

Richard Halpern, P.D.
7915 Starburst Drive
Pikesville, Md. 21208

February 17, 1999

Norene Pease, Executive Director
Maryland Board of Pharmacy
4201 Patterson Avenue
Baltimore, Maryland 21215

Re: Letter of Surrender

Dear Ms. Pease and Members of the Board:

Please be advised that I have decided to surrender my license to practice pharmacy in the State of Maryland. I understand that, upon acceptance of this Letter of Surrender by the Maryland State Board of Pharmacy (the "Board"), as evidenced by Mr. Russo's execution of this Letter by President Russo on behalf of the Board, I may no longer engage in the practice of pharmacy as it is defined in Md. Code Ann., Health Occupations Article, §12-101. In other words, I understand that this surrender of my license in the State of Maryland means that I am in the same position as an unlicensed individual in this State. I understand that this Letter of Surrender is a Public Document, pursuant to Md. Code Ann., St. Gov't Article, §§10-601, *et seq.*

My decision to surrender my license to practice pharmacy has been prompted by my receipt of the Board's Amended and Supplemental Charges Under the Maryland Pharmacy Act, dated September 28, 1998, which authorizes the Board, upon a finding of violation of its Act, to reprimand me, place me on probation, impose a monetary fine or suspend or revoke my license. By submitting this Letter of Surrender, I, in no way, concede to, acknowledge or admit to any wrongdoing as so charged thereunder, but demand strict proof of all charges against me. I acknowledge that if I were to go to a hearing on those charges, I would be able to confront witnesses against me, cross-examine those witnesses, present witnesses on my own behalf and have subpoenas issued, subject to any associated cost.

My decision to surrender my license has been prompted by my desire to avoid further proceedings before the Board and to attempt to resolve potential criminal charges from a pending investigation conducted by the Maryland Attorney General's Office. I agree that the Board has the right to re-open this case if I am not, subsequently, charged with any

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violations of the criminal code, or if those charges result in an acquittal for me. At such time, my license will be returned to me and the Board will reschedule the Prehearing Conference and hearing dates and proceed to convene a hearing, if settlement is not able to be reached. If, on the other hand, criminal charges result in my conviction, I agree that I will not request, nor will the Board give me, my license back to practice pharmacy until such time as the administrative process is complete, e.g., supplemental, revised and or amended charges are filed reflecting the outcome of the criminal case, and either a settlement or hearing has been concluded, and only if, after that process has been concluded, if the Board determines that my license should be returned. (In other words, if after the supplemental, revised or amended charges are filed, I may either notify the Board of my desire to make the surrender permanent or, after a hearing, the Board may decide to suspend or revoke my license, in which case the Board would retain possession of said license.)

I further acknowledge by executing this Letter of Surrender I am waiving my right to an evidentiary hearing until after the criminal matter is resolved. I further understand that this Letter of Surrender is a Public Document under the Maryland Public Information Act and disclosable to any individual requesting this Letter of Surrender under the Act. I further acknowledge that this Letter of Surrender may be reportable to a National Data Bank or published in the Board's newsletter.

I acknowledge that, accompanying this Letter, is my wallet-sized license, and I also affirm under penalties of perjury that I do not know the location of my wall certificate, and agree that once I learn of its location, I shall inform the Board of its location and submit it to the Board if the submission is permitted by law enforcement authorities. I acknowledge that I agreed that, upon submission of my license to the Board, I would refrain from the practice of pharmacy from this date, unless and until authorized to do so by the Board.

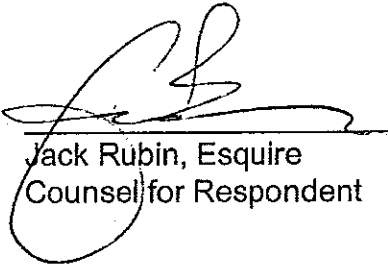
I understand that the Board will not entertain a petition for reinstatement of my Maryland pharmacy license unless and until either criminal charges are filed against me on or before December 31, 1999 or any criminal charges that are filed against me on or before that date are resolved, e.g., acquittal, dismissal, stet, guilty plea, nolo contendere or guilty finding. I understand that even if I submit a petition for reinstatement of my Maryland pharmacy license, that the Board will not return that license if a guilty plea or nolo contendere plea has been filed in the criminal case or if there has been a finding of guilt in the criminal case.

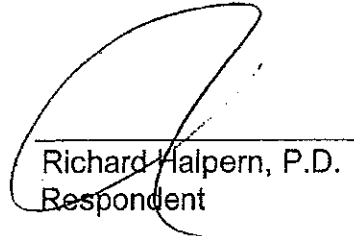
I acknowledge that I have been advised of my right to be represented by the attorney of my choice throughout proceedings before the Board, including the right to consult with an attorney prior to signing this Letter of Surrender, and have done so. I understand both the nature of this action, the terms and conditions of this Letter of Surrender, and the effect of the Surrender, and am aware that the surrender of my license

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may have an impact on licenses I may have in other states. I voluntarily choose to SURRENDER my Maryland pharmacy license pursuant to the terms and conditions set out herein. I have made this decision knowingly and voluntarily.

Sincerely yours,


Jack Rubin, Esquire
Counsel for Respondent

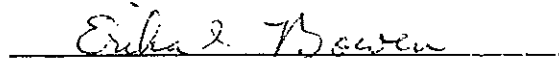

Richard Halpern, P.D.
Respondent

STATE OF MARYLAND

CITY/COUNTY OF Anne Arundel

I HEREBY CERTIFY that on this 5th day of February, 1999,
before me, a Notary Public of the State and City/County aforesaid, personally
appeared before me **Richard Halpern, P.D., License No. 08178**, and made oath in
due form of law that the foregoing Letter of Surrender, consisting of four (4) pages, was
his voluntary act and deed.

AS WITNESS my hand and Notarial Seal.


Notary Public

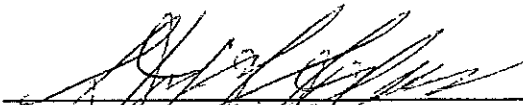
My commission expires: 12/1/99

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On behalf of the Maryland State Board of Pharmacy, this 17th day of February, 1999, I accept this Public Letter of Surrender of the pharmacy license of Richard Halpern, P.D., under the terms and conditions set out herein.


David Russo, P.D., President *STARBUCK APES*
Maryland Board of Pharmacy *2/1/99*

cc: Paul Ballard, Assistant Attorney General
Board Counsel
Roberta Gill, Assistant Attorney General
Administrative Prosecutor
Timothy J. Paulus, Deputy Counsel
Gloria Toney, Legal Assistant