

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF  
THE INVESTIGATION OF

MARC L. SMITH, D.O.,  
Licensee

MEMORANDUM AND ORDER  
ON SETTLEMENT CONFERENCE

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Randal N. Arnold  
Attorney at Law  
100 East Wisconsin Avenue, #2600  
Milwaukee, WI 53202-4115

Arthur Thexton  
Attorney at Law  
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P.O. Box 8935  
Madison, WI 53708

An informal settlement conference was conducted in the above-captioned matter before an informal settlement conference committee of the Medical Examining Board on August 23, 2000. The purpose of the conference was to provide interested parties with an opportunity to discuss allegations received pertaining to the practice of Dr. Smith as a physician, and to attempt to reach a fair and consensual resolution of the matter.

The committee consisted of Clark O. Olsen, M.D., and Virginia Heinmann. Dr. Smith appeared in person and by Attorney Randal N. Arnold. Others present included Wayne Austin, the board's legal counsel, and Arthur Thexton, attorney for the Department of Regulation & Licensing, Division of Enforcement.

The parties orally presented their respective positions regarding the matter to the committee, and the committee deliberated on a possible disposition of the matter. The committee thereafter presented a proposed Stipulation for Dr. Smith's consideration, a copy of which is attached hereto and made a part hereof. The Stipulation was ultimately executed by Dr. Smith, Mr. Arnold, Mr. Thexton, and Darold A. Treffert, M.D., board Secretary.

Based upon the proceedings at the conference, and upon the Stipulation of the parties, the board enters the following order.

ORDER

NOW, THEREFORE, IT IS ORDERED that based on the findings and conclusions in this case, as set forth in the Stipulation of the parties hereto, Dr. Smith shall, within 120 days of the date of the board's Order adopting this Stipulation, complete not less than 120 hours of community medical service approved in advance by the board. The board specifically approves community service provided by Dr. Smith at the Milwaukee Free Clinic, a privately funded, walk-in medical clinic. Should Dr. Smith accept the position at Milwaukee Free Clinic, the deadline for completing the community service is extended to one year.

IT IS FURTHER ORDERED that Dr. Smith shall pay the partial costs of the investigation of this matter in the amount of \$250.

Dated this 18<sup>th</sup> day of October, 2000.

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

Darold A. Treffert, M.D.  
Secretary