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SEP 0 9 2009

NEVALA STATE BOARD OF MEDICAL EXAMINERS

BEFORE THE BOARD OF MEDICAL EXAMINERS

3 In The Matter of an Investigation Regarding:)

4 SEAN PHONG-QUOC SU, M.D., License No. 9013, 5

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RESPONDENT.

CASE NO.: 09-11344-1

STIPULATION LIFTING SUMMARY SUSPENSION AND ORDER ALLOWING LIMITED PRACTICE OF SEAN PHONG-QUOC SU, M.D.

STIPULATION LIFTING SUMMARY SUSPENSION AND ORDER ALLOWING LIMITED PRACTICE OF SEAN PHONG-QUOC SU, M.D.

On July 27, 2009, the Investigative Committee of the Nevada State Board of Medical Examiners issued an Order for Summary Suspension and for Further Investigation of Sean Phong-Quoc Su, M.D. (hereinafter "Dr. Su"). Said Order stated, inter alia, that Dr. Su's license to practice medicine in Nevada was suspended until further Order of the Investigative Committee. The Order further indicated that, at the time, the investigation was in its preliminary stages and had not been completed. The Order did not set a formal hearing date for Dr. Su.

The Investigative Committee of the Board of Medical Examiners of the State of Nevada and Dr. Su now hereby stipulate as follows:

Dr. Su agrees that he will not perform any Cosmetic Surgery Procedures from the date
 this Stipulation is executed until the above-captioned case is resolved by Order of the Nevada State
 Board of Medical Examiners (hereinafter "The Board"). Said Order of final resolution may be
 through formal adjudication or stipulated settlement approved by the Board. During this time
 period only, Dr. Su agrees to limit his practice of medicine to Family Practice.

Pursuant to the agreement of Dr. Su set forth in paragraph 1 of this Stipulation, the
 Investigative Committee of the Nevada State Board of Medical Examiners agrees that, as of the
 date this Stipulation is signed by the Chairman of the Investigative Committee, the Summary
 Suspension of Dr. Su filed on July 27, 2009, is lifted, subject to the limitations on Dr. Su's practice
 set forth in paragraph 1 herein.

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The parties hereto understand and agree that Dr. Su denies the allegations set forth
 in the Summary Suspension Order and fully reserves his right to present evidence and argument
 to support his position at a formal hearing on this matter before The Board. The parties hereto
 understand that this Stipulation and Order is a temporary measure agreed to by the parties to
 remain in place until the above-captioned case is resolved by the Order of the Board. The Board
 reserves its right to present its evidence and argument at the formal hearing of the above-captioned
 matter.

8 4. It is further stipulated by and between the parties that, if The Board is to file a formal
9 complaint on this matter as to Dr. Su, said formal complaint will be filed no later than September
10 18, 2009. The parties acknowledge and agree that this is an extension of the 45 day time period
11 for The Board to file a formal complaint, which would expire on September 10, 2009.

12 5. It is further stipulated by and between the parties that a formal hearing before The
13 Board on the issues set forth in the July 27, 2009, Order of Summary Suspension shall take place
14 within 75 days of the date that the formal complaint set forth in paragraph 4 is filed, unless the
15 matter otherwise resolves by agreement of the parties.

6. The parties acknowledge this document shall become a matter of public record.

18 DATED this 9^{44} day of September, 2009.

19 20 Kristopher Rath, Esq.

21 Hutchison & Steffen, LLC Peccole Professional Park
22 10080 West Alta Drive, Suite 200 Las Vegas, Nevada 89145
23 Counsel for Sean Phong-Quoc Su, M.D.

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DATED this <u>9</u>th day of September, 2009.

Edward O. Cousineau, Esq. Nevada State Board of Medical Examiners 1105 Terminal Way, Suite 301 Reno, Nevada 89502

<u>ORDER</u>

Based on the foregoing Stipulation of the parties:

26 IT IS HEREBY ORDERED that, effective the date of the signing of this Stipulation by the

27 Investigating Committee of The Nevada State Board of Medical Examiners and until the above-

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	captioned matter is resolved through a final Order from the Nevada State Board of Medical
1	Examiners, Dr. Su shall not perform any Cosmetic Surgery Procedures.
2	IT IS FURTHER ORDERED that the suspension of Dr. Su's license to practice medicine is
3	lifted as of the date the Investigative Committee of The Nevada State Board of Medical Examiners
5	executes this Stipulation, subject to the limitations set forth in the proceeding paragraph;
6	IT IS FURTHER ORDERED that, if The Board is to file a formal complaint on this matter as
7	to Dr. Su, said formal complaint will be filed no later than September 18, 2009.
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9	IT IS FURTHER ORDERED that a formal hearing before The Board on the issues set forth
10	in the July 27, 2009, Order of Summary Suspension shall take place within 75 days of the date that
10	the formal complaint set forth in paragraph 4 is filed, unless the matter otherwise resolves by
12	agreement of the parties. DATED this $Q^{\mu\nu}$ day of September, 2009.
12	DATED this <u> </u>
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15	Charles N. Held, Chairman of the
16	Investigative Committee of the Nevada State Board of Medical Examiners
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