professional authorized to prescribe drugs or any owner, manager, or employee of a health care facility, residential care facility, or nursing home;
- (9) Has violated the terms of a consult agreement entered into pursuant to section 4729.39 of the Revised Code.

IN ACCORDANCE WITH THE NOTICE OF OPPORTUNITY FOR HEARING letter dated July 26, 1999, and pursuant to your adjudication hearing scheduled to begin on January 10, 2000, you may appear at such hearing in person, by your attorney, or by such other representative as is permitted to practice before the agency, or you may present your position, arguments or contentions in writing; and, at this hearing, you may also present evidence and examine any witnesses appearing for and against you.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "Any individual whose identification card is revoked, suspended, or refused, shall return his identification card and license to the offices of the state board of pharmacy within ten days after receipt of notice of such action." The wall certificate and identification card should be forwarded by certified mail, return receipt requested.

(D-991123-035)

BY ORDER OF THE STATE BOARD OF PHARMACY

SUMMARY SUSPENSION EFFECTIVE NOVEMBER 23, 1999

*This remains in effect until an Order is issued by the Board or a Settlement Agreement is signed.
(Settlement Agreement Effective April 3, 2000)*