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STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
REGULATORY SERVICES BRANCH

Re: David Scully
License No.: 005777

Petition No. 2006-0913-033-015

VOLUNTARY SURRENDER OF LICENSE AFFIDAVIT

David Scully, being duly sworn, deposes and says:

1. I am over the age of majority and understand the obligations of an oath.

2. I make this affidavit on the basis of personal knowledge.

3. I am licensed by the Department of Public Health (hereinafter "the Department") to practice as a subsurface sewage disposal system installer. I presently hold license number 005777.

4. I hereby voluntarily surrender my license to practice as a subsurface sewage disposal system installer in the State of Connecticut.

5. I understand and agree that if I seek a new license or to reinstate my license at any time in the future, the allegations contained in Petition Number 2006-0913-033-015 shall be deemed true. In addition, I understand and agree that if I seek a new license or to reinstate my license at any time in the future, the allegations contained in Petition Number 2007-1214-033-003 and in Petition Number 2008-0110-033-001 shall be deemed true. The allegations in Petition Number 2006-0913-033-015 are outlined in the Statement of Charges dated December 11, 2007, a copy of which is attached hereto marked as Attachment "A." The allegations in Petition Number 2007-1214-033-003 and in Petition Number 2008-0110-033-001 are outlined in Attachment "B," attached hereto and made a part hereof. I further understand that any application described above must be made to the Department which shall have absolute discretion, as to whether said license shall be issued or reinstated and, if so, whether said license shall be subject to conditions.

6. I hereby waive any right to a hearing I may have regarding any request that my license be reinstated or that a new license be issued and also waive any right that I may have to appeal or otherwise challenge the disposition of any such request.

7. I understand and agree that this affidavit and the case file in Petition Numbers 2006-0913-033-015, 2007-1214-033-003 and 2008-0110-033-001 are public documents, and I am executing this affidavit in settlement of the allegations contained in Petition Number 2006-0913-033-015 and in consideration of the Department dismissing Petition Nos. 2007-1214-033-003 and 2008-0100-033-001.

8. I understand that this surrender of my license is a reportable event and is public information.

9. I understand that, upon execution of this document by the Department, the Department will present this document to the Commissioner or his agent and will move to withdraw the Statement of Charges in Petition No. 2006-0913-033-015. I understand that this document is not effective unless and until the Department has executed it, and the Commissioner or his agent either grants the Department's Motion to Withdraw or the charges are dismissed.

10. I understand that I have the right to consult with an attorney prior to signing this affidavit.

11. I understand that the execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau.

12. I understand that the purpose of this agreement is to resolve the pending matter against my license and is not intended to affect any claim of civil liability that might be brought against me.

13. If applicable, I agree to comply with the provision of Section 19a-14-44 Regulations Connecticut State Agencies.

David Scully

Subscribed and sworn to before me this 24th day of February 2008.

~~Notary Public~~
Commissioner of Superior Court

Accepted: _____ 2/26/08
Suzanne Blancaflor, Section Chief
Environmental Health Section
Regulatory Services Branch
Date

s:llf/Scully/Voluntary Surrender