### **NEVADA STATE BOARD OF PHARMACY**

431 W Plumb Lane - Reno, NV 89509

### APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

\$500.00 Fee made payable to: Nevada State Board of Pharmacy

### (non-refundable and not transferable money order or cashier's check only)

Application must be printed legibly or typed

Any misrepresentation in the answer to any question on this application is grounds for refusal or denial of the application or subsequent revocation of the license issued and is a violation of the laws of the State of Nevada.

/	
☐New Pharmacy or <b>Sownership Chang</b> e (Provide o	
Check box below for type of ownership and complete al.	Il required forms.
☐ Publicly Traded Corporation – Pages 1,2,3,7  ☑ Non Publicly Traded Corporation – Pages 1,2,4,7	☐ Partnership - Pages 1,2,5,7 ☐ Sole Owner – Pages 1,2,6,7
Tagos 1,2,4,1	Gold Gwildi
GENERAL INFORMATION to be completed by al	Il types of ownership
Pharmacy Name: Hope well	Pharmacy
Physical Address: \ West Broa	ed St
Mailing Address: \ \ West Broad	St
City: Hopewell State:	Zip Code: 08525
Telephone: (69-416-1960) Fax: (	609-4106-8220
	equired per NAC 639.708)
TOUTION NUMBER TO THE	equired per 14/10 000.700)
A Joseph Man all Au CAM.	I Hala Hanguiell RX Com
E-mail: Shobson@ Hopewell Ry. Con We	ebsite: Www. Hopewell RY. Com
E-mail: Shobson @ Hopewell Rr. Conwe Managing Pharmacist: JoAnn Hobson	ebsite: Www. Hopewell RY. Com
E-mail: Shobson @ Horewell Rr. Conwe	ebsite: Www. Hopewell RY. Com
E-mail: Shobson @ Hopewell Rr. Conwe Managing Pharmacist: JoAnn Hobson	License Number: 28RI 0212860
E-mail: Shobson @ Hopewell RY. Conwe Managing Pharmacist: Sto Ann Hobson  TYPE OF PHARMACY AND  Yes/No	License Number: 28RI 0212860  SERVICES PROVIDED
E-mail: Shobson @ Hopewell RY. Conwe Managing Pharmacist: JOAnn Hobson  TYPE OF PHARMACY AND  Yes/No	License Number: 28RI 0212860  SERVICES PROVIDED  Yes/No
E-mail: Shobson @ Hopewell R.Conwe Managing Pharmacist: SoAnn Hobson  TYPE OF PHARMACY AND  Yes/No  Retail	License Number: 28RT 0212860  SERVICES PROVIDED  Yes/No  Off-site Cognitive Services
E-mail: Shobson @ Hopewell Rr. Conwe Managing Pharmacist: SoAnn Hobson  TYPE OF PHARMACY AND  Yes/No  Retail  Hospital (# beds)	License Number: 28RT 0212860  SERVICES PROVIDED  Yes/No  Company Services
E-mail: Shobson @ Hopewell Rr. Conwe Managing Pharmacist: SoAnn Hobson  TYPE OF PHARMACY AND  Yes/No  Yes/No  Retail  Hospital (# beds)  Internet	License Number 28RT 0212860  SERVICES PROVIDED  Yes/No  Comparity Services Comparity Services Comparity Parenteral (outpatient)
E-mail: Shobson @ Hopewell Rr. Conwe Managing Pharmacist: SoAnn Hobson  TYPE OF PHARMACY AND  Yes/No  Retail  Retail  Hospital (# beds)  Internet  Nuclear	License Number: 28RT 0212860  SERVICES PROVIDED  Yes/No  Parenteral **  Parenteral (outpatient)  Outpatient/Discharge
E-mail: Showson @ Hopewell Rr. Conwe Managing Pharmacist: SoAnn Hobson  TYPE OF PHARMACY AND  Yes/No  Retail  Retail  Hospital (# beds)  Internet  Nuclear  Ambulatory Surgery Center	License Number: 28RT 0212860  SERVICES PROVIDED  Yes/No  Comparison of the Cognitive Services  Comparison of
E-mail: Shobson @ Horewell Rr. Conwe Managing Pharmacist: Stoppin Hobson  TYPE OF PHARMACY AND  Yes/No  Retail  Hospital (# beds)  Internet  Nuclear  Ambulatory Surgery Center  Community	License Number 28 RT 02 12 86 C  SERVICES PROVIDED  Yes/No  Parenteral **  Parenteral (outpatient)  Outpatient/Discharge  Mail Service  Long Term Care
E-mail: Showon @ Honewell Rr. Conwe Managing Pharmacist: StoAnn Hobson  TYPE OF PHARMACY AND  Yes/No  Retail  Hospital (# beds)  Internet  Nuclear  Ambulatory Surgery Center  Community	License Number 28 RT 02 12 86 C  SERVICES PROVIDED  Yes/No  Parenteral **  Parenteral (outpatient)  Outpatient/Discharge  Mail Service  Mong Term Care Sterile Compounding **

<sup>\*\*</sup>If you check "yes" on any of these types of services, you will be <u>required</u> to make an appearance at the board meeting,

### APPLICATION FOR OUT-OF STATE PHARMACY LICENSE

This page must be submitted for all types of ownership.

			\			
Within t	:he	last five	(5)	vears:		

Board	Use Only Date Processed: Amount:	<b>%</b>
Print N	Name of Authorized Person  Date	 Page 2
Origin	al Signature of Person Authorized to Submit Application, no copies or stan	nps
	Os & Holeson	
•	yees, to conduct any investigation(s) of the business, professional, social round, qualification and reputation, as it may deem necessary, proper or d	
under	penalty of perjury, that the information furnished on this application are tru t. I hereby authorize the Nevada State Board of Pharmacy, its agents, ser	e, accurate and
opera	et. I understand that any infraction of the laws of the State of Nevada regul tion of an authorized pharmacy may be grounds for the revocation of this p read all questions, answers and statements and know the contents thereo	ermit.
	by certify that the answers given in this application and attached document	
Copie	answer to question 1 through 5 is "yes", a signed statement of explanation s of any documents that identify the circumstance or contain an order, agre sition may be required.	
5)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever surrendered a license, permit or certificate of registration voluntarily or otherwise (other than upon voluntary close of a facility)?	Yes □ No 💢
4)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been found guilty, pled guilty or entered a plea of nolo contendere to any offense federal or state, related to controlled substances?	Yes □ No 🔀
3)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been the subject of an administrative action, board citation, site fine or proceeding relating to the pharmaceutical industry?	Yes □ No 🛣
2)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been denied a license, permit or certificate of registration?	Yes □ No 🌡
1)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been charged, or convicted of a felony or gross misdemeanor (including by way of a guilty plea or no contest plea)?	Yes □ No 🔀

### APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

### OWNERSHIP IS A NON PUBLICY TRADED CORPORATION

State of Incorporation: New Jersey
Parent Company if any:
Mailing Address: 1 West Broad St
City: Hopewell State: 1 Zip: 0855
Telephone: (09-466-1960) Fax: (009-466-8222
Contact Person: John Hobson
For any corporation non publicly traded, disclose the following:
1) List top 4 persons to whom the shares were issued by the corporation?
a) John Hobson Blackfood RD. Pennington NJ 08539  Name Address  b) Eric Jaderlund Bond St Bridgewater NJ 08807
b) Eric Jaderlund Bond St Bridgewater NJ 08807
Name Address
C) Name Address
d)
Name Address
2) Provide the number of shares issued by the corporation. <u>360 (100 PACH)</u>
3) What was the price paid per share?
4) What date did the corporation actually receive the cash assets? 9118
5) Provide a copy of the corporation's stock register evidencing the above information
List any physician shareholders and percentage of ownership.
Name:%:
Name:%:
Hours of Operation for the pharmacy:
Monday thru Fridayampm Saturdayampm
Sundayampm 24 Hours
A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number:

Page 4

### STATEMENT OF RESPONSIBILITY FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

1,TOANN HOBSON
Responsible Person of Hopewell PHARMACY
hereby acknowledge and understand that in addition to the corporation's, any owner(s),
shareholder(s) or partner(s) responsibilities, may be responsible for any violations of pharmacy law
that may occur in a pharmacy owned or operated by said corporation.
I further acknowledge and understand that the corporation's, any owner(s), shareholder(s)
or partner(s)may be named in any action taken by the Nevada State Board of Pharmacy against a
pharmacy owned by or operated by said corporation.
I further acknowledge and understand that the corporation's, any owner(s), shareholder(s)
or partner(s) cannot require or permit the pharmacist(s) in said pharmacy to violate any provision
of any local, state or federal laws or regulations pertaining to the practice of pharmacy.
As Helison
Original Signature of Person Authorized to Submit Application, no copies or stamps
JOANN HOBSON 9/8/18
Print Name of Authorized Person Date

### **AFFIDAVIT for Out-of-State Pharmacy License**

STATE OF
MERCER COUNTY )
I, JOANN HOBSON , hereby certify that the assertions in this Affidavit
are true and correct to the best of my knowledge and belief, and state as follows:
1. I am the <u>OWNER</u> for <u>HOPEWELL PHARMACY</u> (the
Pharmacy), and in that capacity, I am authorized to speak on the Pharmacy's behalf.
2. I certify that upon licensure, the Pharmacy will not sell or ship compounded sterile
products unto the state of Nevada, as indicated on the Pharmacy's application for a Nevada Out-
of-State Pharmacy License.
3. I understand and acknowledge that the Pharmacy and any of its Nevada-
registered/licensed staff members may be subject to discipline by the Board if the Pharmacy sells
or ships any compounded sterile product into Nevada without first obtaining written authorization
from the Board to do so.
4. I certify that if the Pharmacy ever decides to sell or ship any compounded sterile
product into Nevada, the Pharmacy, through an authorized representative, will first notify the
Board and obtain written approval to sell and ship such products into Nevada.
5. I understand that if the Pharmacy seeks approval to sell or ship compounded sterile
product into Nevada, an authorized representative of the Pharmacy may be required to appear
before the Board to answer questions before such approval is granted.
FURTHER AFFIANT SAYETH NOT.
I, JOANN HOSON, do hereby swear under penalty of perjury that the assertions of this
affidavit are true.
Name Hallson
SUBSCRIBED AND SWORN TO
before me, a notary public this 14 day of Spender, 2018.
AIOTARY BURLIO
NOTARY PUBLIC  LISA M PALMIERI  Notary Public - State of New Jersey

My Commission Expires Jul 9, 2019

### Untitled

JoAnn Hobson
President
Home Address:
Blackfoot Rd
Pennington, NJ 08534
DOB

Home PHone

Business Phone 609-466-1960

Business Address:

1 West Broad St

Hopewell, NJ 08525

Eric Jaderlund
Treasurer
Home Address:
Bond St
Bridgewater, NJ 08807
DOB

Home Phone Business Phone 609-466-1960 Business Address: 1 West Broad St Hopewell, NJ 08525

### State Of New Jersey New Jersey Office of the Attorney General **Division of Consumer Affairs**

THIS IS TO CERTIFY THAT THE Board of Pharmacy

HAS LICENSED

HOPEWELL PHARMACY JOANN HOBSON 1 WEST BROAD STREET HOPEWELL NJ 08525-08525-1901

FOR PRACTICE IN NEW JERSEY AS A(N): Pharmacy

Standard Retail Pharmacy Community

05/29/2018 TO 06/30/2019

see/Registrant/Certificate Holder

28RS00399300

LICENSE/REGISTRATION/CERTIFICATION #

ACTING DIREC

New Jersey Office of the Attorney General Division of Consumer Affairs
THIS IS TO CERTIFY THAT THE Board of Pharmacy
HAS LICENSED
HOPEWELL PHARMACY
Pharmacy 05/29/2018 TO 06/30/2019 28RS00399300 License/Registration/Certificate # Standard Retail Pharmacy Community

PLEASE DETACH HERE -IF YOUR LICENSE/REGISTRATION/ CERTIFICATE ID CARD IS LOST PLEASE NOTIFY: Board of Pharmacy

P.O. Box 45013 Newark, NJ 07101

-- PLEASE DETACH HERE-

### STATE OF NEW JERSEY DEPARTMENT OF THE TREASURY DIVISION OF REVENUE AND ENTERPRISE SERVICES SHORT FORM STANDING

### DRUGS ARE US, INC. 0100312598

I, the Treasurer of the State of New Jersey, do hereby certify that the above-named New Jersey Domestic For-Profit Corporation was registered by this office on September 30, 1986.

As of the date of this certificate, said business continues as an active business in good standing in the State of New Jersey, and its Annual Reports are current.

I further certify that the registered agent and office are:

JAMES PALMIERI 13 E WASHINGTON AVE WASHINGTON, NJ 07882



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal at Trenton, this 24th day of September, 2018

Sul M. Men

Elizabeth Maher Muoio State Treasurer

Certificate Number: 6091481868

Verify this certificate online at

https://www1.state.nj.us/TYTR\_StandingCert/JSP/Verify\_Cert.jsp

### **NEVADA STATE BOARD OF PHARMACY**

431 W Plumb Lane - Reno, NV 89509

### APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

\$500.00 Fee made payable to: Nevada State Board of Pharmacy

(non-refundable and not transferable money order or cashier's check only)

Application must be printed legibly or typed

Any misrepresentation in the answer to any question on this application is grounds for refusal or denial of the application or subsequent revocation of the license issued and is a violation of the laws of the State of Nevada.

