

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 :
DMITRY PASIKHOV, M.D., : FINAL DECISION AND ORDER
RESPONDENT. : (LS # 0705163MED)
 :
 :

(DOE 06 MED 173)

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Dmitry K. Pasikhov, M.D.
1024 Tarrant Drive
Fontana, WI 53215

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Wisconsin Medical Examining Board
Department of Regulation & Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter, Dmitry K. Pasikhov, M.D., Respondent herein, personally and by his attorney, Heather L. Fields, Reinhart, Boerner, Van Deuren s.c., and Pamela M. Stach, Attorney for the Department of Regulation and Licensing, agreed to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Dmitry K. Pasikhov, M.D., Respondent herein, whose date of birth is January 25, 1964, is duly licensed and currently registered to practice medicine and surgery in the State of Wisconsin under license number 44347, which was initially granted on April 12, 2002.
2. Respondent's last known address filed with the Department of Regulation and Licensing is 1024 Tarrant Drive, Fontana, Wisconsin 53125.
3. Respondent is a board certified in general surgery.
4. On May 28, 2004, Patient DB, a 73 year old male underwent an elective colonoscopy which was performed by the Respondent at Aurora Lakeland Medical Center, Aurora Health Care. Several biopsies were taken and Patient DB was discharged home the same day.
5. On May 29, 2004, the Patient DB contacted Respondent to report abdominal pain and Patient DB was readmitted to Aurora Lakeland Medical Center through the emergency room for observation.
6. Evaluation and diagnostics indicated Patient DB had a white blood count of 15.8 with high segmented neutrophils, reduced red blood cell count, hematocrit and hemoglobin, and air fluid levels in the colon suggestive of ileus.
7. Upon admission, the Respondent considered the possibility of microperforation and initiated broad spectrum antibiotics and bowel rest.
8. On May 30, 2004, Patient DB was showing free air under the right hemidiaphragm on CT. Respondent discussed various treatment options with Patient DB, including surgical intervention, and he opted for continued conservative treatment.
9. Respondent believed that conservative treatment, while controversial, is an accepted treatment and indicated by Patient DB's condition since he was not in significant distress, had a normal white blood count, had stable vital signs, exhibited no nausea or vomiting and had no signs of peritonitis.
10. Conservative treatment, with multiple consultations, continued until June 7, 2004, after diagnostics revealed an increasing white blood cell count with increased abdominal distention and worsening ileus.
11. Respondent performed an exploratory laparotomy on June 7, 2004, which revealed a perforation of the sigmoid colon. The sigmoid colon was resected with end-to-end anastomosis and Respondent removed four liters of dark, bilious fluid from the abdominal cavity.

Respondent also noted several other areas of inflammation along the bowel and several pockets of intra-abdominal abscesses were opened, drained and irrigated.

12. Post surgically Patient DB's white blood cell count continued between 22.8 and 27.9 on June 8th and 9th.

13. On June 9, 2004, Respondent performed an esophagogastroduodenoscopy in an attempt to locate the source of the bleeding.

14. During the surgical procedure, Respondent did not enter the duodenum and did not locate the source of the bleeding.

15. Patient DB developed acute renal failure, respiratory failure, and sepsis. Respondent offered to repeat the esophagogastroduodenoscopy but, at the request of Patient DB's family, he was transferred to Columbia St. Mary's Hospital on June 9, 2004.

16. On admission, to Columbia St. Mary's Hospital on June 9, 2004 an esophagogastroduodenoscopy was immediately performed during which a visible bleeding vessel was located and repaired. Patient DB developed complications and expired two weeks later.

17. Respondent's employer, Aurora Medical Group, placed Respondent on paid administrative leave while conducting an internal review of the case. After the review, Respondent returned to work and agreed to complete continuing education in surgical complications and risk management as well as fluid volume management in critically ill patients. In addition, the Aurora Lakeland Medical Center initiated a period of monitoring which included chart review and direct supervision of his surgical skills for a period of one year. No clinical care issues were identified during this period of review and the Chairman of the Department of Surgery, Aurora Lakeland Medical Center who monitored his surgical performance indicated that his surgical skills were above average and his surgical judgment exceptional.

18. Respondent's conduct as herein described with regard to Patient DB fell below the minimum standards of competence established in the profession in that Respondent decided not to enter the duodenum and locate the cause of Patient DB's bleeding when performing the esophagogastroduodenoscopy procedure on June 9, 2004.

