

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NO: 2009 IBP 0022

IN THE MATTER OF THE LICENSE OF:
J. LYNNE FREIBERGER, R.PH.
License No.: 26011641A

FILED

SEP 02 2009

Indiana Professional
Licensing Agency

OBJECTION to PROPOSED DEFAULT

Comes now the respondent, J. Lynne Freiburger, by Counsel, Steven S. Lohmeyer, and OBJECTS to the proposed Default filed with this August 27, 2009. In support of this Objection the Respondent would show this Board as follows:

1) The Respondent admits she did not attend the hearing that was scheduled for June 8, 2009.

2) The Respondent didn't receive the Notice of Hearing until June 12, 2009.

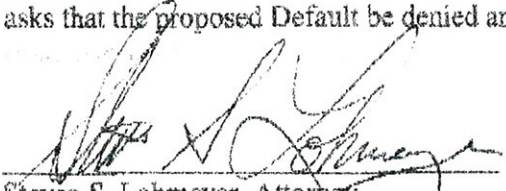
3) The Respondent immediately hired counsel, and counsel immediately contacted the Board.

4) Counsel immediately asked that the hearing be rescheduled.

5) Counsel was informed that this was impossible, that the next step would be a request for a Default with opportunity to object -- an objection which would be granted if the record reflects that the Respondent did not have notice of the hearing.

6) Counsel has made inquiry and is informed that the Board's own records reflect that the Respondent was not served with notice of the hearing until after the date that the hearing was scheduled.

WHEREFORE Counsel respectfully asks that the proposed Default be denied and that the matter be rescheduled and re-noticed.


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