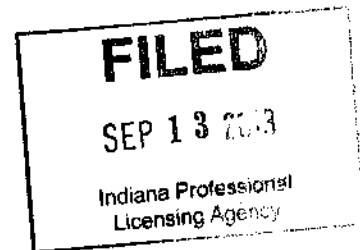


**BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0084**

**IN THE MATTER OF THE INDIANA
NON-RESIDENT PHARMACY PERMIT OF:**

**MOMS PHARMACY, INC.
PERMIT NUMBER: 64000721A.**



ORDER DISMISSING COMPLAINT

The Indiana Board of Pharmacy ("Board"), held an administrative hearing on September 9, 2013, in Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, concerning a Motion to Dismiss the Complaint filed by the State of Indiana ("Petitioner") against Mom's Pharmacy, Inc. ("Respondent").

The Petitioner was represented by Darren R. Covington, Deputy Attorney General. Respondent did not appear in person or by counsel.

At the administrative hearing, the Petitioner moved the Board to dismiss the Complaint in this matter, for the reasons stated in the Motion to Dismiss, attached as Exhibit A.

The Board, by a vote of 6-0-0, dismissed the Complaint.

IT IS THEREFORE ORDERED that the Complaint in this matter is hereby **DISMISSED**.

ORDERED, this 13th day of September, 2013.

INDIANA BOARD OF PHARMACY

By: Maureen Bennett
for Nicholas W. Rhoad
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Order Dismissing Complaint" has been duly served upon:

Moms Pharmacy, Inc.
c/o Lisa Stotts
950 Calcon Hook Rd. Ste. 15
Sharon Hill, PA 19079
Service by U.S. Mail

Moms Pharmacy, Inc.
45 Melville Park Rd.
Melville, NY 11747
Service by U.S. Mail

Darren R. Covington, Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by Email

9/13/13
Date

Jackie Day
Jackie Day

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
Fax: 317-233-4236
Email: pla4@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0084

IN THE MATTER OF THE INDIANA
NON-RESIDENT PHARMACY LICENSE OF

MOMS PHARMACY, INC.
LICENSE NUMBER 64000721A

FILED

SEP 04 2013

Indiana Professional
Licensing Agency

PETITIONER'S MOTION TO DISMISS COMPLAINT

Comes now the State of Indiana (Petitioner), by counsel, Office of the Attorney General, by Darren R. Covington, Deputy Attorney General, and respectfully moves the Indiana Board of Pharmacy (Board) to dismiss the Petitioner's Complaint filed against Mom's Pharmacy, Inc. (Respondent) by the Petitioner on July 26, 2013, and in support thereof, states the following:

1. On July 26, 2013, the Petitioner filed a Complaint with the Board alleging that Respondent failed to provide information requested by the Board relating to its compounding practices and previous inspections.

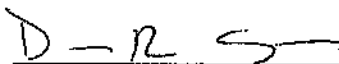
2. Since the filing of the Complaint, Respondent has voluntarily surrendered its license to the Board as it is no longer operational.

WHEREFORE, the Petitioner respectfully moves the Board to dismiss the Petitioner's Complaint and for all other relief just and proper in the premises.

Respectfully submitted,

Gregory F. Zoeller
Attorney General of Indiana
Atty. No. 1958-98

By:



Darren R. Covington
Deputy Attorney General
Atty. No. 28511-16

EXHIBIT A

CERTIFICATE OF SERVICE

I certify that a copy of the "Motion to Dismiss" has been duly served upon Respondent, by United States mail, first-class, postage prepaid, on this 4th day of September, 2013.

Moms Pharmacy, Inc.
c/o Lisa Stotts
950 Calcon Hook Rd. Ste. 15
Sharon Hill, PA 19079

By:


Darren R. Covington
Deputy Attorney General
Atty. No. 28511-16

302 W Washington St., 5th Flr.
Indianapolis, IN 46204
Phone: 317-233-6506
Fax: 317-233-4393
darren.covington@atg.in.gov