19. Respondent's conduct as herein described tended to constitute a danger to the health, welfare and safety of Patient DB in that his decision not to enter the duodenum during the esophagogastroduodenoscopy procedure could lead to further medical complications for Patient DB.

CONCLUSIONS OF LAW

1. The Wisconsin Medical Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 448.03 and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. Respondent's conduct as set forth in paragraphs 19 and 20 in the Findings of Fact constitutes a violation of Wis. Stat. § 448.02(3) and Wis. Admin. Code § MED 10.02(2) (h).

ORDER

NOW THEREFORE IT IS ORDERED that the Stipulation of the parties is hereby accepted.

IT IS FURTHER ORDERED that Dmitry K. Pasikhov is hereby REPRIMANDED.

IT IS FURTHER ORDERED that:

1. The license of Dmitry K. Pasikhov, M.D. to practice medicine and surgery in the State of Wisconsin shall be limited to require that, within twelve (12) months of the date of this Order, Dr. Pasikhov shall obtain twelve (12) hours of education in the management of endoscopic emergencies including gastrointestinal bleeding. The courses attended in satisfaction of this requirement may not be used in satisfaction of the statutory continuing education requirements for licensure. The Wisconsin Medical Examining Board accepts in full satisfaction of this education requirement the courses completed by Dr. Pasikhov since March 2007, for which descriptions and certificates of completion are attached hereto.

2. The Board recognizes the successful supervision and monitoring of Dmitry K. Pasikhov, M.D.'s surgical skills and medical decisions and determines that no further discipline is required to protect the public.

3. Upon payment of the costs set forth below, the license of Dmitry K. Pasikhov, M.D., shall be restored to unlimited status without further action by the Board.

IT IS FURTHER ORDERED that:

4. Respondent shall, by July 1, 2007, pay costs of this proceeding in the amount of one thousand seven hundred twelve (\$1712.00) dollars. Payment shall be made to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing

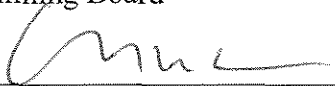
P.O. Box 8935
1400 East Washington Avenue
Madison, WI 53708-8935
Telephone (608) 267-3817
Fax (608) 266-2264

5. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of the license of Dmitry K. Pasikhov, M.D. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Dr. Pasikhov fails to timely submit any payment of costs as ordered or fails to comply with the ordered continuing education, Dr. Pasikhov's license (#44347) SHALL BE SUSPENDED, without further notice or hearing, until Dr. Pasikhov has complied with the terms of this Order.

6. This Order is effective on the date of signing.

State of Wisconsin
Medical Examining Board

By:



A Member of the Board



Date

Dr. Dmitry K. Pasikhov

Continuing Medical Education Credits Earned

3/18/07	Upper Gastrointestinal Bleeding	Nebraska Medical Center	1.5 Credits
3/25/07	GI Bleeding	AGA Institute	1.25 Credits
3/25/07	Managing a Critical Ill at Risk for Stress-Related Mucosal Bleeding	Mebn	1.0 Credits
3/25/07	Gastrointestinal Bleeding in Critical Care	Center of Continued Medical Education	1.0 Credits
3/19/07	Intestinal Perforation	Nebraska Medical Center	1.5 Credits
3/19/07	Gastrointestinal Bleeding: Surgical Perspective	Nebraska Medical Center	1.5 Credits
3/20/07	The Power of a New Perspective on Nonsteroidal Anti-inflammatory Drug-Related Gastrointestinal Complications: Strategies for Endoscopic and Medical Therapy	Rush University Medical Center	1.0 Credits
3/27/07	Exam: Polyp Sizes, Anemia, Gastroprotection, UGIB Incidence	Massachusetts Medical Society	1.0 Credits
3/28/07	Sages Grand Rounds DVD Series Issue 2: Flexible Endoscopy for General Surgeons	Course Completed Certified	2.0 Credits
5/15/07	High-Dose Omeprazole Before Endoscopy Improves Outcomes For Upper GI Bleeding	Medscape	0.25 Credits
		Total Credits	12.00 Credits

The University of Nebraska Medical Center, Center for Continuing Education certifies that

Dmitry Pasikhov, MD,

has participated in the educational activity on eMedicine.com titled

Upper Gastrointestinal Bleeding

on 03/18/07

and is awarded 1.5 *AMA PRA Category 1 Credit(s)*[™].

The University of Nebraska Medical Center, Center for Continuing Education is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.





