

**IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL  
CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA**

**OFFICE OF THE ATTORNEY GENERAL,  
DEPARTMENT OF LEGAL AFFAIRS,  
STATE OF FLORIDA,**

Plaintiff,

Case No.: 04-16032 (09)

vs.

**ASAP MEDS, INC.,** a Florida Corporation  
d/b/a MEDS-STAT

Defendant.

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**CONSENT ORDER**

**THIS CAUSE** is before the Court upon the agreement of the Parties and pursuant to the Plaintiff's First Amended Complaint and Application For Preliminary Relief pursuant to Section 501.207(1)(b) and (3), Florida Statutes, said Complaint alleging violations of Florida's Deceptive and Unfair Trade Practices Act, Chapter 501, Part II, Florida Statutes (2001).

**WHEREAS** the Parties have agreed that this Court enter this Consent Order adopting the following terms and conditions, which shall remain in effect pending the final resolution of this Cause.

**IT IS ORDERED AND ADJUDGED** as follows:

A. That the Defendant agrees to disclose in writing to the Plaintiff the quantity of any and all flu vaccine currently in its possession, ownership and/or control. Said disclosure shall be made in writing to the Plaintiff before the end of business, Friday, October 29, 2004. Said written disclosure shall describe said vaccine by name, type, vial size and lot number.

B. Defendant agrees to surrender any and all such vaccine to the Florida Department of Health under such terms and conditions required by the Department, to be distributed to the public for free. Until such time as the vaccine is delivered, it shall be preserved in such a condition as to render it fit for medical use.

C. That the Defendant, itself or through any subdivision, agent, owner, officer, director or employee or other persons who act under, by, through or on behalf of the Defendant, hereby agrees not to purchase or sell flu vaccine of any type.

D. This Court shall retain jurisdiction to enforce the terms of this Consent Order and

to impose sanctions in the event of any violation thereof. By their signatures, the Parties agree to the terms and conditions of this Order. The Defendants' agreement to the present order does not constitute a waiver of any available defense.

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ROBERT R. JULIAN  
South Florida Bureau Chief  
Economic Crimes Division  
Bar No. 0262706  
Office of the Attorney General  
Department of Legal Affairs  
110 S.E. 6th Street, Tenth Floor  
Ft. Lauderdale, FL 33301  
(954) 712-4600

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ASAP MEDS, INC. d/b/a MEDS-  
STAT by Augustus E. Raney,  
President, Director and authorized  
representative with the authority  
to bind ASAP MEDS, INC.

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Marc S. Nurik, Esq.  
Ruden, McClosky, Smith,  
Schuster & Russell  
200 E. Broward Blvd.  
Ft. Lauderdale, FL 33301  
Representing Defendant ASAP MEDS, INC.  
FBN: \_\_\_\_\_

**DONE AND ORDERED** in open court at Ft. Lauderdale, Broward County, Florida this  
\_\_\_\_ day of \_\_\_\_\_, 2004.

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CIRCUIT JUDGE

cc: Office of the Attorney General  
Mark Nurik, Esq.  
Ricardo A. Reyes, Esq.  
Todd I. Stone, Esq.