

NEVADA STATE BOARD
of
DENTAL EXAMINERS



BOARD TELEPHONE
CONFERENCE

OCTOBER 24, 2017

6:00 P.M.

PUBLIC BOOK

PETITION TO APPLY FOR LICENSURE

LAURIA TOKUNAGA GATES & LINN, LLP

Attorneys at Law

Anthony D. Lauria*+
Mark D. Tokunaga*+
Raymond R. Gates*+
Scott A. Linn*
Robert B. Smith*+
Brian A. Rosenthal*
David M. Trent*
Paul A. Cardinale*+
Shannon E. Lacey*
Jonathan J. Lord+ Of Counsel

1755 Creekside Oaks Dr., Suite 240
Sacramento, CA 95833
Tel: (916) 492-2000
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Website: www.ltglaw.net

617 Fourteenth Green Drive
Incline Village, NV 89451
Tel: (775) 833-2017
Fax: (775) 833-2037

601 South Seventh Street
Las Vegas, NV 89101
Tel: (702) 387-8633
Fax: (702) 387-8635

* Licensed in California
+ Licensed in Nevada

September 20, 2017

Debra Shaffer-Kugel
Executive Director
Nevada State Board of Dental Examiners
6010 S. Rainbow Blvd., Bldg. A, Ste. 1
Las Vegas, NV 89118

Sent Via Email and US Mail

Re: Case No. 74127-03120
Leslie M. Kotler, DMD

Dear Ms. Shaffer-Kugel,

Please find enclosed Dr. Kotler's Petition for License and request to be placed on the September 29, 2017 Board meeting agenda.

Very truly yours,

**LAURIA TOKUNAGA
GATES & LINN, LLP**

/s/ Raymond R. Gates
Raymond R. Gates
RRG/kah
Enclosure



1 Raymond R. Gates, SBN 5320
2 LAURIA TOKUNAGA GATES & LINN, LLP
3 1755 Creekside Oaks Drive, Suite 240
4 Sacramento, CA 95833
5 Tel: (916) 492-2000
6 Fax: (916) 492-2500

7 **Southern Nevada Office:**
8 601 South Seventh Street
9 Las Vegas, NV 89101
10 Tel: (702) 387-8633
11 Fax: (702) 387-8635

12 Attorneys for Respondent
13 LESLIE M. KOTLER, DMD

14 STATE OF NEVADA
15 BEFORE THE BOARD OF DENTAL EXAMINERS

16 NEVADA STATE BOARD OF DENTAL) CASE NO. 74127-03120
17 EXAMINERS,)
18)
19 Complainant,) **PETITION FOR LICENSE**
20 vs.)
21)
22 LESLIE M. KOTLER, DMD,)
23)
24 Respondent.)



25 Pursuant to NRS 61.240 as well as the Disciplinary Stipulation Agreement in Case No.
26 74127-03120, Respondent Leslie M. Kotler, DMD, hereby petitions the Board for submission of
27 license application. In compliance with the prior Disciplinary Stipulation Agreement, Respondent
28 attaches a Certificate of Release of Lien and Judgment in a Criminal Case.

Respondent respectfully requests this matter be placed on the agenda of the next Board

1 hearing for September 29, 2017.

2 Dated: September 20, 2017

LAURIA TOKUNAGA GATES & LINN, LLP

3
4 By: _____

Raymond R. Gates
SBN 5320

5
6
7 Reply to: 1755 Creekside Oaks Drive, Suite 240
Sacramento, CA 95833
8 (916) 492-2000
Attorneys for Respondent
9 LESLIE M. KOTLER, DMD

10
11 Nevada Office:
601 South Seventh Street
12 Las Vegas, NV 89101





U.S. Department of Justice

United States Attorney's Office
District of Nevada
Civil Division - Financial Litigation Unit

Daniel G. Bogden
United States Attorney

501 Las Vegas Boulevard South
Suite 1100
Las Vegas, Nevada 89101
October 5, 2016

Phone: (702) 388-6336
Fax: (702) 388-6787

Bernard J. Gartland, Esq.
78900 Avenue 47
Suite 112
La Quinta, CA 92253

Re: United States v. LESLIE M. KOTLER
2:14-CR-206-APG-CWH

Dear Mr. Gartland:

Enclosed is a Certificate of Release of Lien for Leslie M. Kotler. It is your responsibility to record the Certificate of Release of Lien with the Clark County Recorder's Office at, PO Box 551510, Las Vegas, NV 89155-1510. Please contact the recorder's office regarding fees.

