

VOLUNTARY SURRENDER OF CERTIFICATE  
TO PRACTICE MEDICINE AND SURGERY

I, MARIE H. PETRIGALLA, M. D., am aware of my rights to representation by counsel, the right of 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, MARIE H. PETRIGALLA, M. D., do hereby voluntarily, knowingly, and intelligently surrender my certificate to practice medicine and surgery, No. 32176, to the Ohio State Medical Board.

'85 NOV 12 P1:29

I understand that as a result of the surrender herein that I am no longer permitted to practice medicine and surgery 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 medicine and surgery No. 32176, or issuance of any other certificate pursuant to Chapters 4730. and 4731., Ohio Revised Code, on or after the date of signing this Voluntary Surrender of Certificate to Practice Medicine and Surgery.

I hereby authorize the State Medical Board of Ohio to enter upon its Journal an Order revoking my certificate to practice medicine and surgery, No. 32176, 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 medicine and surgery.

I stipulate and agree that I am taking the action described herein in lieu of formal disciplinary proceedings pursuant to Section 4731.22(B)(3), Ohio Revised Code.

Signed this 25 day of October, 19 85 in the <sup>COURT</sup> office of JUDAE PAUL MATIA OF

Marie Hawk Petrighalla  
MARIE H. PETRIGALLA, M. D.

Margaret M. Kovin  
WITNESS  
Thomas Shave  
WITNESS

Sworn to and signed before me this 25 day of October, 19 85.

Thomas Shave  
Notary Public

The court document(s) for this date cannot be found in the records of the Ohio State Medical Board.

Please contact the Franklin County Court of Common Pleas to obtain a copy of this document. The Franklin County Court of Common Pleas can be reached at (614) 462-3621, or by mail at 369 S. High Street, Columbus, OH 43215.

*Ruggieri, Nersey and Novacs*  
*Attorneys at Law*

*1276 West 3rd Street,  
Suite 606 Maxim Building*

*Cleveland, Ohio 44113  
Telephone (216) 861-1940*

IN THE COURT OF COMMON PLEAS

CUYAHOGA, COUNTY

MARIA H. PETRIGALLA, M.D.  
8705 SELWICK DRIVE  
PARMA, OHIO 44129  
Plaintiff-Appellant

vs.

STATE OF OHIO  
THE STATE MEDICAL BOARD  
SUITE 510  
65 S. FRONT ST.  
COLUMBUS, OHIO 44129

)  
) CASE NO.

) JUDGE:

) NOTICE OF APPEAL FROM ADMINISTRATIVE  
) DECISION AND COMPLAINT WITH PRAECIPE  
) ATTACHED

1. Maria H. Petrigalla, plaintiff-appellant, hereby serves and gives notice of appeal to the Court of Common Pleas of Cuyahoga County, Ohio from the decision of the State Medical Board, dated 9 October 1985 and mailed 11 October 1985, which order states that the medical license of Maria H. Petrigalla be revoked . A copy of the Board's decision dated 11 October 1985 is attached hereto, listed as Exhibit "A" and incorporated herein.

2. The order of the board mailed 11 October 1985 with attachments is /are attached hereto and are included as exhibits "A".

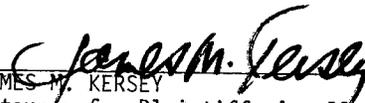
3. Plaintiff-Appellant contends that the order of the board were unlawful, unreasonable and against the manifest weight of the evidence.

4. Plaintiff-Appellant request that this court find that the decision adverse to her were unlawful, unreasonable and against the manifest weight of the evidence and further request that this court reverse and vacate such decision.

5. In the alternative, plaintiff-appellant requests this court to remand this cas back to The State Medical Board.

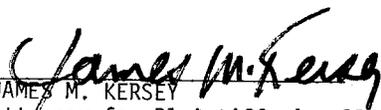
Cleveland, Ohio 44113  
Telephone (216) 861-1940

WHEREFORE, plaintiff-appellant, Maria H. Petrigalla, requests that this court vacate the decision of the Medical Board and enter final judgment for the plaintiff-appellant. In the alternative, she requests that this court remand the case back to the Board with proper instructions. Further, plaintiff-appellant requests that she be awarded attorney fees, costs and any other equitable relief that is just.

