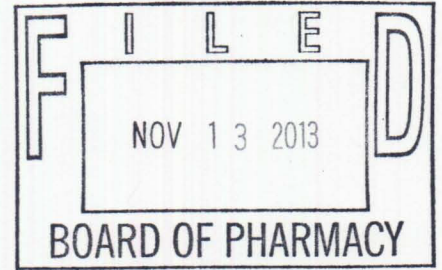


JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law, 5<sup>th</sup> Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101



By: Kim D. Ringler  
Deputy Attorney General  
[REDACTED]

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION : Administrative Action  
OR REVOCATION OF THE LICENSE OF :  
:   
Daniel Podell, R.P. :  
License No. RI0094900 : INTERIM CONSENT ORDER OF  
: SUSPENSION  
TO PRACTICE PHARMACY IN THE :  
STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Pharmacy ("Board") upon receipt of information alleging that Daniel Podell, R.P. ("Respondent") was engaged in the improper diversion, dispensing or distribution of prescription medications, including controlled substances, primarily oxycodone. The Board also received information that federal authorities executed a search warrant at his residence and arrested him on October 23, 2013, and that on or about the same date the United States Attorney for the Southern District of New York charged him with participation in a narcotics conspiracy to engage in a pharmacy mail order scheme to

sell, distribute, and dispense massive quantities of Schedule II controlled substances, including highly addictive pain killers such as oxycodone, hydromorphone, and morphine sulfate knowing that the prescriptions were outside the scope of professional practice and not for legitimate medical purpose in violation of Title 21, United States Code, 841(a)(1) and 841(b)(1)(C).

It appearing that Respondent wishes to voluntarily enter into an interim agreement without making admissions and in lieu of proceedings to temporarily suspend his license pursuant to N.J.S.A. 45:1-22, and it further appearing that the Board finds the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown:

IT IS THEREFORE ON THIS 13<sup>th</sup> DAY OF November 2013,

**ORDERED AND AGREED THAT:**

1. Respondent, Daniel Podell, R.P., is hereby granted leave and shall surrender his license to practice pharmacy in the State of New Jersey to be deemed a suspension, effective immediately and until further order of the Board and the resolution of criminal charges against him.

2. Effective immediately, Respondent shall cease and desist from engaging in the practice of pharmacy, which includes, but is not limited to the following: Respondent shall not handle, order, inventory, compound, count, fill, refill or dispense any drug; he

shall not handle anything requiring a prescription, including devices and medications, except as provided to him by prescription for personal use; he shall not handle prescriptions; he shall not advise or consult with patients, and he is prohibited from being present within any area of a pharmacy which is not open to the general public, including, but not limited to a prescription filling area of a pharmacy.

3. Respondent shall surrender his original wall certificate, his wallet certificate and his most recent renewal card of his license, within his possession and control, to the Executive Director of the Board immediately upon the entry of this Order by mailing same to Anthony Rubinaccio, Executive Director, Board of Pharmacy, P.O. Box 45013, Newark, New Jersey 07101. Should Respondent in the future regain possession or control over any such certificates or renewal card not presently in his possession or within his control, he shall promptly forward them by mail to Executive Director Rubinaccio.

4. Nothing contained herein shall be deemed an admission of liability on the part of the Respondent with regard to the improper dispensing of controlled substances as described above.

5. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by respondent of any statutes or regulations governing the practice of pharmacy in the State or any violations of law, by the Board, the

Attorney General, the Drug Control Unit, the Director of the Division of Consumer Affairs or any other regulatory or law enforcement agency, including but not limited to any pending matters under investigation.

6. Nothing herein shall preclude the Board from initiating further disciplinary action based upon the conduct relating to the improper dispensing of controlled substances..

7. Prior to consideration of any application for reinstatement of his license to practice pharmacy in the State of New Jersey, Respondent shall appear before the Board and demonstrate competency and fitness to practice pharmacy.

NEW JERSEY STATE BOARD OF PHARMACY

By: Thomas F.X. Bender, Jr., R.Ph.  
Thomas F.X. Bender, R.P.  
President

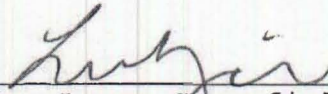
I have read the within Order, understand its terms and agree to be bound by them. I consent to entry of the Order by the Board of Pharmacy.

Daniel Podell  
DANIEL PODELL, R.P.  
Respondent

Dated: 11/7/13

Consent as to Form and Content

COOLEY, LLP

  
By: Laura Grossfield Birger  
Attorney for Respondent

Dated: 11/6/13

[IF UNREPRESENTED]  
I have read the within Order,  
understand its terms and agree  
to be bound by them. I consent  
to entry of the Order by the  
Board of Pharmacy. I understand  
that this Order has serious  
professional and legal import,  
and I have decided to enter into  
this agreement without legal counsel

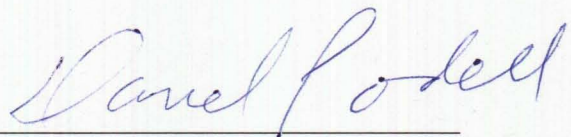
\_\_\_\_\_  
DANIEL PODELL, R.P.  
Respondent

Dated: \_\_\_\_\_

I, DANIEL PODELL, declare that:

1. I do not know where my original wall certificate or wallet certificate are at the present time. To the best of my knowledge, neither my wall certificate nor my wallet certificate is within my custody or control.
2. The most recent renewal card of my pharmacy license was in the pharmacy where I previously worked, and is no longer within my custody or control.

Executed: November 6, 2013

A handwritten signature in blue ink that reads "Daniel Podell". The signature is written in a cursive style with a horizontal line underneath it.

Daniel Podell