If you have any questions contact me at (702)388-6336.

Sincerely,

DANIEL G. BOGDEN
United States Attorney

A handwritten signature in black ink, appearing to read "Kim Bush".

KIM BUSH
Debt Collection Agent
Financial Litigation Unit

Enclosures

RECEIVED
OCT 11 2016





U.S. Department of Justice

*United States Attorney's Office
District of Nevada
Civil Division - Financial Litigation Unit*

*Daniel G. Bogden
United States Attorney*

501 Las Vegas Boulevard South
Suite 1100
Las Vegas, Nevada 89101
October 5, 2016

Phone: (702) 388-6336
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Bernard J. Gartland, Esq.
78900 Avenue 47
Suite 112
La Quinta, CA 92253

Re: United States v. LESLIE M. KOTLER
2:14-CR-206-APG-CWH

Dear Mr. Gartland:

Enclosed is a Certificate of Release of Lien for Leslie M. Kotler. **It is your responsibility to record the Certificate of Release of Lien with the Apache County Recorder's Office at, PO Box 425, St. Johns, AZ 85936. Please contact the recorder's office regarding fees.**

If you have any questions contact me at (702)388-6336.

Sincerely,

DANIEL G. BOGDEN
United States Attorney


KIM BUSH
Debt Collection Agent
Financial Litigation Unit

Enclosures

RECEIVED
OCT 11 2016



DEPARTMENT OF JUSTICE

CERTIFICATE OF RELEASE OF LIEN

IMPOSED UNDER
THE SENTENCING REFORM ACT OF 1984
UNITED STATES ATTORNEY'S OFFICE
FOR THE DISTRICT OF NEVADA

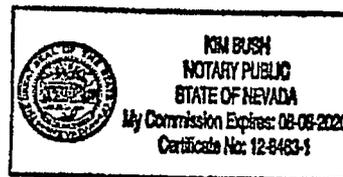
Return to:

I hereby certify that as to the following named debtor the requirements of section 3613(a)(1) of title 18 of the United States Code have been satisfied with respect to the judgment enumerated below, together with all statutory additions; and that the lien for this judgment and statutory additions has thereby been released. The proper officer in the office where the Notice of Lien or Judgment was filed on July 13, 2016, Instrument 2016-333440, is hereby authorized to make notation on the books to show the release of said lien, insofar as the lien relates to the following imposition.

Name of Defendant	LESLIE M. KOTLER
Court Number	2:14-CR-206-APG-CWH
Residence	Apache County, Arizona
Amount of Fine/Restitution	\$712,380.00
Court Imposing Judgment	United States District Court, District of Nevada
Place of filing:	Apache County Recorder PO Box 425 St. Johns, AZ 85936

Mark E. Woolf
MARK E. WOOLF,
Assistant United States Attorney

STATE OF NEVADA)
)
County of Clark)



On the 15th day of October, 2016, MARK E. WOOLF, personally appeared before me a Notary Public who acknowledged that he executed the within instrument.

[Signature]
Notary Public



LAURIA TOKUNAGA GATES & LINN, LLP

Attorneys at Law

Anthony D. Lauria*+
Mark D. Tokunaga*+
Raymond R. Gates*+
Scott A. Linn*
Robert B. Smith*+
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+ Licensed in Nevada

September 21, 2017

Debra Shaffer-Kugel
Executive Director
Nevada State Board of Dental Examiners
6010 S. Rainbow Blvd., Bldg. A, Ste. 1
Las Vegas, NV 89118

Sent Via Email and US Mail



Re: Case No. 74127-03120
Leslie M. Kotler, DMD

Dear Ms. Shaffer-Kugel,

Please find enclosed Judgment in a Criminal case to be included with Dr. Kotler's Petition for License. The document was inadvertently left out of the package mailed to you yesterday. Thank you.

Very truly yours,

**LAURIA TOKUNAGA
GATES & LINN, LLP**

/s/ Raymond R. Gates
Raymond R. Gates
RRG/kah
Enclosure

UNITED STATES DISTRICT COURT

District of Nevada

UNITED STATES OF AMERICA

v.

