

**STATE OF MINNESOTA**  
**BOARD OF VETERINARY MEDICINE**

In the Matter of Jason Blackwelder

**CONSENT CEASE AND DESIST ORDER  
AND SETTLEMENT AGREEMENT**

**A. Purpose of this Consent Cease and Desist Order and Settlement Agreement.** This Consent Cease and Desist Order and Settlement Agreement (“Agreement”) is to resolve a dispute between Jason Blackwelder (“Respondent”) and the Minnesota Board of Veterinary Medicine (“Board”). Respondent and the Board mutually agree to resolve this dispute with this Agreement to avoid the time and expense of litigation that would otherwise arise from this matter.

**B. Factual Background.** The Board and Respondent agree to the following facts:

1. Respondent, who resides in Chokio, Minnesota, operates a horseshoeing and hoof trimming business.

2. Respondent is not currently and never has been licensed to practice veterinary medicine in the State of Minnesota.

3. Respondent has not met the requirements for equine teeth floaters set forth in Minn. Stat. § 156.075, subd. 2 (2006), which include the following:

(a) A person may perform equine teeth floating services after submitting to the board the following:

(1) proof of current certification from the International Association of Equine Dentistry or other professional equine dentistry association as determined by the board; and

(2) a written statement signed by a supervising veterinarian experienced in large animal medicine that the applicant will be under direct or indirect supervision of the veterinarian when floating equine teeth.

4. The Complaint Review Committee of the Board has advised Respondent that it is prepared to commence formal action against him pursuant to Minn. Stat. §§ 156.15 and/or 214.11 (2006) based on allegations that he violated or threatened to violate Minn. Stat. § 156.075, which the Board has power to enforce, as evidenced by the following conduct:

a. In or about June 2006, Respondent placed an advertisement in a Minnesota newspaper in which Respondent offered equine teeth floating services.

5. Respondent acknowledges that the Board has advised him of his rights to a hearing or trial in this matter, to present argument to the Board, administrative law judge, or court and to appeal from any adverse determination after a hearing or trial. Respondent waives those rights. Respondent further acknowledges that he has been advised by Board representatives that he may be represented by legal counsel in this matter and has either been advised by his own legal counsel or knowingly and voluntarily waived this right.

6. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2006) and Minn. R. 1400.5900 (2005).

7. Respondent agrees that if he violates this Consent Cease and Desist Order, the Board shall be authorized to impose a civil penalty against him of up to \$1,000 per violation in addition to any other remedies provided by law. Before imposing such a penalty, the Committee must provide Respondent with notice of the alleged violations and must further provide Respondent 30 days during which he may request a hearing at the Minnesota Office of Administrative Hearings to challenge the allegations.

8. Respondent understands that this Consent Cease and Desist Order is classified as a public document in accordance with the Minnesota Government Data Practices Act, Minn. Stat. ch. 13 (2006).

**C. Cease and Desist Order. NOW, THEREFORE, IT IS HEREBY ORDERED,**

pursuant to Minn. Stat. § 156.15 (2006), that Respondent shall cease and desist from:

- a. Performing or offering to perform equine teeth floating services in the State of Minnesota until such time as Respondent has complied with the requirements of Minn. Stat. § 156.075.

**IT IS FURTHER ORDERED**, that if Respondent violates this Consent Cease and Desist Order, the Board shall be authorized to impose a civil penalty against Respondent of up to \$1,000 per violation in addition to any other remedies provided by law in accordance with the terms set forth in paragraph B.7 above.

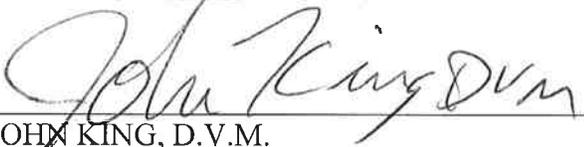
**IT IS FURTHER ORDERED**, that this Consent Cease and Desist Order shall remain in effect until such time as it is modified or vacated by the Board.

This Order shall be effective upon signature on behalf of the Board.

Dated: 2-20-07

BOARD OF VETERINARY MEDICINE

By:

  
\_\_\_\_\_  
JOHN KING, D.V.M.  
Executive Director

**D. Consent to Entry of Order and Settlement Agreement.**

1. Respondent states that he has read this Consent Cease and Desist Order and Settlement Agreement, and that he knows and fully understands its contents and effect. Respondent acknowledges that he has been advised by Board representatives that he may be represented by legal counsel in this matter and that he has either been advised by his own legal counsel or knowingly and voluntarily waived this right. Respondent further states that he voluntarily consents to enter into this Consent Cease and Desist Order and Settlement Agreement with the Board of Veterinary Medicine.

2. In consideration for and conditioned upon Respondent's performance and acceptance of the terms and conditions of this Consent Cease and Desist Order and Settlement Agreement, the Board agrees that it shall not pursue any legal, administrative law, or equitable remedy against Respondent that the Board may now have or may have had related to the acts and/or omissions stated herein. In consideration of the foregoing provisions of this paragraph, Respondent agrees not to pursue any legal, administrative law, or equitable remedy that he has or may have had against the Board for any matter related to the acts and/or omissions stated herein.

3. **Full and Final Settlement.** The Parties mutually agree that this Consent Cease and Desist Order and Settlement Agreement is a full and final settlement and accord pertaining to any and all causes of action of any kind that they each have had or may have had, known or unknown, relating to the acts and/or omissions stated herein.

4. **Enforcement.** The terms of this Consent Cease and Desist Order and Settlement Agreement shall be enforceable in an administrative law proceeding venued at the Minnesota Office of Administrative Hearings, if available.

5. **Successors and Assigns.** This Consent Cease and Desist Order and Settlement Agreement shall be binding on Respondent, his agents, representatives, heirs, devisees, and/or legatees of any kind, and the Board and its successors and/or assigns.

6. **Effective Date.** This Consent Cease and Desist Order and Settlement Agreement shall be effective upon the date it is fully executed by all parties.

7. **Amendments.** This Consent Cease and Desist Order and Settlement Agreement may be amended only by the mutual agreement of all of the parties hereto. Any such amendment shall be in writing and shall have as the effective date that date on which the amendment is signed by all parties.

BY THEIR SIGNATURES BELOW, THE UNDERSIGNED REPRESENT THAT THEY ARE COMPETENT TO SIGN THIS CONSENT CEASE AND DESIST ORDER AND SETTLEMENT AGREEMENT AND THAT THEY HAVE THE AUTHORITY TO BIND THE PARTIES THEY REPRESENT

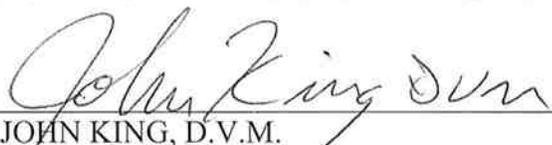
IT IS SO AGREED:

Dated: 2-15-07

  
\_\_\_\_\_  
JASON BLACKWELDER

Dated: 2-20-07

BOARD OF VETERINARY MEDICINE

By:   
\_\_\_\_\_  
JOHN KING, D.V.M.  
Executive Director

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