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March 7, 2007

Mr. David Garbourg  
Trading Data Inc.  
11010 NW 30<sup>th</sup> Street  
Miami, FL 33172

Re: Trading Data Inc.

NORTH CAROLINA  
**BOARD OF PHARMACY**

*President*  
Rebecca W. Chater

*Vice President*  
Wallace E. Nelson

*Members*  
L. Stan Haywood  
J. Parker Chesson, Jr.  
R. Joseph (Joey) McLaughlin, Jr.  
Betty H. Dennis

**VIA CERTIFIED MAIL**

**CEASE AND DESIST**

Dear Mr. Garbourg:

An investigation by the North Carolina Board of Pharmacy has established that your company, Trading Data Inc., is soliciting pharmacies in North Carolina to act as fulfillment centers for prescription drug orders. David Fender is acting as Trading Data's agent in North Carolina and is making the solicitations.

The Board has obtained copies of the solicitation materials. Those materials indicate that Trading Data asks "patients" to answer a questionnaire, which is then referred to a physician for review and issuance of a prescription to a pharmacy that has agreed to act as a fulfillment center for Trading Data. For agreeing to act as a fulfillment center, Trading Data pays the pharmacy a \$5,000 up-front payment. Participating pharmacies are also paid \$15.00 plus drug costs for every non-controlled-substance prescription they fill for Trading Data, and \$20.00 plus drug costs for every controlled substance prescription they fill for Trading Data.

North Carolina law specifically prohibits pharmacists from filling any prescription that they know, or reasonably should know, was issued without a physical examination and in the absence of a prior prescriber-patient relationship. 21 NCAC 46.1801. Trading Data's solicitation materials make clear that it is facilitating the filling of prescriptions in the absence of a legitimate patient-prescriber relationship. Moreover, issuing prescriptions for controlled substances in the manner stated in your materials violates both the federal and state controlled substances act.

Located at I-40 & 54  
6015 Farrington Road, Suite 201  
Chapel Hill, NC 27517-8822

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Mr. David Garbourg  
Trading Data Inc.

Our Board, with cooperation with other state and federal law enforcement, has been active in shutting down illegal Internet businesses such as yours. And we are prepared to do the same in your case.

By copy of this letter, I am alerting the federal Drug Enforcement Administration and the North Carolina Attorney General's office of the nature of your business.

Accordingly, you are ordered to **IMMEDIATELY CEASE AND DESIST** any further solicitation of North Carolina pharmacies to act as fulfillment centers for Trading Data or otherwise facilitating the dispensing of prescription drugs in violation of state and federal law. Failure to abide by this order will result in the Board taking all available legal options. Please give this order your immediate, most serious attention.

Sincerely yours,



Jay Campbell  
Executive Director

cc: David Fender  
Clinton Pinyan, Esq., Counsel to the Board  
Karen Matthew, Director of Inspections and Investigations  
Creecy Johnson, Assistant Attorney General  
Brian Reise, Drug Enforcement Administration