



State Office of Administrative Hearings

Austin Office
300 West 15th Street Suite 502
Austin, Texas 78701
Phone: (512) 475-4993
Fax: (512) 322-2061

Fax

To:	From: Debra Anderson
Fax:	Pages: 3
Phone:	Date: 2015-08-26 Time: 16:28:06
Re: 503-14-1342.MD ORD 26	CC: Texas State Office of Administrative Hearings

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Details:

THIS ORDER WAS HAND-DELIVERED TO MR. BUKSTEIN AND MR. COGDELL AT THE PREHEARING CONFERENCE ON 8/26/15.

Debra Anderson

The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the address via the U.S. Postal Service. Thank you.

STATE OFFICE OF ADMINISTRATIVE HEARINGS

AUSTIN OFFICE
300 West 15th Street Suite 502
Austin, Texas 78701
Phone: (512) 475-4993
Fax: (512) 322-2061

DATE: 08/26/2015
NUMBER OF PAGES INCLUDING THIS COVER SHEET: 3
REGARDING: ORDER NO. 26 - FINDING MANDATORY BASIS FOR ATTORNEY WITHDRAWAL
DOCKET NUMBER: 503-14-1342.MD
JUDGE CATHY C EGAN

FAX TO:

FAX TO:

RICHARD A. JAFFE

VIA EMAIL

LEE BUKSTEIN (TEXAS MEDICAL BOARD)

(512) 305-7007

DAN COGDELL

(713) 426-2255

cc: Docket Clerk, State Office of Administrative Hearings

ROBIN ETHERIDGE HEARINGS COORDINATOR, TSBME, Fax No. 512-305-7007

NOTE: IF ALL PAGES ARE NOT RECEIVED, PLEASE CONTACT DEBRA ANDERSON(dan) (512) 475-4993

The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the address via the U.S. Postal Service. Thank you.

SOAH DOCKET NO. 503-14-1342.MD

TEXAS MEDICAL BOARD,
Petitioner

v.

STANISLAW R. BURZYNSKI, M.D.,
Respondent

§
§
§
§
§
§
§

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS


ORDER NO. 26
FINDING MANDATORY BASIS FOR ATTORNEY WITHDRAWAL

On July 23, 2015, Richard Jaffe, the attorney representing Stanislaw R. Burzynski, M.D., (Respondent), filed a motion to withdraw from this case. Mr. Jaffe provided no reason for his request to withdraw. On August 7, 2015, Dan Cogdell filed a motion to substitute requesting permission to serve as Respondent's counsel. On August 27, 2015, the Administrative Law Judges convened a prehearing conference with Mr. Bukstein and Mr. Cogdell appearing in person, and Mr. Jaffe appearing by telephone. During the prehearing conference Mr. Jaffe represented that under Rule 1.15 of Texas Rules of Professional Conduct he must withdraw as Respondent's counsel, and requested an *in camera* hearing before another ALJ to determine whether the Professional Rules require him to withdraw.

ALJ Suzanne Marshall conducted the *in camera* hearing and determined that pursuant to Rule 1.15, Mr. Jaffe's continued representation of Dr. Buzynski would violate the mandatory withdrawal provisions of Rule 1.15.

Accordingly, Mr. Jaffe's request to withdraw as Respondent's attorney is **GRANTED**.

SIGNED August 27, 2015.



SUZANNE FORMBY MARSHALL
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS