



DOUGLAS A. DUCEY  
- GOVERNOR -

VICTORIA WHITMORE  
- EXECUTIVE DIRECTOR -

## ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

9535 E. DOUBLETREE RANCH RD., STE. 100 ♣ SCOTTSDALE, ARIZONA 85258  
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VETBOARD.AZ.GOV

### SPECIAL TELEPHONIC MEETING MINUTES

September 9, 2015

9535 E. Doubletree Ranch Rd., Ste. 100  
Scottsdale, Arizona 85258

8:00am

**Members Present telephonically:** Dr. Brian Serbin, Mr. James Loughead, Dr. Les Hatfield, Ms. Jessica Amend, Dr. Darren Wright, Ms. Julie Young, and Dr. J. Gregory Byrne.

**Members Absent:** Ms. Julie Mumford C.V.T. and Dr. Christina Bertch-Mumaw.

**Legal Counsel Present telephonically:** Ms. Sunita Krishna, Assistant Attorney General (A.A.G.) and Ms. Michelle Burton, Assistant Attorney General

**Staff present:** Ms. Victoria Whitmore, Executive Director (E.D.) and Ms. Tracy Riendeau, C.V.T., Investigations.

#### I. CALL TO ORDER

Dr. Brian Serbin, Chair, at 8:00 a.m.

**Roll call:** Ms. Victoria Whitmore.

#### II. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

**1. Board may review, discuss, and take action on *Celeste Kelly v. Victoria Whitmore, et. al., Maricopa County Superior Court Case No. CV2014-091906.***

At 8:06a.m., after discussion and consideration, a motion was made by Dr. Serbin and seconded by Ms. Young to go into executive session for legal advice. Motion passed unanimously.

At 8:34a.m., the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Hatfield to amend the Board's answer that was initially offered in this litigation that a person must hold a veterinary license to perform animal massage. Roll call: Dr. Serbin, aye; Mr. Loughead, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Young, aye; Dr. Wright, aye; and Dr. Byrne, aye.

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr.

Loughead for the Board to offer immunity to the plaintiffs and will agree to refrain from referring to the County Attorney cases that involve two of the plaintiffs, or pursue prosecution, in exchange for answers to discovery, providing no animal is/has been injured or harmed. Roll call: Dr. Serbin, aye; Mr. Loughead, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Young, aye; Dr. Wright, aye; and Dr. Byrne, aye.

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Hatfield for the Board to give authority to its attorney to potentially engage in settlement discussions contingent on discovery responses. Roll call: Dr. Serbin, aye; Mr. Loughead, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Young, aye; Dr. Wright, aye; and Dr. Byrne, aye.

### **III. CALL TO PUBLIC**

No member of the public wished to speak.

### **IV. ADJOURNMENT**

The meeting adjourned at 8:40a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Victoria Whitmore", written over a horizontal line.

Victoria Whitmore, Executive Director