LESLIE M. KOTLER

JUDGMENT IN A CRIMINAL CASE

Case Number: 2:14-cr-00206-APG-CWH

USM Number: 49204-048

Bernard Gartland and James Hartsell

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) 1 of the Information

pleaded nolo contendere to count(s) _____
which was accepted by the court.

was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
26 U.S.C. § 7201	Tax Evasion	6/1/2012	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

The defendant has been found not guilty on count(s) _____

Count(s) _____ is are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

June 30, 2016

Date of Imposition of Judgment



Signature of Judge

ANDREW P. GORDON, UNITED STATES DISTRICT JUDGE

Name and Title of Judge

July 5, 2016

Date



DEFENDANT: LESLIE M. KOTLER
CASE NUMBER: 2:14-cr-00206-APG-CWH

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

13 months

The court makes the following recommendations to the Bureau of Prisons:

Due to the proximity of family, the Court recommends the defendant be permitted to serve his term of incarceration at Taft, California.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district:

at _____ a.m. p.m. on _____

as notified by the United States Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

by 12:00 p.m. (noon) on Friday, October 28, 2016.

as notified by the United States Marshal.

as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

a _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL



DEFENDANT: LESLIE M. KOTLER
CASE NUMBER: 2:14-cr-00206-APG-CWH

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of :
3 years

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court, not to exceed 104 tests annually. Revocation is mandatory for refusal to comply.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. *(Check, if applicable.)*
- The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. *(Check, if applicable.)*
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. *(Check, if applicable.)*
- The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense. *(Check, if applicable.)*
- The defendant shall participate in an approved program for domestic violence. *(Check, if applicable.)*

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.



DEFENDANT: LESLIE M. KOTLER
CASE NUMBER: 2:14-cr-00206-APG-CWH

SPECIAL CONDITIONS OF SUPERVISION

1. Debt Obligations - You shall be prohibited from incurring new credit charges, opening additional lines of credit, or negotiating or consummating any financial contracts without the approval of the probation officer.
2. Internal Revenue Service Compliance - You shall cooperate and arrange with the Internal Revenue Service to pay all past and present taxes, interest, and penalties owed. You shall file timely, accurate, and lawful income tax returns and show proof of same to the probation officer.
3. Access to Financial Information - You shall provide the probation officer access to any requested financial information, including personal income tax returns, authorization for release of credit information, and any other business financial information in which you have a control or interest.
4. Pay outstanding monetary restitution imposed by the court.
5. Warrantless Search - You shall submit your person, property, residence, place of business and vehicle under your control to a search, conducted by the United States probation officer or any authorized person under the immediate and personal supervision of the probation officer, at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision; failure to submit to a search may be grounds for revocation; the defendant shall inform any other residents that the premises may be subject to a search pursuant to this condition.
6. Possession of Weapons - You shall not possess, have under your control, or have access to any firearm, explosive device, or other dangerous weapons, as defined by federal, state, or local law.
7. Report to Probation Officer After Release from Custody - You shall report, in person, to the probation office in the district to which you are released within 72 hours of discharge from custody.

ACKNOWLEDGEMENT

Upon finding of a violation of probation or supervised release, I understand that the court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

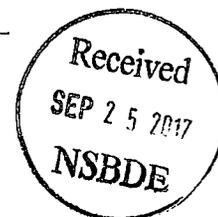
(Signed)

Defendant

Date

U.S. Probation/Designated Witness

Date



DEFENDANT: LESLIE M. KOTLER
CASE NUMBER: 2:14-cr-00206-APG-CWH

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A Lump sum payment of \$ 712,380.00 due immediately, balance due
- not later than _____, or
 in accordance C, D, E, or F below; or
- B Payment to begin immediately (may be combined with C, D, or F below); or
- C Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F Special instructions regarding the payment of criminal monetary penalties:
It is recommended that any unpaid balance shall be paid at a rate of not less than \$25.00 per quarter during incarceration, and then 10% of any gross income earned, subject to adjustment by the Court based upon ability to pay

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

- The defendant shall pay the cost of prosecution.
- The defendant shall pay the following court cost(s):
- The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

STIPULATION AGREEMENT with NSBDE-
LESLIE KOTLER, DMD

STATE OF NEVADA
BEFORE THE BOARD OF DENTAL EXAMINERS

NEVADA STATE BOARD OF DENTAL
EXAMINERS.

Case No. 7-4127-03120

Complainant.

vs.

**DISCIPLINARY STIPULATION
AGREEMENT**

LESLIE M. KOTLER, DMD.

