

BEFORE THE STATE MEDICAL BOARD OF OHIO

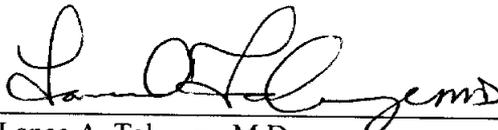
IN THE MATTER OF :
:
JOHN JOSEPH DIPIETRO, L.M.T. :

ENTRY OF ORDER

On May 2, 2004, John Joseph DiPietro, L.M.T., executed a Surrender of his Certificate to practice massage therapy in the State of Ohio with a consent to revocation, which document is attached hereto and fully incorporated herein.

In consideration of the foregoing and of Mr. DiPietro's express waiver of the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board members vote to revoke said certificate, it is hereby ORDERED that Certificate No. 33-006449 authorizing John Joseph DiPietro, L.M.T., to practice massage therapy be permanently REVOKED, effective May 11, 2004.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 11th day of May 2004, and the original thereof shall be kept with said Journal.



Lance A. Talmage, M.D.
Secretary

(SEAL)

May 11, 2004

Date

**STATE OF OHIO
THE STATE MEDICAL BOARD
SURRENDER OF CERTIFICATE
TO PRACTICE MASSAGE THERAPY**

I, John Joseph DiPietro, L.M.T., am aware of my rights to representation by counsel, the right being formally charged and having a formal adjudicative hearing, and do hereby freely execute this document and choose to take the actions described herein.

I, John Joseph DiPietro, L.M.T., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice massage therapy, license # 33-006449, to the State Medical Board of Ohio [Board], thereby relinquishing all rights to practice massage therapy in Ohio.

I understand that as a result of the surrender herein that I am no longer permitted to practice massage therapy in any form or manner in the State of Ohio.

I agree that I shall be ineligible for, and shall not apply for, reinstatement of certificate to practice massage therapy, license # 33-006449, or issuance of any other certificate pursuant to Chapters 4730., 4731., 4760. or 4762., Ohio Revised Code, on or after the date of signing this Surrender of Certificate to Practice Massage Therapy. Any such attempted reapplication shall be considered null and void and shall not be processed by the Board.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order permanently revoking my certificate to practice massage therapy, license # 33-006449, in conjunction with which I expressly waive the provision of Section 4731.22(B), Ohio Revised Code, requiring that six (6) Board Members vote to revoke said certificate, and further expressly and forever waive all rights as set forth in Chapter 119., Ohio Revised Code, including but not limited to my right to counsel, right to a hearing, right to present evidence, right to cross-examine witnesses, and right to appeal the Order of the Board revoking my certificate to practice massage therapy.

I, John Joseph DiPietro, L.M.T., hereby release the Board, its members, employees, agents, officers and representatives jointly and severally from any and all liability arising from the within matter.

This document shall be considered a public record as that term is used in Section 149.43, Ohio Revised Code. Further, this information may be reported to appropriate organizations, data banks and governmental bodies. I, John Joseph DiPietro, L.M.T., acknowledge that my social security number will be used if this information is so reported and agree to provide my social security number to the Board for such purposes.

I stipulate and agree that I am taking the action described herein in lieu of further formal investigation and/or formal disciplinary proceedings pursuant to Sections 4731.22(B)(19) and

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4731.22(B)(26), Ohio Revised Code, based upon my inability to practice due to various medical conditions, including chronic pain.

Signed this 2nd day of MAY, 2004.

John Joseph DiPietro - LMT
JOHN JOSEPH DIPIETRO, L.M.T.

Sworn to and subscribed before me this 2nd day of May, 2004.

Eleanor Wenzert
Notary Public State of Ohio - Stark Co.
My Commission Expires
1-20-2008

[Signature]

DOUGLAS GRAFF, ESQ.
Attorney for Mr. DiPietro

5/6/04
DATE

Accepted by the State Medical Board of Ohio:

[Signature] M.D.

LANCE A. TALMAGE, M.D.
SECRETARY

5-11-04
DATE

[Signature]
RAYMOND J. ALBERT
SUPERVISING MEMBER

5/11/04
DATE

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