

**STATE OF FLORIDA  
BOARD OF VETERINARY MEDICINE**

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	<b>6/25/2012</b>
File #	<b>2012-04038</b>

**DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
Petitioner,**

vs.

**RICHARD LANGFORD, D.V.M.,  
Respondent.**

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**CASE NO.:2009 – 026018  
DOAH CASE NO.: 11-3268PL  
LICENSE NO.: VM 5290**

**FINAL ORDER**

**THIS CAUSE** came before the BOARD OF VETERINARY MEDICINE (hereinafter referred to as the “Board”) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on May 30, 2012, in Celebration, Florida, for the purpose of considering the Administrative Law Judge’s Recommended Order, Exceptions to the Recommended Order, and Response to Exceptions to the Recommended Order (copies of which are attached hereto as Exhibits A, B, and C, respectively and incorporated herein by reference) in the above-styled cause.

Board members present were Robert O’Neil, D.V.M, Raul Figarola, D.V.M., Joann Helm, D.V.M, Ms. Cynthia Lewis, and Guy Maxwell, D.V.M. As a member of the probable cause panel that initially reviewed the matter, Ms. Lewis was recused from participating in the proceedings. Legal advisor to the Board was Clark R. Jennings, Assistant Attorney General. The Respondent was present and represented by counsel at the proceedings.

## APPEARANCES

For Petitioner: Elizabeth Fletcher Henderson, Esq.  
Assistant General Counsel  
Department of Business and Professional Regulation  
1940 N. Monroe St., Ste. 60  
Tallahassee, Florida 32399-2202

For Respondent: George Brewer, Esq.  
The Bittinger Law Firm  
13500 Sutton Park Drive South  
Suite 201  
Jacksonville, Florida 32224

Prior to the commencement of proceedings, Petitioner's counsel withdrew Petitioner's Exceptions to Recommended Order previously filed in this cause. Consequently, Respondent's responsive pleadings to said exceptions and Petitioner's motion in opposition to said responses were deemed moot and removed from consideration.

**UPON REVIEW** of the Recommended Order, the arguments of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

## FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the findings of fact.

## CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 497, Florida Statutes.

2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.

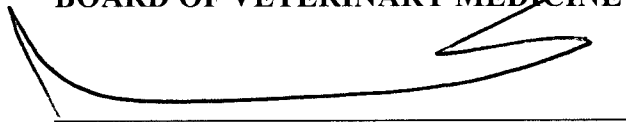
**THEREFORE IT IS ORDERED AND ADJUDGED:**

That the Second Amended Administrative Complaint issued in this cause be Dismissed.

This Final Order shall take effect upon being filed with the Clerk of the Department of Business and Professional Regulation.

**DONE AND ORDERED** this 22 day of June, 2012.

**BOARD OF VETERINARY MEDICINE**



ROBERT O'NEIL, D.V.M.  
CHAIRMAN

Voting for the Order

Unanimous

Voting against the Order

**NOTICE OF APPEAL RIGHTS**

PURSUANT TO SECTION 120.68 FLORIDA STATUTES, A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW UNLESS WAIVED. PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING ONE COPY OF THE NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF FINANCIAL SERVICES AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEALS, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (30) DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been provided by US Mail to: Counsel for the Respondent, Ann Bittinger, Esq., 13500 Sutton Park Drive South, Suite 201, Jacksonville, Florida 32224; to Lisa Shearer Nelson, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; and by hand/interoffice delivery to Elizabeth Fletcher Henderson, Esq., Assistant General Counsel, Office of the General Counsel, 1940 N. Monroe St., Ste. 60, Tallahassee, Florida 32399-2202, and Clark R. Jennings, Assistant Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, on or before 5:00 p.m., this 25<sup>th</sup> day of June, 2012.

A handwritten signature in black ink that reads "Brandon M. Nichols". The signature is written in a cursive style and is positioned to the right of the text in the certificate of service.