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between LESLIE M. KOTLER, DMD ("Respondent" or "Dr. Kotler"), by and through his attorney, MARIA NUTILE, ESQ. of the law firm NUTILE LAW, the NEVADA STATE BOARD OF DENTAL EXAMINERS (the "Board"), by and through J. STEPHEN SILLI, DMD, Disciplinary Screening Officer ("DSO"), and the Board's legal counsel, JOHN A. HUNT, ESQ., of the law firm MORRIS, POLICH & PURDY, LLP as follows via this *Disciplinary Stipulation Agreement* ("Stipulation Agreement" or "Stipulation"):

1. Via a *Notice of Investigative Complaint & Request for Records* dated July 23, 2016 ("Investigative Complaint"), the Board notified Respondent that at a properly noticed meeting on July 15, 2016, pursuant to Agenda item 4(d)(1), an investigative complaint had been authorized regarding whether Respondent possibly violated NRS 631.3475(8). On August 9, 2016, Respondent was advised his attorney's request for an extension to file an answer to the Investigative Complaint was granted to and including August 29, 2016. On September 2, 2016, Respondent was advised the Board was in receipt of Respondent's attorney's written response dated August 26, 2016 (w/attachments) in response to the Investigative Complaint.

Page 1 of 8


Respondent's initials


Respondent's attorney's initials

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2. NRS 631.3475(8) provides as follows:

NRS 631.3475 Malpractice; professional incompetence; disciplinary action in another state; substandard care; procurement or administration of controlled substance or dangerous drug; inebriety or addiction; gross immorality; conviction of certain crimes; failure to comply with certain provisions relating to controlled substances; failure to obtain certain training; certain operation of medical facility. The following acts, among others, constitute unprofessional conduct:

8. Conviction of a felony or misdemeanor involving moral turpitude or which relates to the practice of dentistry in the State, or conviction of any criminal violation of this chapter;

3. Based upon the limited investigation conducted to date, DSO, J. Stephen Sill, DMD, finds for this matter and not for any other purpose, including any subsequent civil action, Respondent, in June 2014 pled guilty to one count of felony tax evasion (26 USC 7201), in violation of NRS 631.3475(8). Sentencing for same was delayed to June 30, 2016, at which time Dr. Kotler was sentenced to thirteen (13) months in custody with the Federal Bureau of Prisons, due to commence on October 28, 2016. See *Judgment in a Criminal Case* with a June 30, 2016, date of imposition of judgment, in the matter of United States of America v. Leslie M. Kotler, United States District Court, District of Nevada, Case No. 2:14-cr-00206-AGP-CWH: USM Number: 49204-048 Pursuant to the *Judgment in a Criminal Case*, upon release from imprisonment, Dr. Kotler shall be on supervised release for a term of three (3) years. *Id.*, at pgs. 3-4. Also, Dr. Kotler as ordered to provide to the IRS restitution of \$712,280. *Id.*, at pgs. 5-6.

4. Respondent admits to the findings of the DSO, J. Stephen Sill, DMD, contained in Paragraph 3 and admits for this matter and not for any other purpose, including any subsequent civil action if this matter were to proceed to a full board hearing, a sufficient quantity and/or quality of evidence could be proffered sufficient to meet a preponderance of the evidence


Respondent's initials


Respondent's attorney's initials

1 standard of proof regarding the factual matters noted therein and demonstrating Respondent
2 violated the statutory provisions noted above in Paragraphs 3.
3

4 5. Based upon the limited investigation conducted to date, the findings of the Disciplinary
5 Screening Officer, and the admissions by Respondent contained in Paragraph 4 above, the
6 parties have agreed to resolve the pending investigations pursuant to the following disciplinary
7 terms and conditions:
8

9 A. Pursuant to NRS 631.350(1)(b) Respondent agrees his license to practice dentistry
10 in the State of Nevada shall voluntarily surrendered pursuant to the following terms:

11 1. Pursuant to NAC 631.160, Respondent absolutely and irrevocably
12 voluntarily agrees to surrender his license to practice dentistry in the State of
13 Nevada. Further, upon the Respondent executing this Stipulation, Respondent
14 shall deliver to the Board the certificate of registration previously issued to him.
15 In the event the Board does not adopt this Stipulation, the certificate of
16 registration shall be returned to Respondent.

17 2. Respondent agrees he shall submit to the Board any and all documentation
18 regarding the terms of his incarceration, supervised release, and order for
19 restitution in the matter of United States of America v. Leslie M. Kotler, United
20 States District Court, District of Nevada, Case No. 2:14-cr-00206-AGP-CWH;
21 USM Number: 49204-048. Respondent shall also inform and provide a copy of
22 this Stipulation to his Federal probation officer following his release from
23 incarceration. Respondent shall also execute any documents necessary to
24 authorized his Federal probation officer to forward copies of any reports
25 generated regarding Respondent's compliance or non-compliance during his term
26 of Federal supervised release following his incarceration.

