

**IN THE COURT OF COMMON PLEAS
 LUCAS COUNTY, OHIO**

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| STATE EX REL. Right to Life Action Coalition of Ohio, <i>et al.</i> , <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">vs.</p> CAPITAL CARE OF TOLEDO, LLC, <i>et al.</i> , <p style="text-align: center;">Defendants.</p> | Case No. 2021-01942 Judge Lori L. Olender Notice of Final Disposition of Plaintiffs' Complaint to the State Medical Board |
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Defendants hereby notify this Court that the State Medical Board has disposed of Plaintiffs' complaint that Defendants have engaged in the unauthorized practice of medicine. The Board found Plaintiffs' allegations to be without merit. Specifically, "the Secretary and Supervising Member" of the Board, "after thorough review," "determined that no further action was required by the Board and the complaint has been closed." See letter to defendant Amelia Stower dated July 19, 2021, attached as Exhibit 1.

This development further confirms Plaintiffs' lack of standing in this case, as set forth fully in Defendants' motion to dismiss at pages 4-6 and reply brief at pages 7-9. Because the State Medical Board has fully investigated Plaintiffs' complaint, and determined, per R.C. 4731.341, that Defendants "[are] properly licensed or certified for the stated activity [and] not in violation of Chapter 4723. or 4731," Plaintiffs possess no right to pursue any action to enforce this statute or otherwise. Further litigation of this matter is neither necessary nor warranted. *See State Med. Bd. v. Mt. Sinai Hosp.*, 8 Ohio App.3d 105, 107, 456 N.E.2d 577 (8th Dist.1983) ("This notice and answer requirement eliminates any unnecessary litigation by providing the alleged offender an opportunity to show that he is not in violation of R.C. Chapter 4731. If the board receives a satisfactory response, there will be no reason remaining to maintain an action.").

Respectfully Submitted,

/s/ Peter Pattakos

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*Attorneys for Defendants Capital Care of
Toledo, LLC and Amelia Stower*

Certificate of Service

On July 21, 2021, the foregoing document was filed via the Court's e-filing system and
emailed to counsel for the Plaintiffs.

/s/ Peter Pattakos

Attorney for Defendants



State Medical Board of
Ohio

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7/19/2021

Amelia Stower
1160 W. Sylvania
Toledo, OH 43609

Dear Amelia Stower:

Thank you for cooperating in the review of a complaint to the Medical Board.

The information shared with the Medical Board's staff was reviewed by the Board's Secretary and Supervising Member who are responsible for overseeing the Board's complaint and disciplinary processes. Please remember that all complaints received by the Board and all investigations conducted by our agency are confidential under Section 4731.22, Ohio Revised Code.

After thorough review, the Secretary and Supervising Member determined that no further action was required by the Board and the complaint has been closed.

Your assistance in this matter is appreciated.

Sincerely,

State Medical Board of Ohio
