

January 3, 2007

James P. Goldsmith, D.M.D.
President
Board of Dental Examiners
Spring Grove Hospital Center
Benjamin Rush Building
Wade Avenue
Baltimore, MD 21228

Dear Dr. Goldsmith and Members of the Board,

Please be advised that I have decided to surrender my license to practice dentistry in the State of Maryland, License Number 3818, (d.o.b. 3/13/37). I understand that I may not give dental advice or treatment to any individual, with or without compensation, cannot prescribe medications, cannot own, operate or manage a dental practice, or otherwise engage in the practice of dentistry as it is defined in the Maryland Dentistry Act (the "Act"), Md. Health Occ. Code Ann., § 4-101, *et seq.* In other words, as of the effective date of this Letter of Surrender, I understand that the surrender of my license means that I am in the same position as an unlicensed individual.

I understand that I have until June 1, 2007 to sell my dental practice and to provide sufficient evidence of the sale to the Board of Dental Examiners (the "Board"). In the event that I am unable to sell my practice, despite good faith efforts, the Board may extend the date of required sale.

I also state that my license to practice dentistry in the State of Maryland is currently suspended, as a result of an Order for Summary Suspension which issued on November 15, 2006, as discussed below.

I understand that this Letter of Surrender is a PUBLIC DOCUMENT.

My decision to surrender my license to practice dentistry in Maryland has been prompted by an investigation of my licensure by the Board and the Office of the Attorney General. The investigation resulted in the issuance of charges by the Board for commission of prohibited acts under the Act as more particularly outlined in the Order for Summary Suspension dated November 11, 2006 filed in case number 2005-009.

Furthermore, as a result of the investigation, the Board, on November 15, 2006, **SUMMARILY SUSPENDED** my license to practice dentistry in the State of Maryland.

I acknowledge that the Office of the Attorney General can prove by a preponderance of the evidence at an administrative hearing that I violated Centers for Disease Control's guidelines.

Since the Board's charges have been filed I have personally taken steps to comply with CDC guidelines for infection control. I have consulted with a Board consultant, Dr. Melissa Mulreany, who issued a letter dated December 1, 2006. Dr. Mulreany notes "I believe that Dr. Schwartz is committed to establishing an infection control program which meets or exceeds all requirements."

However, I have decided to surrender my license to practice dentistry in Maryland to avoid further prosecutorial proceedings of the aforementioned charges and summary suspension and because I have elected to retire from the practice of dentistry. I have been a practicing dentist in the state of Maryland since 1963. I have not previously been under investigation by the Board, nor has the Board previously issued charges against me in my 43 years of practice. My decision to

James P. Goldsmith, D.M.D. and Members of the Board

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surrender my license has also been prompted by my recent poor health. I am currently under a doctor's care recovering from surgery and my physical condition is restricted and limited by doctor's orders. By virtue of this Letter of Surrender, I waive any right to contest the charges and findings contained in the charges. I wish to make it clear that I have voluntarily, knowingly and freely chosen to submit this Letter of Surrender to avoid prosecution of the aforementioned charges under the Act and in order to resolve this matter. I understand that by executing this Letter of Surrender I am waiving any right to contest these findings in a formal evidentiary hearing and waiving all other substantive and procedural protections provided by law, including the right to appeal. I make this decision after consulting with my attorney, Keith Siskind, Esquire.

I further recognize and agree that by signing this Letter of Surrender that my license will remain surrendered forever. In other words, I AGREE NEVER TO APPLY FOR REINSTATEMENT OF MY DENTAL LICENSE IN THE STATE OF MARYLAND.

I hereby affirm that I terminated my chair side dental practice as a result of the Summary Suspension Order and I agree that it will remain terminated. I also affirm that I have no privileges of any kind at any hospital, outpatient facility, nursing home, or other health care facility in the State of Maryland.

I affirm that I have delivered, pursuant to the Summary Suspension Order, my Maryland Controlled Dangerous Substances Certificate, my Federal DEA permit, all prescription pads and/or forms and all controlled dangerous substances in my practice.

I understand that the Board will advise the National Practitioner Data Bank and the Healthcare Integrity and Protection Databank of this Letter of Surrender, and in response to any inquiry, that I have surrendered my license in lieu of disciplinary action under the Act. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction, that this letter of Surrender along with all underlying investigative documents, may be released to the requesting governmental or licensing body.

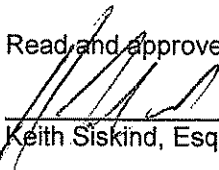
Finally, I wish to make clear that I have consulted with an attorney before signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I make this decision knowingly and voluntarily.

Sincerely,



Lyndell K. Schwartz, D.D.S.

Read and approved:



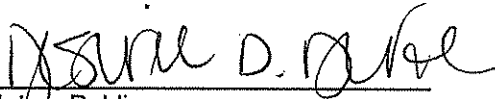
Keith Siskind, Esquire

NOTARY

STATE OF MARYLAND
CITY/COUNTY OF Baltimore

I HEREBY CERTIFY that on this 3rd day of January, 2007, before me, a Notary Public of the City/County aforesaid, personally appeared Lyndell K. Schwartz, D.D.S., and declared and affirmed under the penalties of perjury that the signing of this Letter of Surrender was his voluntary act and deed.

AS WITNESS my hand and Notarial seal.




Notary Public

My commission expires: 9/8/2010

ACCEPTANCE

On behalf of the Maryland Board of Dental Examiners, this 17th day of January 2007, I accept Lyndell K. Schwartz, D.D.S.'s, PUBLIC LETTER OF SURRENDER of his license to practice dentistry in the State of Maryland.



James P. Goldsmith, D.M.D.
President
Board of Dental Examiners

cc: Kimberly S. Cammarata, Assistant Attorney General, Administrative Prosecutor