Check box below for to	<b>☐Ownership Chang</b> e ype of ownership and co rporation – Pages 1,2,3, d Corporation – Pages 1	implete all red	quired	forms.	
GENERAL INFORM	ATION to be comple	ted by all ty	pes c	of ownership	
Pharmacy Name: _	NexGen Compounding I	Pharmacy			
Physical Address: _	2005 Fort Worth Hwy, S	uite 100			
Mailing Address:	2005 Fort Worth Hwy, S	Suite 100			
City: Weatherford		State:TX		Zip Code:	76086
Telephone: 817-5	99-7781F	ax: <u>817-6</u>	38-763	37	_
Toll Free Number: _	877-599-8449	(Requ	ired p	er NAC 639.708)	
E-mail:info@nexge	ncompounding.com	Websit	e: _\	www.nexgencompoundi	ng.com
Managing Pharmaci	st: Reynaldo Moreno			_ License Number:	Texas Lic # 23334
TYPE	OF PHARMACY A	ND	SER	/ICES PROVIDED	
Yes/No			Yes/N	lo	
	Retail			Off-site Cognitive Se	rvices
	Hospital (# beds)			1 Parenteral **	
	Internet			Parenteral (outpatien	nt)
	Nuclear			Outpatient/Discharge	e
	Ambulatory Surgery Ce	enter		Mail Service	
	Community			Long Term Care	
	Other:		X C	Sterile Compounding	) **
				Non Sterile Compour	nding
All boxe	es must be checked			Mail Service Sterile (	Compounding **
For the	application to be compl	ete	□ 1⊠	Other Services:	

<sup>\*\*</sup>If you check "yes" on any of these types of services, you will be <u>required</u> to make an appearance at the board meeting,

### APPLICATION FOR OUT-OF STATE PHARMACY LICENSE

This page must be submitted for all types of ownership.

Within	the last five (5) years:	
1)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been charged, or convicted of a felony or gross misdemeanor (including by way of a guilty plea or no contest plea)?	Yes □ No 🔀
2)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been denied a license, permit or certificate of registration?	Yes □ No ⊠
3)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been the subject of an administrative action, board citation, site fine or proceeding relating to the pharmaceutical industry?	Yes ⊠ No □
4)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been found guilty, pled guilty or entered a plea of nolo contendere to any offense federal or state, related to controlled substances?	Yes □ No 🏻
5)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever surrendered a license, permit or certificate of registration voluntarily or otherwise (other than upon voluntary close of a facility)?	Yes □ No 🛛
Copie	answer to question 1 through 5 is "yes", a signed statement of explanation is of any documents that identify the circumstance or contain an order, agresition may be required.	
correc	by certify that the answers given in this application and attached documenta t. I understand that any infraction of the laws of the State of Nevada regula- tion of an authorized pharmacy may be grounds for the revocation of this pe	ating the
under correct emplo	read all questions, answers and statements and know the contents thereof penalty of perjury, that the information furnished on this application are true to the Lagrangian to the Nevada State Board of Pharmacy, its agents, services, to conduct any investigation(s) of the business, professional, social around, qualification and reputation, as it may deem necessary, proper or defined.	e, accurate and vants and nd moral
Origin	al Signature of Person Authorized to Submit Application, no copies or stam	ps
Mic	nael Russin \$//6/18	
Print N	Name of Authorized Person Date	Page 2
Board	Use Only Date Processed: Amount: \$500.∞	

### APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

Partnership	o Name:	NexGen Com	oounding & Rese	earch Laborator	ies, LLC		
Mailing Ad	dress:20	005 Fort Worth	n Hwy, Suite 100				
City: W	/eatherford		State:	TX	Zip Code: _	760	086
Telephone	Number: _	817-599-77	'81	Fax Number:	817-668-7	651	
Contact Pe	erson: Mi	chael Russin					
	partner and ate sheet if		ther (G)eneral	or (L)imited p	partner and p	ercen	<u>itage of ownersl</u>
<u>Name</u>					G or L		<u>Percentage</u>
NexGen C	Compounding	& Research L	_aboratories, LL0	D	G		100%
		•	nd percentage			.%: _	37.5%
Name:N	/lichael B Rus	ssin				%: <u>_</u>	37.5%
		icy, Inc				%: <u>_</u>	25%
Name: H	ayes Pharma						25%
Name: H	ayes Pharma					.%: _	
Name: Hame:	ayes Pharma	reholders ar	nd percentage	of ownership		. %: _ . %: _	
Name: Hame:	ayes Pharma	reholders ar	nd percentage	of ownership	•	. %: _ . %: _	
Name: Hame:	ayes Pharma	reholders ar	nd percentage	of ownership	•	. %: _ . %: _	
Name: Hame:	ayes Pharma	reholders ar	nd percentage	of ownership	•	. %: _ . %: _	
Name: H	ayes Pharma	reholders ar	nd percentage	of ownership		. %: _ . %: _ . %: _	

### STATEMENT OF RESPONSIBILITY FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

I, Michael Russin, Officer
Responsible Person ofNexGen Compounding Pharmacy
hereby acknowledge and understand that in addition to the corporation's, any owner(s),
shareholder(s) or partner(s) responsibilities, may be responsible for any violations of pharmacy la
that may occur in a pharmacy owned or operated by said corporation.
I further acknowledge and understand that the corporation's, any owner(s), shareholder(s)
or partner(s)may be named in any action taken by the Nevada State Board of Pharmacy against a
pharmacy owned by or operated by said corporation.
I further acknowledge and understand that the corporation's, any owner(s), shareholder(s)
or partner(s) cannot require or permit the pharmacist(s) in said pharmacy to violate any provision
of any local, state or federal laws or regulations pertaining to the practice of pharmacy.
Ma
Original Signature of Person Authorized to Submit Application, no copies or stamps
Michael Bussin
Michael Russin  Print Name of Authorized Person  Date

### **AFFIDAVIT for Out-of-State Pharmacy License**

STATE OF Texas )
STATE OF <u>Texas</u> ) ss. <u>Parker</u> COUNTY )
<u>Parper</u> Country
I, Michael Russin, hereby certify that the assertions in this Affidavit
are true and correct to the best of my knowledge and belief, and state as follows:
1. I am the <u>office</u> for <u>Noxben Community Money</u> (the
Pharmacy), and in that capacity, I am authorized to speak on the Pharmacy's behalf.
2. I certify that upon licensure, the Pharmacy will not sell or ship compounded sterile
products unto the state of Nevada, as indicated on the Pharmacy's application for a Nevada Out-
of-State Pharmacy License.
3. I understand and acknowledge that the Pharmacy and any of its Nevada-
registered/licensed staff members may be subject to discipline by the Board if the Pharmacy sells
or ships any compounded sterile product into Nevada without first obtaining written authorization
from the Board to do so.
4. I certify that if the Pharmacy ever decides to sell or ship any compounded sterile
product into Nevada, the Pharmacy, through an authorized representative, will first notify the
Board and obtain written approval to sell and ship such products into Nevada.
5. I understand that if the Pharmacy seeks approval to sell or ship compounded sterile
product into Nevada, an authorized representative of the Pharmacy may be required to appear
before the Board to answer questions before such approval is granted.
FURTHER AFFIANT SAYETH NOT.
ا, المركزي المراجية, do hereby swear under penalty of perjury that the assertions of this
affidavit are true.
Name
SUBSCRIBED AND SWORN TO before me, a notary public this
20day of August, 2018
ALICIA MARTIN Notary Public, State of Texas NoTARY PUBLIC Notary ID 129741617 Notary ID 129741617