  
JAMES M. KERSEY  
Attorney for Plaintiff- Appellant  
1276 W. 3rd St., Suite 606  
Cleveland, Ohio 44113  
(216)861-1940

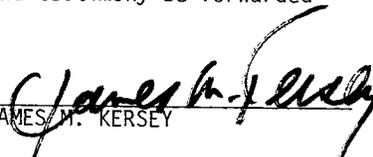
SERVICE

A copy of this Notice of Appeal was mailed express-24hr. mail, certified return receipt requested to The State of Ohio Medical Board at Suite 510, 65 S. Front St., Columbus, Ohio 43266-0315 on this 21<sup>st</sup> day of October 1985.

  
JAMES M. KERSEY  
Attorney for Plaintiff- Appellant

PRAECIPE

The clerk of The Medical Board of Ohio take notice that appellant, Maria Petrigalla, has filed an appeal herein and hereby requests that a transcript of the record of proceedings and testimony be forwarded to the Common Pleas Court of Cuyahoga County.

  
JAMES M. KERSEY

*Nuggeri, Kersey and Novas*  
*Attorneys at Law*

1276 West 3rd Street  
Suite 606 Marion Building

STATE OF OHIO  
THE STATE MEDICAL BOARD  
Suite 510  
65 South Front Street  
Columbus, Ohio 43266-0315

October 11, 1985

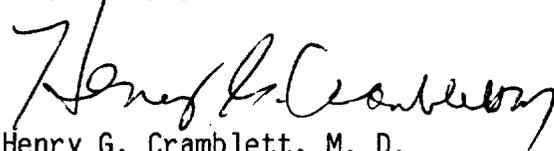
Maria H. Petrigalla, M. D.  
8705 Selwick Drive  
Parma, Ohio 44129

Dear Doctor Petrigalla:

Please find enclosed a certified copy of the Findings, Order, and Journal Entry approved and confirmed by the State Medical Board meeting in regular session on October 9, 1985.

Section 119.12, Ohio Revised Code, may authorize an appeal from this Order. Such an appeal may be taken to the Court of Common Pleas in the county in which your place of business is located or to said court of the county in which you reside. If you are not a resident of and have no place of business in Ohio, you may appeal to the Court of Common Pleas in Franklin County. Such an appeal setting forth the Order appealed from and the grounds of the appeal must be commenced by the filing of a Notice of Appeal with the State Medical Board of Ohio and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Ohio Revised Code.

Very truly yours,



Henry G. Cramblett, M. D.  
Secretary

HGC:caa

enclosures

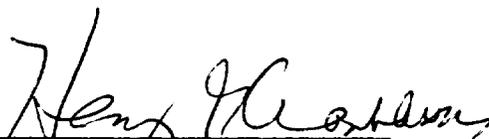
CERTIFIED MAIL NO. P 569 361 831  
RETURN RECEIPT REQUESTED

STATE OF OHIO  
THE STATE MEDICAL BOARD  
Suite 510  
65 South Front Street  
Columbus, Ohio 43266-0315

CERTIFICATION

I hereby certify that the attached copy of the Findings, Order, and Journal Entry, approved by the State Medical Board, and the attached copy of the Motion, meeting in regular session on October 9, 1985, approving and confirming said Findings, Order, and Journal Entry of the State Medical Board, constitutes a true and complete copy of the Findings, Order, and Journal Entry in the matter of Maria H. Petrigalla, M. D., as it appears in the Journal of the State Medical Board of Ohio.

(SEAL)

  
Henry G. Cramblett, M.D.  
Secretary

10-11-85  
Date

BEFORE THE STATE MEDICAL BOARD OF OHIO

IN THE MATTER OF

\*

\*

MARIA H. PETRIGALLA, M. D.

\*

FINDINGS, ORDER, AND JOURNAL ENTRY

This matter came on for consideration after a citation letter was issued to Maria H. Petrigalla, M.D., by the Ohio State Medical Board on August 14, 1985.

On August 14, 1985 notice was given to Maria H. Petrigalla, M. D. that the State Medical Board of Ohio intended to consider disciplinary action regarding her license to practice medicine in Ohio, and that she was entitled to a hearing if such hearing was requested within thirty (30) days of the mailing of said notice. Dr. Petrigalla has not requested a hearing, and thirty (30) days have elapsed since the mailing of the aforesaid notice.

