MARYLAND
Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

Maryland Board of Pharmacy
4201 Patterson Ave.
Baltimore, MD 21215

September 3, 2019

Earl Montague
46 Ewing Drive
Reisterstown, Maryland 21136

Adam Malizio, AAG, Administrative Prosecutor
Health Occupations Prosecution & Litigation Division
Office of the Attorney General
300 West Preston Street, Suite 201
Baltimore, Maryland 21201

Re: *In the Matter of Earl Montague, III*
Case No. 19-260
Registration No: T17435

Dear Mr. Montague and Mr. Malizio:

On July 10, 2019, the Maryland Board of Pharmacy (the "Board") issued an Order for Summary Suspension in the above-captioned matter. Mr. Montague submitted a request for a show cause hearing dated July 18, 2019. The Board held a show cause hearing on August 28, 2019. Mr. Montague attended the hearing, as well as Mr. Malizio, Administrative Prosecutor, representing the State.

After considering the presentations at the hearing, the Board determined that it would not lift the summary suspension first imposed on July 10, 2019, and therefore the summary suspension of Mr. Montague's technician registration is continued. The Board concluded that the arguments submitted and the responses to the Board's questions did not significantly change the Board's findings or conclusions regarding the danger to the public which would be posed by Mr. Montague practicing as a pharmacy technician in Maryland.

Under the Board regulations, COMAR 10.34.01.12, Mr. Montague has the right to request a full evidentiary hearing before the Board on this matter. Any request for a hearing shall be made to the Board at the above address, attention Donna Goldberg, with a copy sent to the Administrative Prosecutor. The hearing will be held in accordance with the Administrative Procedure Act and the Board's regulations governing disciplinary proceedings.

Please be advised that in the event that an evidentiary hearing is held, the Respondent has the following rights: to be represented by counsel, to subpoena witnesses to testify at the hearing, to call witnesses on his own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. If the Respondent requests a hearing but fail to appear, the Board may nevertheless hear and determine the matter in the Respondent's absence.

This letter constitutes an order of the Board resulting from formal disciplinary action and is therefore a public document in accordance with the Maryland Public Information Act, Gen. Provisions Art. § 4-333.

Sincerely,

Deena Speights-Napata
Executive Director

cc: Linda M. Bethman, Board Counsel