AGA INSTITUTE

CERTIFICATE OF CONTINUING MEDICAL EDUCATION CREDIT

The American Gastroenterological Association Institute certifies that

Dmitry Pasikhov, M.D

has participated in the educational activity titled

GI Bleeding

On 3/25/2007 and is awarded 1.25 *AMA PRA Category 1.25 Credit(s)*[™].

Location: CD/Internet Activity

A handwritten signature in cursive script, appearing to read 'Cheyenne M.D. Hooker'.

Coordinator: Cheyenne M.D. Hooker
Title: CME Coordinator for AGA Institute
Sponsor/Provider: American Gastroenterological Association Institute



Certificate of Attendance

MEBN certifies that:

Dmitry Pasikhov, MD

has participated in the educational activity titled:

Managing a Critically Ill Patient at Risk for Stress-Related Mucosal Bleeding

on 03-25-2007 and is awarded 1 *AMA PRA Category I Credit(s)*[™].

MEBN is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.

Signed and Dated this 03-25-2007

Pamela Kleinman
Director Of Accreditation

MEBN
6 Partridge Lane
Londonderry, NH
03053
(603) 432-7077
(413) 638-9953 Fax
www.mebn.net



Center for Continuing Medical Education

Dmitry K Pasikhov
1024 Tarrant Dr
Fontana, Wisconsin 53125

3/25/2007

The Ohio State University Medical Center, Center for Continuing Medical Education certifies that Dmitry Pasikhov has participated in the educational activity titled *Gastrointestinal Bleeding in Critical Care* on 3/25/2007 and is awarded 1.00 *AMA PRA Category 1 Credit(s)*[™].

Physicians should only claim credit commensurate with the extent of their participation in the activity.

The Ohio State University Medical Center, Center for Continuing Medical Education is accredited by the Accreditation Council for Continuing Medical Education (ACCME) to sponsor continuing medical education for physicians.

This document should be retained as a record of your credits earned.

SAGES GRAND ROUNDS DVD SERIES

2005 Issue 2: Flexible Endoscopy for General Surgeons

Released June, 2005
No longer valid for credit after June, 2007

Accreditation:

The Society of American Gastrointestinal And Endoscopic Surgeons (SAGES) is accredited by the Accreditation Council for Continuing Medical Education (A.C.C.M.E.) to sponsor Continuing Medical Education for physicians. SAGES designates this Continuing Medical Education activity for:

2.0 credit hours for Issue 2, Flexible Endoscopy for General Surgeons in Category 1 of the Physicians Recognition Award for the American Medical Association. Each physician should claim only those hours of credit that he/she actually spend in the educational activity by entering the appropriate value in the field provided on the Evaluation Form.

Who Should Attend:

This series is appropriate for surgical residents and attending surgeons both with and without appreciable experience in laparoscopic surgery and flexible endoscopy.

Objectives: When this program is completed the viewer should be able to:

- Review diagnostic and therapeutic endoscopic approaches to gastrointestinal bleeding, neoplasms, and strictures.
- Discuss therapeutic applications of ERCP and identify future trends in flexible GI endoscopy including potential endoluminal and therapeutic applications.

Method of Participation:

Participants may participate in this educational activity by viewing the DVD, evaluating the course on the evaluation form, and asking questions of the faculty via the SAGES website.

COURSE INSTRUCTIONS

(to receive CME credits)

1. Watch the DVD Lectures & Discussion.
2. Complete Post Test and Evaluation Form
3. Send Post Test and Evaluation form with CME credit form to SAGES.
4. Receive CME credit letter.

SAGES GRAND ROUNDS DVD SERIES

2005 Issue 2: Flexible Endoscopy for General Surgeons

SAGES GRAND ROUNDS Project Chair: L. Michael Brunt, MD

PRESENTATIONS

- Program Introduction- L. Michael Brunt, MD
- Endoscopic Management of Common Gastrointestinal Problems: Bleeding, Neoplasms, and Strictures- Brian Dunkin, MD
- Endoscopic Pancreatic – Biliary Therapy- Jeffrey Ponsky, MD
- Advanced Applications of Therapeutic Endoscopy: Intraoperative Endoscopy and Complication Management- Jeffrey Marks, MD
- Future Endoluminal and Transluminal Applications of Flexible Endoscopy- Jeffrey Ponsky
- Case Management Session: Moderator: L. Michael Brunt, MD; Discussants: Jeffrey Ponsky, MD, Jeffrey Marks, MD, Brian Dunkin, MD

Faculty Disclosures

The following faculty provided information indicating they have a financial interest or other relationship with the manufacturers of a commercial product and/or providers of commercial services discussed in their educational presentation and/or with any commercial supporters of the activity. (Financial interest or other relationships can include such things as grants or research support, employee, consultant, stockholder, member of speaker's bureau, etc.)