WHEREFORE, it is hereby ORDERED that for the reasons outlined in the August 14, 1985 letter of notice which is attached hereto and incorporated herein, accordingly, the license of Maria H. Petrigalla, M.D. to practice medicine in Ohio be REVOKED .

This Order shall become effective on the 9th day of OCTOBER, 1985.

This Order is hereby entered upon the Journal of the State Medical Board of Ohio for the 9th day of OCTOBER, 1985, and the original thereof shall be kept with said Journal.

(SEAL)



Henry G. Cramblett, M. D.  
Secretary

10-11-85

Date

STATE OF OHIO  
THE STATE MEDICAL BOARD

EXCERPT FROM THE MINUTES OF OCTOBER 9, 1985

FINDINGS, ORDER, AND JOURNAL ENTRY IN THE MATTER OF MARIA H. PETRIGALLA, M.D.

Mr. Schmidt and Ms. Thompson remained out of the room.

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DR. BUCHAN MOVED TO APPROVE THE FINDINGS AND ENTER AN ORDER OF REVOCATION IN THE MATTER OF MARIA H. PETRIGALLA, M.D. DR. LOVSHIN SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Ms. Rolfes	- aye
	Dr. Oxley	- aye
	Dr. Barnes	- aye
	Dr. Stephens	- aye
	Mr. Johnston	- aye

The motion carried.

DR. BUCHAN MOVED THAT THE ORDER BE EFFECTIVE IMMEDIATELY. DR. LOVSHIN SECONDED THE MOTION. A roll call vote was taken:

ROLL CALL VOTE:	Dr. Cramblett	- abstain
	Dr. Lancione	- aye
	Dr. Buchan	- aye
	Dr. Lovshin	- aye
	Ms. Rolfes	- aye
	Dr. Oxley	- aye
	Dr. Barnes	- aye
	Dr. Stephens	- aye
	Mr. Johnston	- aye

The motion carried.

State of Ohio  
THE STATE MEDICAL BOARD  
Suite 510  
65 South Front Street  
Columbus, Ohio 43266-0315

August 14, 1985

Maria H. Petrigalla, M. D.  
8705 Selwick Drive  
Parma, Ohio 44129

Dear Doctor Petrigalla:

In accordance with Chapter 119., Ohio Revised Code, you are hereby notified that the State Medical Board of Ohio intends to determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation for the following reason:

1. On or about June 12, 1985 you were convicted in the Court of Common Pleas, Cuyahoga County, Ohio, in case number CR-196232, of seven (7) counts of violating Section 2925.23, Ohio Revised Code, to wit: Illegal Processing of Drug Documents. Each said count constitutes a felony.

The convictions described in the above paragraph (1) constitute "conviction of violation of any federal or state law regulating the possession, distribution, or use of any drug", as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Further, the acts committed by you upon which said conviction was based constitute "selling, prescribing, giving away, or administering drugs for other than legal and legitimate therapeutic purposes", as that clause is used in Section 4731.22(B)(3), Ohio Revised Code.

Said conviction further constitutes "conviction of a felony whether or not committed in the course of his practice", as that clause is used in Section 4731.22(B)(9), Ohio Revised Code.

Pursuant to Chapter 119., Ohio Revised Code, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, that request must be made within thirty (30) days of the time of mailing of this notice.

You are further advised that you are entitled to appear at such hearing in person, or by your attorney, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

Page Two  
Maria H. Petrigalla, M. D.

August 14, 1985

In the event that there is no request for such hearing made within thirty (30) days of the time of mailing of this notice, the State Medical Board may, in your absence and upon consideration of this matter, determine whether or not to limit, revoke, suspend, refuse to register or reinstate your certificate to practice medicine and surgery or to reprimand or place you on probation.

Copies of all referenced statutes are enclosed.

Very truly yours,

A handwritten signature in black ink, appearing to read "Henry G. Cramblett M.D.", with a stylized flourish at the end.

Henry G. Cramblett, M. D.  
Secretary

HGC:caa

enclosure

CERTIFIED MAIL NO. P 569 361 802  
RETURN RECEIPT REQUESTED