

ALBERTA COLLEGE OF PHARMACISTS

IN THE MATTER OF
THE HEALTH PROFESSIONS ACT

AND IN THE MATTER OF A HEARING REGARDING
THE CONDUCT OF A REGULATED MEMBER

MOMTAZ EBIED
Registration number 6232

DECISION OF THE HEARING TRIBUNAL

February 27, 2015

I. INTRODUCTION

The Hearing Tribunal held a hearing into the conduct of Momtaz Ebied. In attendance on behalf of the Hearing Tribunal were Gillian Hansen, Chairperson and Pharmacist, Richard Parrish, Pharmacist, Rakhee Patel, Pharmacist and Peter Van Bostelen, Public Member. Katrina Haymond acted as independent legal counsel to the Hearing Tribunal.

The hearing took place on December 11, 2014 at the offices of the Alberta College of Pharmacists. The hearing was held under the terms of Part 4 of the *Health Professions Act*.

In attendance at the hearing were James Krempien, Complaints Director for the College and Fiona Vance, legal counsel for the Complaints Director. Mr. Ebied also attended with his legal counsel Sam Attia.

II. PRELIMINARY AND JURISDICTIONAL ISSUES

Neither of the parties applied to close the hearing, or any part of it, to the public. There were no objections to the composition of the Hearing Tribunal, the timeliness of service of the Notice of Hearing or any other objections to the jurisdiction of the Hearing Tribunal to proceed with a hearing.

III. ALLEGATIONS

The Notice of Hearing was entered as Exhibit 1, and stated the following:

IT IS ALLEGED THAT:

During the period from October 1, 2013 to July 30, 2014, as a pharmacist, you:

1. Failed to complete the RxCEL Competence Program competence assessment at Step 3 which required that you complete a professional portfolio with or without mentorship by the deadline date of April 11, 2014; and
2. Entered into an agreement dated July 30, 2014 with the Complaints Director of the Alberta College of Pharmacists in which you agreed and acknowledged that your conduct in failing to comply with the requirements of Step 3 of the RxCEL Competence Program competence assessment constituted unprofessional conduct.

IT IS ALLEGED THAT your conduct constitutes a breach of the following statute, regulations, and standards governing the practice of pharmacy:

- Sections 1(1)(pp)(ii), 1(1)(pp)(vi)(A), and 1(1)(pp)(xii) of the *Health Professions Act*;

and that your conduct set out above and the breach of some or all of these provisions constitutes unprofessional conduct pursuant to the provisions of Sections 1(1)(pp)(ii), 1(1)(pp)(vi)(A), and 1(1)(pp)(xii) of the *Health Professions Act*.

IV. EVIDENCE

Ms. Vance made a brief opening statement and stated she would be calling Mr. Krempien, the Complaints Director, as a witness to give evidence and provide background facts. Ms. Vance indicated they would be proceeding in large part pursuant to section 70 of the *Health Professions Act*.

Mr. Attia did not make an opening statement.

Ms. Vance called Mr. Krempien, Complaints Director as her first and only witness. Mr. Krempien established the following key points in his direct evidence:

- Mr. Ebied had been a regulated member of the Alberta College of Pharmacists since 2002, but at times had no practice permit.
- In the 2012/2013 cohort, Mr. Ebied was randomly selected to complete a competence assessment in either a knowledge exam or learning portfolio format. He received a letter dated March 23, 2012 notifying him of his selection, and his requirement to complete the assessment by May 31, 2013.
- Mr. Ebied attempted the knowledge exam component of the competence assessment in December 2012. He was not successful in meeting the standard score.
- Mr. Ebied booked a second attempt at the knowledge exam on May 10, 2013 however did not show at the sitting.
- Mr. Ebied completed his second attempt at the knowledge exam component of the competence assessment in August 2013. He was not successful in meeting the standard score.
- The ACP Competence Committee met in September 2013 and determined Mr. Ebied would have to complete a professional learning portfolio for his third

attempt to complete the competence assessment. Mr. Ebied was offered the opportunity for mentorship, and had six months (until April 11, 2014) to complete the portfolio.

- Mr. Ebied did not submit a professional portfolio by the April 11, 2014 deadline.
- As the Registration and Competence Director, Heather Baker submitted a written complaint against Mr. Ebied to Mr. Krempien, stating non-compliance and failure to complete the competence assessment component of the RxCEL Competence Program.
- Mr. Krempien contacted Mr. Ebied on May 30, 2014 to advise him a letter was sent out in regards to the complaint, and that Mr. Ebied's written response was due back to the ACP by June 30, 2014. No written response was received.
- Mr. Krempien spoke with Mr. Ebied on July 2, 2014. Mr. Ebied indicated he was going to retire due to health concerns and would not renew his practice permit. Mr. Ebied indicated his last shift as a pharmacist was sometime in February or March 2014.
- Mr. Ebied signed a Terms of Resolution Agreement July 30, 2014 in which he acknowledged he failed to complete the RxCEL Competence Program and agreed that the admissions in the Resolution Agreement constituted his admission of unprofessional conduct pursuant to section 70 of the *HPA*.
- The Terms of Resolution Agreement also indicated that Mr. Ebied would remain out of practice and not renew his practice permit or registration with the ACP. If Mr. Ebied wished to reinstate his practice he would first have his complaint referred by the Complaints Director to a hearing before the Hearing Tribunal to determine if his admitted conduct in the matter was indeed unprofessional. The complaint would also be referred back to the Competence Committee to determine what educational or competence assessment requirements would be necessary prior to reinstatement.
- Mr. Ebied contacted Mr. Krempien on August 20, 2014 and on October 1, 2014 to express his desire to become reinstated as a practicing pharmacist.
- Mr. Ebied decided to proceed with his reinstatement through the Terms of Resolution Agreement by having his conduct, including his admission of unprofessional conduct, assessed by a Hearing Tribunal. Also his competence would need to be reviewed by the Competence Committee.