Jeffrey Marks, MD:	Boston Scientific-Consultant
Jeffrey Ponsky, MD:	Ethicon Endosurgery-Consultant CR Bard-Consultant
Brian Dunkin, MD	Olympus America, Inc- Grants/Research Support; SarFX- Grants/Research Support, W... Gore- Grants/Research Support

*Course completed
Certification pending*

The University of Nebraska Medical Center, Center for Continuing Education certifies that

Dmitry Pasikhov, MD,

has participated in the educational activity on eMedicine.com titled

Intestinal Perforation

on 03/19/07

and is awarded 1.5 *AMA PRA Category 1 Credit(s)*™.

The University of Nebraska Medical Center, Center for Continuing Education is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.



The University of Nebraska Medical Center, Center for Continuing Education certifies that

Dmitry Pasikhov, MD,

has participated in the educational activity on eMedicine.com titled

Gastrointestinal Bleeding: Surgical Perspective

on 03/19/07

and is awarded 1.5 *AMA PRA Category 1 Credit(s)*[™].

The University of Nebraska Medical Center, Center for Continuing Education is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.



Medscape CME Certificate



www.medscape.com

 **RUSH UNIVERSITY
MEDICAL CENTER**

Chicago, IL

CERTIFICATE OF PARTICIPATION

**Dmitry Pasikhov, MD
1024 Tarrant Dr
Fontana, WI 53125**

Title: The Power of a New Perspective on Nonsteroidal Anti-inflammatory Drug-Related Gastrointestinal Complications: Strategies for Endoscopic and Medical Therapy

Date: MARCH 20, 2007

AMA PRA Category 1 Credit(s)[™]: 1.0

Rush University Medical Center, as an accredited CME provider, provides educational activities for physicians and allied healthcare professionals, which contribute to their continuous professional development. This certificate is awarded to the participant upon their successful completion of the educational activity.

Rush University Medical Center is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.

Rush University Medical Center designates this educational activity for a maximum of 1.0 AMA PRA Category 1 Credit(s)[™]. Physicians should only claim credit commensurate with the extent of their participation in the activity.

Harold A. Kessler, M.D.
Associate Dean, Post-Graduate Medical Education
Director, Office of Continuing Medical Education

Certificate Number: 8815803

You are signed in as [dpasikhov](#) | [Sign Out](#)



Journal Watch Online CME
Credit Acknowledgement

CME Credit Acknowledgement for: **DMITRY PASIKHOV**

Exam Category: **Gastroenterology**

Posted Date: **Mar 27 2007**

Exam Title: **JW Online: Polyp Sizes, Anemia, Gastroprotection, UGIB Incidence**

Date Completed: **Mar 30 2007**

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Congratulations

The Massachusetts Medical Society certifies that

DMITRY PASIKHOV

has participated in the educational activity titled *Journal Watch Online* CME on the date indicated above and is awarded 1 category 1 credit toward the AMA Physician's Recognition Award.

The Massachusetts Medical Society is accredited by the Accreditation Council for Continuing Medical Education to provide continuing medical education for physicians.

This exam has been reviewed and is acceptable for up to .5 Prescribed credit by the American Academy of Family Physicians (AAFP). The term of approval is for one year from beginning distribution date of each exam, with option to request yearly renewal.

The American Academy of Physician Assistants (AAPA) accepts Prescribed credit from AAFP and AMA category 1 CME credit for the PRA from organizations accredited by the ACCME.

Please print this page as a confirmation of your successful completion of this program. You will also receive an e-mail confirmation for your records.

Thank you for your participation in the *Journal Watch Online* CME Program.