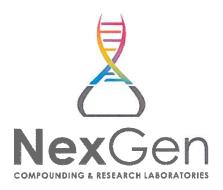
# NexGen Compounding & Research Laboratories LLC Ownership

Name		SSN	Date of Birth	Home Address	Ownership %
Michael B Russin				Christopher St, Austin, TX 78704	37.50%
Michael A Russin	w			Northshore Drive, Orono, MN 55391	37.50%
Hayes Pharmacy Inc					25.00%
					Total 100.00%

Suann Hayes (Hayes Pharmacy Inc Owner)

Samuels Ave, Apt 110, Fort Worth, TX 76102

"Absolute Veterinary Compounding Pharmacy LLC dba NexGen Compounding Pharmacy" is 100% Owned by NexGen Compounding & Research Laboratories, LLC



Re: Statement on Louisiana Consent Agreement

To Whom it May Concern:

I am writing this letter in response to our Consent Order (Case No. 18-0183) between NexGen Compounding Pharmacy and the Louisiana Board of Pharmacy (the "Board"). We were fined and issued a warning letter for shipping prescriptions into the state of Louisiana while our license was not valid due to a delay in our renewal.

We initially applied for our renewal of our license on December 27, 2017 and provided the Board with a copy of our Texas State Board of Pharmacy inspection report. The Board returned our application on December 29th, 2017 and stated that the Texas inspection report would not meet the requirements necessary to prove compliance with USP <795> and USP <797>. They advised us that we would not be eligible for renewal until we could provide them with a copy of a NABP VPP inspection. We were unable to meet this requirement because our NABP VPP inspection had not been finalized yet. We were in process and had completed all of the initial review steps with NABP including paying the fee, providing all of the necessary due diligence documentation and completing all of their necessary questionnaires. However, we had not received our onsite inspection yet.

Upon receiving this notice, I, Michael Russin, contacted the Board. I explained to them that we were already in the process of going through NABP VPP, but had not received our onsite inspection yet. The representative I spoke with stated "We should send it to them as soon as it was available." Then, in a good faith attempt, I asked the Board if given our current status with NABP, could we continue to ship into the state of Louisiana? The official response I received from the board was "You need to use your professional judgement in making that determination." After receiving this response, we meet as a management team (including our pharmacist staff with a combined 100 years of experience). The conclusion that we came to was to continue to deliver prescriptions into the State of Louisiana.

As a pharmacy and as pharmacists, we felt that it was our fiduciary duty to provide continuity of care for our patients located in the State of Louisiana. Our feeling was that continuity of care was the highest priority as a pharmacist and pharmacy.

This was in conjunction with evaluating our current status with NABP and our standing with the Louisiana State Board of Pharmacy. We had already paid the NABP fees, answered all of their questions and were in the queue for NABP VPP Inspection. We felt that we were in compliance with Louisiana requirements

### **NEXGEN COMPOUNDING PHARMACY**

2005 FORT WORTH HWY SUITE 100, WEATHERFORD, TX 76086 817-599-7781 WWW.NEXGENCOMPOUNDING.COM as a compounding pharmacy. We were simply waiting on something that was out of our control. The inspectors from NABP arrived at our pharmacy on January 15th, 2018. We received our final inspection report from NABP on February 7th, 2018. We proceeded to complete the required paperwork and our license was renewed on March 7th, 2018.

Had we been delayed due to an issue relating to a quality control or another circumstance that would have put our patients at risk, we would have taken a different view on the situation. Unfortunately, the Board did not agree with our determination and they determined that fining us for shipping prescriptions into the state of Louisiana between the dates of January 1st, 2018 and March 7th, 2018 was the proper course of action.

Given the extensive costs related to litigating administrative cases, we made the business decision that agreeing to the Consent Order was the best course of action for us.

We understand that the Board is required to uphold and enforce the laws of Louisiana. We also recognize that based on the black and white rules, we should have not continued to ship into the state of Louisiana while we were waiting for our license renewal. Though, we feel the entire situation could have been avoided had we received an affirmative answer when we initially requested one in December 2017.

If you have any questions regarding the Consent Agreement or any other items relating to NexGen Compounding Pharmacy, feel free to contact us.

Sincerely,

Michael Russin

### LOUISIANA BOARD OF PHARMACY BATON ROUGE, LOUISIANA

IN THE MATTER OF:

CONSENT ORDER

ABSOLUTE VETERINARY COMPOUNDING PHARMACY, LLC D/B/A NEXGEN COMPOUNDING PHARMACY

LOUISIANA PHARMACY PERMIT NO. 7260

Case No. 18-0183

### CONSENT AGREEMENT

WHEREAS, ABSOLUTE VETERINARY COMPOUNDING PHARMACY, LLC D/B/A NEXGEN COMPOUNDING PHARMACY (hereinafter referred to as "Respondent"), Louisiana Pharmacy Permit No. 7260, 2005 Fort Worth Hwy, Suite 100, Weatherford, Texas 76086, dispensed approximately 275 prescriptions into Louisiana between January 1, 2018 and March 7, 2018 with an expired Louisiana non-resident pharmacy permit.

- La. R.S. 37:1241(A)(1): Practiced or assisted in the practice of pharmacy, or knowingly permitted or has permitted anyone in his employ or under his supervision to practice or assist in the practice of pharmacy, in violation of the provisions of this Chapter and any rules and regulations promulgated thereto in accordance with the Administrative Procedure Act.
- La. R.S. 37:1221(B): No out-of-state pharmacy providing pharmacy services to residents of this state shall open, establish, operate, or maintain a pharmacy, located out-of-state, unless the pharmacy is issued a permit by the board.

### LAC Title 46: LIII §2305. Out-of-State Pharmacy Permit Requirements

A. The out-of-state pharmacy shall apply for a permit and annual permit renewals on forms provided by the board. The board may require such information as reasonably necessary to carry out the provisions of R.S. 37:1232, including, without limitation, the name, address, and position of each officer and director of a corporation or of the owners, if the pharmacy is not a corporation.

In order to avoid the significant costs and resources required of further administrative and judicial proceedings and to facilitate the settlement and submission of this Consent Agreement, Respondent hereby accepts the terms of this Consent Agreement.

In agreeing to settle this matter, Respondent does not admit to violating any federal or state law and otherwise makes no admission of wrongdoing. Respondent understands, however, that the Board may be able to prove a finding of the above-referenced violations, and Respondent waives its right to offer a defense at a formal hearing.

Respondent further understands that this Consent Agreement shall constitute a Public Record, pursuant to La. R.S. 44:1 et seq., and is considered disciplinary action by the Board.