27 3. Respondent, following his incarceration relative to the matter of United
28 States of America v. Leslie M. Kotler, United States District Court, District of
Nevada, Case No. 2:14-cr-00206-AGP-CWH; USM Number: 49204-048,
Respondent may petition the Board to determine whether Respondent is eligible
to submit a license application by examination pursuant to NRS 631.240.

B. Pursuant to NRS 631.350(1)(c), Respondent agrees upon adoption of this
Stipulation by the Board, this Stipulation shall be deemed a public reprimand.

C. Pursuant to NRS 622.400, Respondent, following negotiation with the Board,

1 shall reimburse the Board for the cost and fees of the investigation as of Oct 7, 2016. *AB*
2 in the amount of \$2,517.50 Dollars & 00/100 cents (\$2,517.50). This amount
3 does not include any cost that may be incurred due to the supervision this Agreement
4 during its probationary period. See below. Payment shall be due within thirty (30) days of
5 adoption of this Agreement by the Board. Payment shall be made payable to the Nevada
6 State Board of Dental Examiners and mailed directly to the Board at 6010 S. Rainbow
7 Blvd., Suite A1, Las Vegas, Nevada 89118.

6 CONSENT

7 6. Respondent has read all of the provisions contained in this Stipulation Agreement and
8 agrees with them in their entirety. Respondent recognizes and agrees this Stipulation Agreement
9 is the result of voluntary settlement negotiations which involved give and take, and the final
10 agreement (i.e. this Stipulation Agreement) is a voluntary compromise.

11
12
13 7. Respondent acknowledges and admits he has carefully read and understands the issues
14 and allegations in the Investigative Complaint referenced and addressed herein. Respondent also
15 acknowledges and admits he has carefully read and understands the effects of this Stipulation
16 Agreement.

17
18
19 8. Respondent is fully aware of her legal rights in this matter, including the right to an
20 informal hearing and a formal hearing relative to the issues and allegations in the Investigative
21 Complaint referenced and addressed herein. Respondent is also fully aware he has a right to
22 retain counsel for this matter, the right to confront and cross-examine the witnesses against him,
23 the right to present evidence and to testify on his own behalf, the right to the issuance of
24 subpoenas to compel the attendance of witnesses and the production of documents, the right to
25 reconsideration and court review of an adverse decision, and all other rights accorded by the
26 Nevada Administrative Procedure Act and other applicable laws. Respondent voluntarily,
27

JK
Respondent's initials

MTM
Respondent's attorney's initials

1 knowingly, and intelligently waives and gives up each and every right set forth above, and as
2 more fully set forth herein and below.

3
4 9. Respondent is aware by entering into this Stipulation Agreement he is waiving certain
5 valuable due process rights contained in, but not limited to, NRS 631, NAC 631, NRS 233B and
6 NAC 233B.

7
8 10. Respondent expressly waives any right to challenge the Board for bias in deciding
9 whether or not to adopt this Stipulation Agreement in the event this matter was to proceed to a
10 full Board hearing.

11 11. Respondent and the Board agree any statements and/or documentation made or
12 considered by the Board during any properly noticed open meeting (to which Respondent hereby
13 specifically waives any and all notice requirements for same, whether required by NRS 241.033
14 or any other statute or regulation) to determine whether to adopt or reject this Stipulation
15 Agreement are privileged settlement negotiations and therefore such statements or
16 documentation may not be used in any subsequent Board hearing or judicial review, whether or
17 not judicial review is sought in either the State or Federal District Court.

18 12. Respondent acknowledges he has read this Stipulation Agreement. Respondent
19 acknowledges he has been advised he has the right to have this matter reviewed by independent
20 counsel and he has had ample opportunity to seek independent counsel. Respondent has been
21 specifically informed he should seek independent counsel and advice of independent counsel
22 would be in Respondent's best interest. Having been advised of his right to independent counsel,
23 as well as having the opportunity to seek independent counsel, Respondent hereby acknowledges
24 he has retained MARIA NUTILE, ESQ. of the law firm NUTILE LAW as his attorney and has
25 discussed this matter and Stipulation with him.

26
27 13. Respondent acknowledges he is consenting to this Stipulation Agreement voluntarily.

28 
Respondent's initials


Respondent's attorney's initials

1 without coercion or duress and in the exercise of her own free will.