SAGES
SOCIETY OF AMERICAN GASTROINTESTINAL AND ENDOSCOPIC SURGEONS
Annual Scientific Session & Postgraduate Courses: April 19-22, 2007, Las Vegas, NV

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TITLE: SAGES Grand Rounds DVD: Issue 2: Flexible Endoscopy for General Surgeons
RELEASED: June 2005
EXPIRES: June 2007
HOURS AVAILABLE: 2.0
Video Course: 2 Hours (Category 1 PRA/AMA)

Sincerely,
Michael Brunt

Michael Brunt, MD
SAGES Continuing Education Committee Chair

EXECUTIVE OFFICE: Sallie Matthews, Executive Director • 11300 W. Olympic Blvd., Suite 600, Los Angeles, CA 90004
Tel: (310) 437-0544 • Fax: (310) 437-0585 • E-mail: sagesweb@sages.org



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SOCIETY OF AMERICAN GASTROINTESTINAL AND ENDOSCOPIC SURGEONS
Annual Scientific Session & Postgraduate Courses: April 19-22, 2007, Las Vegas, NV

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*Past President

Dear Dmitry Pasikhov, MD:

The Society of American Gastrointestinal Endoscopic Surgeons (SAGES) is accredited by the Accreditation Council for Continuing Medical Education (A.C.C.M.E.) to sponsor Continuing Medical Education for physicians. This is to certify that you have participated in the following SAGES Continuing Medical Education activity:

TITLE: SAGES Grand Rounds DVD: Issue 2: Flexible Endoscopy for General Surgeons

RELEASED: June 2005

EXPIRES: June 2007

HOURS AVAILABLE: 2.0

Video Course: 2 Hours (Category 1 PRA/AMA)

Sincerely,

Michael Brunt, MD

SAGES Continuing Education Committee Chair



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Dmitry Pasikhov
1024 Tarrant Dr
Fontana, WI 53126

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Credits Earned During: 2007

Medscape CME/CE Activities: Physician CME Credits

Activity	Provider	Credit Type	Completion Date	Credits
The Power of a New Perspective on Nonsteroidal Anti-inflammatory Drug-Related Gastrointestinal Complications: Strategies for Endoscopic and Medical Therapy	Rush University Medical Center	AMA PRA	03/20/07	1
Medscape News-Based Activities				
High-Dose Omeprazole Before Endoscopy Improves Outcomes for Upper GI Bleeding	Medscape	AMA PRA; AAFP	5/15/2007	0.25

Total CME earned: 1.25

Total credits stored in Medscape CME Tracker: 1.25

For information on the eligibility of this continuing education credit toward meeting your CME/CE requirements, please consult your professional association or state licensing board.

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STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :

DMITRY K. PASIKHOV, M.D., :
RESPONDENT. :

STIPULATION
LS# 0705163MED

[Division of Enforcement Case #06 MED 173]

It is hereby stipulated between Dmitry K. Pasikhov, M.D., Respondent herein, and by his attorney, Heather L. Fields, Reinhart, Boerner, Van Deuren s.c.; and Pamela M. Stach, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows:

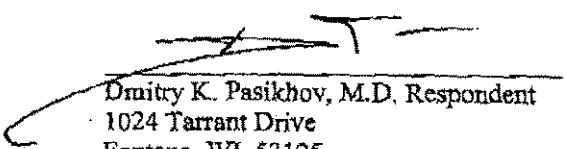
1. This Stipulation is entered into as a result of a pending investigation of Respondent's licensure by the Division of Enforcement (case # 06 MED 173.) Respondent, while neither admitting nor denying the allegations, consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has obtained advice of legal counsel prior to signing this stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Medical Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to

the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by consideration of this attempted resolution.

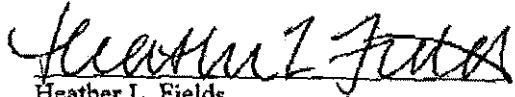
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Medical Examining Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, with or without the presence of the Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with the Board's deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondent is informed that should the Board adopt this Stipulation, the Board's final decision and order is a public record and will be published in accordance with standard Department procedure.

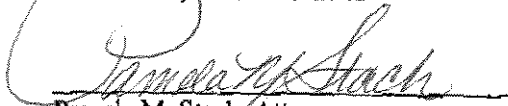
8. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.


Dmitry K. Pasikhov, M.D. Respondent
1024 Tarrant Drive
Fontana, WI 53125

5/15/07
Date


Heather L. Fields
Attorney for Respondent
State Bar No. 1035896
Reinhart Boerner Van Deuren s.c.
P.O. Box 2965
Milwaukee, WI 53201-2965

15 May 2007
Date


Pamela M. Stach, Attorney
State Bar No 1011165
Division of Enforcement
Wisconsin Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708-8935

May 15, 2007
Date