In order to avoid further administrative and judicial proceedings, Respondent hereby consents to accept and abide by the following order of the Board:

1. A Letter of Warning is issued to Louisiana Pharmacy Permit No. 7260; and

2. Respondent is ordered to pay a fine of \$15,000.00 and to reimburse the Board \$250.00 for administrative costs, with total payment due the Board of \$15,250.00, to be paid as follows:

a. \$5,250.00 to be paid simultaneously with the execution of this Consent

Agreement by Respondent;

b. \$5,000.00 to be paid no later than June 29, 2018; and

c. \$5,000.00 to be paid no later than August 31, 2018.

Respondent's National Provider Identifier (NPI) Number:

By signing this Consent Agreement, Respondent agrees that the Board has jurisdiction in this matter and waives all rights to informal conference, to Notice of Hearing, to a formal Administrative Hearing, and to judicial review of this Consent Agreement.

By signing this Consent Agreement, Respondent agrees that any failure to comply with the terms of this Agreement is a basis for discipline by the Board.

Both Respondent and the Board stipulate that this Consent Order shall not become effective and shall not become binding on the Board unless and until approved by the Board at formal meeting. However, Respondent agrees that this Consent Order shall be effective and binding upon Respondent without recourse upon its authorized representative signing said Order.

Respondent agrees to provide the Board with the following for reporting purposes to the National Practitioner Data Bank – Healthcare Integrity and Protection Data Bank (NPDB-HIPDB):

1992178453

Acapondone a Manonar 1 10 Maor 14000011101	
Medicare Provider Number (if in the poss	ession of one): N/A
of ABSOLUTE VETERINARY COMPO COMPOUNDING PHARMACY, understa Board Order upon affirmative vote by the B	authorized to act on behalf of and acting on behalf UNDING PHARMACY, LLC D/B/A NEXGEN and that this Consent Agreement is effective as a Board at formal hearing. It is also understood that, Agreement, the agreement therein does not preclude ring a formal hearing of this case.

It is further understood that, should this Consent Agreement not be accepted by the Board, the presentation to and consideration by the Board of this Agreement, including presented documentary evidence and information, shall not unfairly or illegally prejudice or preclude the Board or any of its members from further participation in hearings or resolution of these proceedings.

NEXGEN COMPOUNDING PHARMACY, Permit No. 7260 CONSENT AGREEMENT Page 3 of 3

SIGNED, AGREED TO AND ENTERED ON THIS	8th DAY OF	June	, 2018.
ABSOLUTE VETERINARY COMPOUNDING COMPOUNDING PHARMACY Louisiana Pharmacy Permit NO. 7260	PHARMACY,	LLC D/B/A	NEXGEN
BY: Authorized Representative			
B1. Aumorized Representative			
Du			
JENNIFER JONES THOMAS			
Kean Miller LLP			
II City Plaza			
400 Convention Street, Suite 200			
Baton Rouge, LA 70802			
Attorney for Respondent			
APPROVED FOR SUBMISSION TO THE LOUISI  Louisiana Board of Pharmacy			
ACCEPTANCE OF THE CONSENT AGREEME PHARMACY:	ENT BY THE L	OUISIANA E	SOARD OF
By a majority vote of the Board members voting in the Board meeting on Hugust 15  Agreement as a Final Order of the Board.	Favor of the forego, 2018, the Bo	oing Consent A pard hereby a	greement at adopts said
FOR THE BOARD:			
Carl w. an			
Carl W. Aron			
President and Hearing Officer for the Board			

### **NEVADA STATE BOARD OF PHARMACY**

431 W Plumb Lane - Reno, NV 89509

### APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

\$500.00 Fee made payable to: Nevada State Board of Pharmacy

### (non-refundable and not transferable money order or cashier's check only)

Application must be printed legibly or typed

Any misrepresentation in the answer to any question on this application is grounds for refusal or denial of the application or subsequent revocation of the license issued and is a violation of the laws of the State of Nevada.

☑New Pharmacy or ☐Ownership Change (Provide current license number if making changes: PH\_

Check box below for type of ownership and complete all required forms.

☐ Publicly Traded Corporation – Pages 1,2 ☑ Non Publicly Traded Corporation – Page	2,3,7
GENERAL INFORMATION to be comp	
Pharmacy Name: Pharmacy Solutions	
Physical Address: 1921 W. Pioneer Park	kway Arlington, TX 76013
Mailing Address: 1921 W. Pioneer Parkw	way
City: Arlington	State: Zip Code:
Telephone: 817-274-0050	Fax: 817-860-6087
Toll Free Number: 800-542-5767	(Required per NAC 639.708)
E-mail: info@rxcompound.com	
Managing Pharmacist: James N. Miller	License Number: 58829
TYPE OF PHARMACY	AND SERVICES PROVIDED
Yes/No	Yes/No
☑ □ Retail	□ ☑ Off-site Cognitive Services
□ ☑ Hospital (# beds	)
□ ☑ Internet	☐ ☑ Parenteral (outpatient)
□ ☑ Nuclear	□ ☑ Outpatient/Discharge
□ ☑ Ambulatory Surgery	r Center          Mail Service
☑ □ Community	□ ☑ Long Term Care
□ ☑ Other:	☑ ☐ Sterile Compounding **
9	✓ □ Non Sterile Compounding
All boxes must be checked	☐
For the application to be con	mplete

<sup>\*\*</sup>If you check "yes" on any of these types of services, you will be <u>required</u> to make an appearance at the board meeting,

### APPLICATION FOR OUT-OF STATE PHARMACY LICENSE

This page must be submitted for all types of ownership.

Withir	n the last five	(5) years:			
1)	any interest	poration, any owner(s), sh , ever been charged, or co or (including by way of a o	onvicted of a feld	ony or gross	Yes □ No ☑
2)		poration, any owner(s), sh c, ever been denied a licer ?			Yes □ No ☑
3)	interest, eve	poration, any owner(s), sher been the subject of an approceeding relating to the	administrative ad	ction, board citation,	Yes □ No ☑
4)	interest, eve	poration, any owner(s), sher been found guilty, pled to any offense federal or?	guilty or entered	a plea of nolo	Yes □ No ☑
5)	interest, eve	rporation, any owner(s), sher surrendered a license, por otherwise (other than up	permit or certification	ate of registration	Yes □ No ☑
Copie	•	nestion 1 through 5 is "yes uments that identify the ci e required.	-	•	
corre	ct. I understa	at the answers given in this and that any infraction of t thorized pharmacy may b	he laws of the S	tate of Nevada regula	ating the
under correce emplo	r penalty of p ct. I hereby a oyees, to con	estions, answers and state erjury, that the information authorize the Nevada State duct any investigation(s) of fication and reputation, as	n furnished on the e Board of Phar of the business,	is application are true macy, its agents, ser professional, social a	e, accurate and vants and noral
Origin	nal Signature	of Person Authorized to S	Submit Application	on, no copies or stam	ıps
Ū	Siegenthaler			10.24-2011	· ?
		horized Person		Date	
					Page 2
Board	d Use Only	Date Processed:		Amount: 600.	00

### APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

### OWNERSHIP IS A NON PUBLICY TRADED CORPORATION

State	of Incorpora	ation: <u>Texas</u>									
Parent	t Company	if any: N/A									
Mailing	g Address:	1921 W. Pione	er Parkway A								
City: _	Arlington,		State	e: <u>TX</u>		Zip: <u>7</u>	76001	3			
Teleph	none: <u>817</u> -	274-0050	<del></del>	Fax:	817-8	60-6087					
Conta	ct Person:	Kim Siegentha	ler								
For an	y corporati	on non publicly	traded, disclo	se the	followi	ng:					
1)	List top 4 p	persons to who	m the shares v	vere is	sued b	y the cor	porat	ion?			
	a) Tom Sie	genthaler	19	921 W.	Pionee	r Parkway	Arling	gton, TX 760	)13		
		Name		Addre	SS						
	b)	Name		Addre	!SS						
	c)	Name		Addre	 !SS						
	d)	NI -		A . I . I .							
		Name		Addre							
2)	Provide th	e number of sh	ares issued by	the c	orporat	ion. 1,00	00.00				
3)	What was	the price paid	per share? <u>\$1</u>	.00							
4)	What date	did the corpora	ation actually r	eceive	the ca	ısh asset	s? <u>12</u>	2/22/1993			
5)	Provide a	copy of the cor	poration's stoc	k regi	ster evi	dencing t	the at	ove inform	nation	1	
List ar	ny physicia	n shareholders	and percentag	ge of o	wnersh	nip.					
Name	: <u>N/A</u>							_%:			
Name	: <u>N/A</u>										
<u>Hours</u>	of Operat	tion for the ph	armacy:								
Monda	ay thru Frid	ay <u>9</u> am	<u>6</u> pm			Saturda	ay	<u>9</u> am		<u>1</u> p	m
	Sunday	<u>Closed</u> am	<u>Closed</u> pm			24 Hou	ırs	_N/A_			
		ess license is no ovide the numb					has	a Nevada b	ousine	<b>3</b> 88	
	•								F	Page 4	

### STATEMENT OF RESPONSIBILITY FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

I, Tom Siegenthaler
Responsible Person of Tomeldon Co., Inc. d.b.a. Pharmacy Solutions
hereby acknowledge and understand that in addition to the corporation's, any owner(s),
shareholder(s) or partner(s) responsibilities, may be responsible for any violations of pharmacy la
that may occur in a pharmacy owned or operated by said corporation.
I further acknowledge and understand that the corporation's, any owner(s), shareholder(s)
or partner(s)may be named in any action taken by the Nevada State Board of Pharmacy against a
pharmacy owned by or operated by said corporation.
I further acknowledge and understand that the corporation's, any owner(s), shareholder(s)
or partner(s) cannot require or permit the pharmacist(s) in said pharmacy to violate any provision
of any local, state or federal laws or regulations pertaining to the practice of pharmacy.
for anthon
Original Signature of Person Authorized to Submit Application, no copies or stamps
Tom Siegenthaler 10-24-20/8
Print Name of Authorized Person Date

### **AFFIDAVIT for Out-of-State Pharmacy License**

STATE OF /EXAS )  SS. COUNTY )
TARRANT COUNTY )
I, Tom Siegenthaler, hereby certify that the assertions in this Affidavit
are true and correct to the best of my knowledge and belief, and state as follows:
1. I am the <u>President</u> for <u>Tomeldon Co., Inc. d.b.a. Pharmacy Solutions</u> (the
Pharmacy), and in that capacity, I am authorized to speak on the Pharmacy's behalf.
2. I certify that upon licensure, the Pharmacy will not sell or ship compounded sterile
products unto the state of Nevada, as indicated on the Pharmacy's application for a Nevada Out-
of-State Pharmacy License.
3. I understand and acknowledge that the Pharmacy and any of its Nevada-
registered/licensed staff members may be subject to discipline by the Board if the Pharmacy sells
or ships any compounded sterile product into Nevada without first obtaining written authorization
from the Board to do so.
4. I certify that if the Pharmacy ever decides to sell or ship any compounded sterile
product into Nevada, the Pharmacy, through an authorized representative, will first notify the
Board and obtain written approval to sell and ship such products into Nevada.
5. I understand that if the Pharmacy seeks approval to sell or ship compounded sterile
product into Nevada, an authorized representative of the Pharmacy may be required to appear
before the Board to answer questions before such approval is granted.
FURTHER AFFIANT SAYETH NOT.
I,Tom Siegenthaler, do hereby swear under penalty of perjury that the assertions of this
affidavit are true.
10m legistales
Name
SUBSCRIBED AND SWORN TO before me, a notary public this
25 day of OCTUBER , 20/8. TEJALTNAK E



This certifies that the pharmacy named below is hereby licensed to operate as a Class **AS** pharmacy.

License No. 15737

Expiration Date: 12/31/2019

Balances: 13

PHARMACY SOLUTIONS 1921 W PIONEER PKWY ARLINGTON TX 76013



Say Dodson, R.Ph. Executive Director/Secretary

MUST BE DISPLAYED IN FULL PUBLIC VIEW



### TEXAS STATE BOARD OF PHARMACY

Re:

**Pharmacy Solutions** 

Address:

1921 West Pioneer Parkway

Arlington, Texas 76013

License No.:

15737

**Date Issued:** 

December 22, 1993

**Licensure Status:** 

Active

**Expiration Date:** 

December 31, 2019

Type of Pharmacy:

Community Sterile Compounding

**Prior Disciplinary Orders:** 

No

The Texas State Board of Pharmacy maintains records regarding licensure and disciplinary action against a licensee. Pharmacy Solutions (Texas Pharmacy License #15737) has not been subject to disciplinary action by the Texas State Board of Pharmacy.

Form Completed by:

Megan G. Holloway

**Assistant General Counsel** 

Texas State Board of Pharmacy

Megan 67 followay

August 13, 2018

Date



The Texas Department of State Health Services, Drugs and Medical Devices Division, Wholesaler Registration, 1100 W. 49<sup>th</sup> Street, Austin, TX 78756, is responsible for issuing registrations to wholesale drug distributors and drug manufacturers in Texas.

### **NEVADA STATE BOARD OF PHARMACY**

431 W Plumb Lane - Reno, NV 89509

### APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

\$500.00 Fee made payable to: Nevada State Board of Pharmacy

### (non-refundable and not transferable money order or cashier's check only)

Application must be printed legibly or typed

Any misrepresentation in the answer to any question on this application is grounds for refusal or denial of the application or subsequent revocation of the license issued and is a violation of the laws of the State of Nevada.