2
3 14. Respondent acknowledges no other promises in reference to the provisions contained in
4 this Stipulation Agreement have been made by any agent, employee, counsel or any person
5 affiliated with the Nevada State Board of Dental Examiners.

6
7 15. Respondent acknowledges the provisions in this Stipulation Agreement contain the entire
8 agreement between Respondent and the Board and the provisions of this Stipulation Agreement
9 can only be modified, in writing, with Board approval.

10 16. Respondent agrees in the event the Board adopts this Stipulation Agreement, he hereby
11 waives any and all rights to seek judicial review or otherwise to challenge or contest the validity
12 of the provisions contained herein.

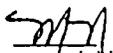
13
14 17. Respondent and the Board agree none of the parties shall be deemed the drafter of this
15 Stipulation Agreement. In the event this Stipulation Agreement is construed by a court of law or
16 equity, such court shall not construe it or any provision hereof against any party as the drafter.
17 The parties hereby acknowledge all parties have contributed substantially and materially to the
18 preparation of this Stipulation Agreement.

19 18. Respondent specifically acknowledges by his signature herein and by his initials at the
20 bottom of each page of this Stipulation Agreement, he has read and understands its terms and
21 acknowledges he has signed and initialed of his own free will and without undue influence,
22 coercion, duress, or intimidation.

23
24 19. Respondent acknowledges in consideration of execution and adoption of this Stipulation
25 Agreement, Respondent hereby releases, remises, and forever discharges the State of Nevada, the
26 Board, and each of their members, agents, employees and legal counsel in their individual and
27 representative capacities, from any and all manner of actions, causes of action, suits, debts,
28 judgments, executions, claims, and demands whatsoever, known and unknown, in law or equity,
that Respondent ever had, now has, may have, or claim to have against any or all of the persons

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Respondent's initials


Respondent's attorney's initials

1 or entities named in this section, arising out the complaint(s) and/or complaint(s) of the above-
2 referenced Patient(s), as well as the negotiation and completion of this Stipulation Agreement.

3
4 20. Respondent acknowledges in the event the Board adopts this Stipulation Agreement, it
5 may be considered in any future Board proceeding(s) or judicial review, whether such judicial
6 review is performed by either the State or Federal District Court(s).

7
8 21. This Stipulation Agreement will be considered by the Board in an open meeting (to
9 which Respondent hereby specifically waives any and all notice requirements for same, whether
10 required by NRS 241.033 or any other statute or regulation). It is understood and stipulated the
11 Board is free to accept or reject this Stipulation Agreement and if it is rejected by the Board, the
12 Board may take other and/or further action as allowed by statute, regulation, and/or appropriate
13 authority. This Stipulation Agreement will only become effective when the Board has approved
14 the same in an open meeting. Should the Board adopt this Stipulation Agreement, such adoption
15 shall be considered a final disposition of a contested case and will become a public record and is
16 reportable to the National Practitioner Data Bank.

17 DATED this 7th day of October, 2016.

18 By Leslie M. Kotler, DMD
19 Leslie M. Kotler, DMD
20 Respondent

21
22
23
24
25
26
27
28
LC
Respondent's initials

MEY
Respondent's attorney's initials

1 APPROVED AS TO FORM AND CONTENT
 2 By [Signature] this 11 day of OCTOBER 2016.
 3 J. Stephen Sill, DMD
 4 Disciplinary Screening Officer

5 APPROVED AS TO FORM AND CONTENT
 6 By Maria Nutile this 7th day of October 2016.
 7 Maria Nutile, Esq.
 8 Nutile Law
 9 Respondent's attorney

10 APPROVED AS TO FORM AND CONTENT
 11 By [Signature] this 10 day of October 2016.
 12 John A. Hunt, Esq.
 13 Morris Polich & Purdy, L.L.P.
 14 Board Counsel

14 BOARD ACTION

15 This *Disciplinary Stipulation Agreement* in the matter captioned as Nevada State Board
 16 of Dental Examiners vs. Leslie M. Kotler, DMD, case no. 74127-03120 was (check appropriate
 17 action):

18 Approved Disapproved

19 by a vote of the Nevada State Board of Dental Examiners at a properly noticed meeting

20 DATED this 20 day of Jan, 2016.

21 [Signature]
 22 Timothy T. Pinther, DDS President
 23 NEVADA STATE BOARD OF DENTAL EXAMINERS

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25
 26
 27
 28 [Signature]
 Respondent's initials

[Signature]
 Respondent's attorney's initials