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7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **MEDICAL QUALITY HEARING PANEL**
10 **OF THE OFFICE OF ADMINISTRATIVE HEARINGS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Petition for Interim Order
12 of Suspension Against:

13 **ERIC DAVID GORDON, M.D.**
14 3471 Regional Parkway
Santa Rosa, CA 95403-1202

15 Physician's and Surgeon's Certificate
16 No. G82342

17 Respondent.

Case No. 800-2018-039973

OAH No. 2018 030375

**STIPULATION FOR INTERIM ORDER
RESTRICTING MEDICAL PRACTICE;
INTERIM ORDER**

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceeding as follows:

21 1. Petitioner Kimberly Kirchmeyer (Petitioner) is the Executive Director of the Medical
22 Board of California (Board). She brought this action solely in her official capacity and is
23 represented in this matter by and through her attorney Xavier Becerra, Attorney General of the
24 State of California, by Lynne K. Dombrowski, Deputy Attorney General.

25 2. On or about July 17, 1996, the Medical Board of California issued Physician's and
26 Surgeon's Certificate No. G82342 to Eric David Gordon, M.D. (Respondent). The Physician's
27 and Surgeon's Certificate is current and it will expire on January 31, 2020, unless renewed.
28 Respondent's certificate is presently subject to disciplinary action through a probation of three

1 years with special terms and conditions, which began on December 16, 2016 pursuant to the
2 Medical Board's Decision and Order dated November 18, 2016 in Case No. 12-2012-227503.

3 3. Respondent Eric David Gordon M.D. is represented in this matter by attorney Marvin
4 Firestone, MD, JD of Marvin Firestone, MD, JD & Associates, LLP, 1700 South El Camino Real,
5 Suite 204, San Mateo, CA 94402.

6 4. The parties hereby stipulate and agree that an interim order restricting Respondent's
7 license to practice medicine may be issued pursuant to Government Code section 11529.
8 Respondent willingly enters into this Stipulation with a full understanding of its terms and
9 restrictions.

10 4. Respondent is aware of his rights under California Government Code section 11529
11 to a formal hearing on the allegations in the Petition for Interim Order of Suspension, which
12 include the right to be represented by counsel at his own expense, to have a record made of the
13 proceedings, to present affidavits and other documentary evidence, and to present oral argument.
14 Respondent hereby knowingly and voluntarily waives each of these rights.

15 5. Respondent hereby stipulates and agrees that the Medical Quality Hearing Panel of
16 the Office of Administrative Hearings has jurisdiction in this matter and, without further
17 proceedings, may issue an interim order that restricts Respondent's practice by the following
18 terms and conditions. Respondent Dr. Gordon hereby agrees to be immediately restrained and
19 prohibited as follows:

20 (a) Respondent Dr. Gordon shall not possess, prescribe, dispense, furnish,
21 administer, or otherwise distribute any controlled substance;

22 (b) Upon demand, Respondent Dr. Gordon shall surrender to the Medical Board, or
23 its designated representative, for safekeeping all Drug Enforcement Administration (DEA) Drug
24 Order Forms, and any and all DEA permits, pending further order in this matter.

25 (c) The Interim Order shall become effective at 5:00 p.m. on March 30, 2018, to
26 allow Respondent Dr. Gordon time to make the proper arrangements regarding the transfer of
27 patient care.

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(d) The probation terms and conditions currently in effect pursuant to the Medical Board's Decision and Order in Case No. 12-2012-227503 shall remain in full force and effect.

(e) The Interim Order shall remain in force and effect until such time as the Medical Board of California issues and adopts a final decision on the Accusation to be filed in this matter pursuant to the provisions of Government Code sections 11503 and 11505.

6. The parties further understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulation for Interim Order Restricting Medical Practice; Interim Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals and that this stipulation may be signed in counterpart.

I have carefully read this Stipulation for Interim Order Restricting Medical Practice; Interim Order and I have fully discussed the terms and implications of this stipulation with my attorney, Marvin Firestone, M.D., J.D. Pursuant to the terms of this stipulation, I agree to the entry of an Interim Order Restricting Medical Practice under Government Code section 11529. I understand the effect that this stipulation will have on my Physician's and Surgeon's Certificate No. G82342.

DATED: 3/23/18 
ERIC DAVID GORDON, M.D.
Respondent

I have read and fully discussed the terms of this Stipulation with my client, Respondent Eric David Gordon, M.D. and I approve its form and content.

DATED: 3/26/18 
MARVIN FIRESTONE, MD, JD
Attorney for Respondent

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IT IS SO STIPULATED.

DATED: 03/26/2018

XAVIER BECERRA
Attorney General of California
JANE ZACK SIMON
Supervising Deputy Attorney General

Lynne K. Dombrowski
LYNNE K. DOMBROWSKI
Deputy Attorney General
Attorneys for Petitioner

1 **INTERIM ORDER RESTRICTING MEDICAL PRACTICE**

2 PURSUANT TO THE FOREGOING STIPULATION, AND GOOD CAUSE

3 APPEARING, IT IS HEREBY ORDERED:

4 The Physician's and Surgeon's Certificate No. G82342 issued to Respondent Eric David
5 Gordon, M.D. is hereby restricted and Respondent is restrained and prohibited from the practice
6 of medicine as follows:

7 1. Respondent Dr. Gordon shall not possess, prescribe, dispense, furnish, administer,
8 or otherwise distribute any controlled substance;

9 2. Upon demand, Respondent Dr. Gordon shall surrender to the Medical Board, or
10 its designated representative, for safekeeping all Drug Enforcement Administration (DEA) Drug
11 Order Forms, and any and all DEA permits, pending further order in this matter.

12 3. The Interim Order shall become effective at 5:00 p.m. on March 30, 2018, to
13 allow Respondent Dr. Gordon time to make the proper arrangements regarding the transfer of
14 patient care.

15 4. The probation terms and conditions currently in effect pursuant to the Medical
16 Board's Decision and Order in Case No. 12-2012-227503 shall remain in full force and effect.

17 5. The Interim Order shall remain in force and effect until such time as the Medical
18 Board of California issues and adopts a final decision on the Accusation to be filed in this matter
19 pursuant to the provisions of Government Code sections 11503 and 11505.

20 6. Portable Document Format (PDF) and facsimile copies of this Stipulation for
21 Interim Order Restricting Medical Practice; Interim Order, including PDF and facsimile
22 signatures thereto, shall have the same force and effect as the originals and this stipulation may be
23 signed in counterpart.

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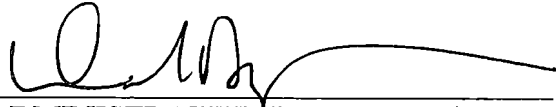
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7. This Order shall be deemed served upon Respondent upon service by electronic mail and by overnight delivery to Respondent's attorney, Marvin Firestone, M.D., J.D. The Order shall also be served by regular mail upon Respondent at his address of record with the Board.

DATED: March 26, 2018


ADMINISTRATIVE LAW JUDGE
MEDICAL QUALITY HEARING PANEL
DAVID BENJAMIN

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