	<b>Commership Chang</b> e Type of ownership and c				se number if making changes: PH <u>036</u> 3
☐ Publicly Traded C	Corporation – Pages 1,2,	3,7	□F	Parti	nership - Pages 1,2,5,7 Owner – Pages 1,2,6,7
☐ Non Publicly Trad	led Corporation – Pages	1,2,4,7		Sole	Owner – Pages 1,2,6,7
GENERAL INFOR	MATION to be compl	eted by a	li types	of	ownership
Pharmacy Name:	South Miami Pharma	cy II (D/B	/A/ SM	IP F	Pharmacy Solutions #2)
Physical Address:	7425 SW 42st Miam	ni, FL 331	55		
Mailing Address: _	7425 SW 42st				
		State: _	FL		Zip Code:33155
Telephone: 305-	740-' <b>97</b> 44	Fax:	866-	30	01 - 1364
Toll Free Number:	855-255-5005	(Re	equired	l pe	r NAC 639.708)
E-mail: Dantes	smy pharmacy.	com We	bsite:	W۱	ww.smppharmacy.com
	•				License Number: PS40236
TYPE	OF PHARMACY	AND	<u>SEI</u>	<u> </u>	CES PROVIDED
Yes/N	lo		Yes	/No	
<b>₽</b>	☐ Retail			<b>X</b>	Off-site Cognitive Services
	Hospital (# beds	)		X	Parenteral **
	Internet			X	Parenteral (outpatient)
	Nuclear			M	Outpatient/Discharge
	Ambulatory Surgery C	enter			Mail Service
	] Community			ď	Long Term Care
	Other:		<b>I</b> X		Sterile Compounding **
					Non Sterile Compounding
All box	xes must be checked		×	Ļ	Mail Service Sterile Compounding **
For th	e application to be comp	lete		X	Other Services:
**If you chock "yo	s" on any of these ty	nes of se	rvices	VO	ou will be required to make an

<sup>\*\*</sup>If you check "yes" on any of these types of services, you will be <u>required</u> to make an appearance at the board meeting,

### APPLICATION FOR OUT-OF STATE PHARMACY LICENSE

This page must be submitted for all types of ownership.

Within	the last five (5) years:	
1)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been charged, or convicted of a felony or gross misdemeanor (including by way of a guilty plea or no contest plea)?	Yes □ No া
2)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been denied a license, permit or certificate of registration?	Yes □ No া
3)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been the subject of an administrative action, board citation, site fine or proceeding relating to the pharmaceutical industry?	Yes □ No ☒
4)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever been found guilty, pled guilty or entered a plea of nolo contendere to any offense federal or state, related to controlled substances?	Yes □ No শ
5)	Has the corporation, any owner(s), shareholder(s) or partner(s) with any interest, ever surrendered a license, permit or certificate of registration voluntarily or otherwise (other than upon voluntary close of a facility)?	Yes □ No ☒
Copies	answer to question 1 through 5 is "yes", a signed statement of explanation ness of any documents that identify the circumstance or contain an order, agreention may be required.	
correc	by certify that the answers given in this application and attached documenta t. I understand that any infraction of the laws of the State of Nevada regulation of an authorized pharmacy may be grounds for the revocation of this pe	ting the
under correc emplo	read all questions, answers and statements and know the contents thereof, penalty of perjury, that the information furnished on this application are true t. I hereby authorize the Nevada State Board of Pharmacy, its agents, serveyees, to conduct any investigation(s) of the business, professional, social around, qualification and reputation, as it may deem necessary, proper or described.	, accurate and ants and nd moral
Origina	al Signature of Person Authorized to Submit Application, no copies or stamp	OS
	mando Bardisa, PHAMD. 8/20/18	
Print N	lame of Authorized Person Date	Page 2
Board	Use Only Date Processed: Amount: \$\\\\\$500.00	>

### APPLICATION FOR OUT-OF-STATE PHARMACY LICENSE

### OWNERSHIP IS A NON PUBLICY TRADED CORPORATION

State of Incorporation: Delaware
Parent Company if any:SMP Acquisition Co. Inc.
Mailing Address:680 Washington Blvd., 10th Floor
City: Stamford State: CT Zip: 06901
Telephone: Fax:
Contact Person: Philip Borden
For any corporation non publicly traded, disclose the following:
List top 4 persons to whom the shares were issued by the corporation?
a) Name Address
b)
Name Address
C) Name Address
d) Name Address
2) Provide the number of shares issued by the corporation.
. /.
/
4) What date did the corporation actually receive the cash assets?
5) Provide a copy of the corporation's stock register evidencing the above information
List any physician shareholders and percentage of ownership.
Name: %:
Name: %:
Hours of Operation for the pharmacy:
Monday thru Friday <u>9</u> am <u>7</u> pm Saturday <u>10</u> am <u>2</u> pn
Sunday/_am _/pm 24 Hours/_
A Nevada business license is not required, however if the pharmacy has a Nevada business license please provide the number:n/a
Page 4

### STATEMENT OF RESPONSIBILITY FOR PHARMACIES LOCATED OUTSIDE OF NEVADA

1, ARMANDO BANDISA	
Responsible Person of SMP PHARMACY SOLUTIONS 1	±2
hereby acknowledge and understand that in addition to the cor	
shareholder(s) or partner(s) responsibilities, may be responsible	e for any violations of pharmacy law
that may occur in a pharmacy owned or operated by said corpo	oration.
I further acknowledge and understand that the corporation or partner(s)may be named in any action taken by the Nevada pharmacy owned by or operated by said corporation.	
I further acknowledge and understand that the corporation or partner(s) cannot require or permit the pharmacist(s) in said of any local, state or federal laws or regulations pertaining to the	pharmacy to violate any provision
a. Ear de	
Original Signature of Person Authorized to Submit Application,	no copies or stamps
Armando Bardusa	8/20/2018
Print Name of Authorized Person D	ate

### **AFFIDAVIT for Out-of-State Pharmacy License**

STATE OF FLORIDA )
STATE OF FLORIDA )  SS.  MIAMI-DADE COUNTY )
I, Annewso Barrisa , hereby certify that the assertions in this Affidavit
are true and correct to the best of my knowledge and belief, and state as follows:
1. I am the President for South Missin Philaday II, LLC (the
Pharmacy), and in that capacity, I am authorized to speak on the Pharmacy's behalf.
2. I certify that upon licensure, the Pharmacy will not sell or ship compounded sterile
products unto the state of Nevada, as indicated on the Pharmacy's application for a Nevada Out-
of-State Pharmacy License.
3. I understand and acknowledge that the Pharmacy and any of its Nevada-
registered/licensed staff members may be subject to discipline by the Board if the Pharmacy sells
or ships any compounded sterile product into Nevada without first obtaining written authorization
from the Board to do so.
4. I certify that if the Pharmacy ever decides to sell or ship any compounded sterile
product into Nevada, the Pharmacy, through an authorized representative, will first notify the
Board and obtain written approval to sell and ship such products into Nevada.
5. I understand that if the Pharmacy seeks approval to sell or ship compounded sterile
product into Nevada, an authorized representative of the Pharmacy may be required to appear
before the Board to answer questions before such approval is granted.
FURTHER AFFIANT SAYETH NOT.
I, Armano Bansisa, do hereby swear under penalty of perjury that the assertions of this
affidavit are true.
Name SUBSCRIBED AND SWORN TO
before me, a notary public this  20 day of August, 20 18

Notary Public - State of Florida
Commission # FF 204557
My Comm. Expires Feb 26, 2019
Bonded through National Notary Assn.



John E. Morrone, Esq. direct: 973.852.8359 jmorrone@frierlevitt.com

August 30, 2018

### Sent via: FEDEX OVERNIGHT MAIL

Nevada Board of Pharmacy 431 W Plumb Ln, Reno, NV 89509

> Re: SMP Pharmacy Solutions #2 (License Number PH03603) APPLICATION FOR NON-RESIDENT PHARMACY PERMIT CHANGE OF OWNERSHIP

Dear Sir or Madam:

This firm represents **SMP Pharmacy Solutions II** (with an address at 7425 Southwest 42nd Street, Miami FL 33155, License Number PH03603) (the "Pharmacy") in the above captioned matter. This letter serves as a follow up to our notification letter sent to the Board of Pharmacy ("Board") advising of a proposed change in the ownership structure of each of the aforementioned pharmacy.

Effective July 3, 2018, the owner of the Pharmacy, Armando Bardisa ("Bardisa"), has sold the majority of his ownership interest in the Pharmacy, pursuant to a stock sale, to SMP Acquisition Co., Inc. ("Buyer"). The Buyer is a newly formed corporation and an indirect subsidiary of a newly-formed limited liability, SMP Pharmacy Holdings, LLC (the "Holding Company"). Bardisa maintains an ownership interest in the Pharmacy by holding an approximately 33% ownership interest in the Holding Company, which is an indirect parent of the Buyer and the Pharmacy. Approximately 67% of outstanding ownership interest in the Holding Company is held by Galen Partners or its affiliate and other investors.

In furtherance of the change in ownership structure, attached hereto, please find the pharmacy permit application and all subsequent documentation related thereto:

- 1. Completed Nonresident Pharmacy Permit Application, and application fee in the amount of \$500.00 payable to the Nevada Board of Pharmacy
- 2. Certificate of Good Standing (corporation)
- 3. Letter of good standing (pharmacy license)
- 4. Copy of current home state pharmacy permit and Nevada state permit
- 5. Copy of recent inspection report.
- 6. Affidavit for out of state pharmacy license
- 8. DEA Registration



We look forward to your response in this matter. If you have any questions or require any further information, please feel free to contact me.

Very truly yours,

FRIER & LEVITT, LLC

/s/ John E. Morrone, Esq.

John E. Morrone, Esq.

JEM/rss Enclosures

CC: SMP Pharmacy Solutions #2

### STATE OF FLORIDA **DEPARTMENT OF HEALTH DIVISION OF MEDICAL QUALITY ASSURANCE**

DATE	LICENSE NO.	CONTROL NO.
12/21/2016	PH 24479	92049

The PHARMACY

named below has met all requirements of the laws and rules of the state of Florida.

Expiration Date:

**FEBRUARY 28, 2019** 

SOUTH MIAMI PHARMACY II SMP Pharmacy Solutions #2 **7425 SW 42 STREET** MIAMI, FL 33155

QUALIFICATION(S): COMMUNITY PHARMACY SCHEDULE II & III

4:1 PHARMACY TECHNICIAN RATIO APPROVED

DEPARTMENT OF HEALTH
DIVISION OF MEDICAL QUALITY ASSURANCE STATE OF FLORIDA

QUALIFICATION(S):

10

4864

AC#

12/21/2016 DATE

CONTROL NO.

92049

The PHARMACY named below has met all requirements of the laws and rules of the state of Florida.

**FEBRUARY 28, 2019** 

Expiration Date:

SOUTH MIAMI PHARMACY II

LICENSEE SIGNATURE

4:1 Pharmacy Technician Ratio Approved Community Pharmacy Schedule II & III

Rick Scott **GOVERNOR** 

Celeste M. Philip, M.D., M.P.H. Surgeon General and Secretary

DISPLAY IF REQUIRED BY LAW





### License Verification

### SOUTH MIAMI PHARMACY II SMP Pharmacy Solutions #2

A Printer Friendly Version

License Number: PH24479

Public Complaint No

Data As Of 8/17/2018

Informa	License Information	Secondary Locations	Discipline/Admin Action	Supervising Practitioners
		Profession License License Status Qualifications	Pharmacy PH24479 CLEAR/ Community Pharma	For instructions on how to request a license certification of your Florida license to be sent to another state from the Florida Department of Health, please visit the License Certifications web page.
		opiration Date Original Issue Date	2/28/2019 02/23/2010	Primary Source Verified
	Add	ress of Record	7425 SW 42 Street MIAMI, FL 33155 UNITED STATES	
	Disc	cipline on File	No	

### SMP Pharmacy Solutions #2 Ownership Information

### South Miami Pharmacy II, LLC

- Member/Manager SMP Acquisition Co., Inc.
- Officers
  - o Armando Bardisa, Pharm.D. (President)
    - DOB: 1
    - Business Address: 7425 SW 42 St. Miami, FL 33155
      Home Address: ) SW 68 Ct., Miami, FL 33156
    - Business Phone: (305)-740-9744
    - Home Phone:
    - SS #
    - FL Lic#
  - Philip Borden (Treasurer)
    - DOB:
    - Business Address: 680 Washington Blvd, 10<sup>th</sup> Floor Stamford, CT 06901
    - Home Address: Winthrop Street, Unit 7, Cambridge, MA 02138
    - Business Phone: (203) 653-6400
    - Home Phone: (
    - SS# :
  - Zubeen Shroff (Secretary)
    - DOB:
    - Business Address: 680 Washington Blvd, 10<sup>th</sup> Floor Stamford, CT 06901
    - Home Address: 1 Tarryhill Road, Tarrytown, NY 10591
    - Business Phone: (203) 653-6400
    - Home Phone: (
- ./3

SS# '

# CERTIFICATE of ACCREDITATION



ACCREDITATION COMMISSION FOR HEALTH CARE CERTIFIES THAT:

## South Miami Pharmacy II d/b/a SMP Pharmacy Solutions #2 MIAMI, FLORIDA

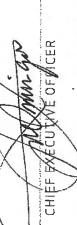
HAS DEMONSTRATED A COMMITMENT TO PROVIDING QUALITY CARE AND SERVICES TO CONSUMERS ACCREDITATION AND IS THEREFORE GRANTED ACCREDITATION FOR THE FOLLOWING: THROUGH COMPLIANCE WITH ACHC'S NATIONALLY-RECOGNIZED STANDARDS FOR

### PHARMACY

# PCAB ACCREDITATION

For patient specific prescription compounding of Non-Sterile Compounding, Ref. USP <795> Sterile Compounding, Ref. USP <797>

FROM May 17, 2016 THROUGH May 16, 2019



CHAIRMAN OF THE BOARD OF COMMISSIONERS



ACCREDITATION COMMISSION for HEALTH CARE