Exhibit 2 was a binder of materials that Mr. Krempien referred to during his testimony, which was entered as an exhibit by agreement of the parties. Set out below is a summary of the key documents entered at the hearing as part of Exhibit 2:

Exhibit 2

- Tab 1 Memo from Ms. Baker to Mr. Krempien dated May 28, 2014 initiating a complaint against Mr. Ebied and providing background documents as to the timeline and details of the complaint.
- Tab 2 Complaint Referral Form dated May 29, 2014.
- Tab 3 Memo from Mr. Krempien to File dated May 29, 2014 regarding the decision to conduct an investigation into Ms. Baker's written complaint.
- Tab 4 Memo from Mr. Krempien to File dated May 29, 2014 regarding a summary of a meeting between Mr. Krempien and Ms. Baker.
- Tab 5 Letter from Mr. Krempien to Mr. Cooney dated May 30, 2014 advising of complaint process.
- Tab 6 Letter from Mr. Krempien to Mr. Ebied dated May 30, 2014 advising of complaint process, requesting a written response, and providing him with copies of the matters provided by Ms. Baker.
- Tab 7 Memo from Mr. Krempien to File dated May 30, 2014 regarding a summary of a telephone conversation between Mr. Krempien and Mr. Ebied.
- Tab 8 Email from Mr. Krempien to Mr. Ebied dated June 25, 2014 regarding the written response deadline of June 30, 2014.
- Tab 9 Email from Mr. Krempien to Mr. Ebied dated July 2, 2014 regarding his failure/refusal to comply with the complaint process.
- Tab 10 Memo from Mr. Krempien to File dated July 2, 2014 regarding a transcript of a conversation between Mr. Krempien and Mr. Ebied.
- Tab 11 Email from Mr. Krempien to Mr. Ebied dated July 2, 2014 attaching a draft Terms of Resolution Agreement.
- Tab 12 Email from Mr. Krempien to Mr. Ebied dated July 30, 2014 regarding feedback on the draft Agreement.

- Tab 13 Memo from Mr. Krempien to File dated July 30, 2014 regarding a summary of a telephone conversation between Mr. Krempien and Mr. Ebied.
- Tab 14 Memo from Mr. Krempien to File dated July 30, 2014 regarding a summary of a meeting between Mr. Krempien and Mr. Ebied.
- Tab 15 Email from Mr. Krempien to Ms. Hagen dated July 30, 2014 regarding a warning note to be placed on Mr. Ebied's file.
- Tab 16 Letter from Mr. Krempien to Mr. Cooney dated July 30, 2014 providing an overview of the process and resolution of the complaint.
- Tab 17 Notice to File dated July 30, 2014 recommending that the file be closed.
- Tab 18 Memo from Mr. Krempien to File dated August 20, 2014 regarding a transcript of a telephone conversation between Mr. Krempien and Mr. Ebied.
- Tab 19 Memo from Mr. Krempien to File dated October 1, 2014 regarding a voicemail left by Mr. Ebied.
- Tab 20 Memo from Mr. Krempien to File dated October 2, 2014 regarding a transcript of a telephone conversation between Mr. Krempien and Mr. Ebied.
- Tab 21 Memo from Mr. Krempien to File dated October 7, 2014 regarding a summary of a meeting between Mr. Krempien and Mr. Ebied.
- Tab 22 Email from Mr. Krempien to Mr. Ebied dated October 7, 2014 regarding Mr. Ebied's request for reinstatement onto the clinical pharmacist register.
- Tab 23 Series of emails between Mr. Krempien and Mr. Ebied dated October 7 and 8, 2014 regarding hearings before the Hearing Tribunal and the Competence Committee.

Mr. Krempien gave no further direct evidence. Mr. Attia's questions for Mr. Krempien on cross-examination pertained to the health reasons behind Mr. Ebied's lengthy hospitalization and voluntary removal from practice. Mr. Krempien could not offer details of Mr. Ebied's health concerns as these were not discussed during the course of his investigation. Mr. Krempien was then excused.

Ms. Vance did not call any other witnesses.

Mr. Attia called Mr. Ebied as a witness to testify. Mr. Ebied gave the following key evidence:

- Mr. Ebied has been practicing as a pharmacist for 28 years and as a pharmacist in Canada since 2002. He has a love of the profession and was proud of his career.
- When Mr. Ebied was notified of his competency assessment selection he viewed the portfolio option as an “easy choice”. He chose to challenge himself by agreeing to the exam format.
- Mr. Ebied prepared for the competency exam and felt ready for it. He did not pass the exam however.
- Mr. Ebied’s mother-in-law passed away in November 2012 and his entire family was affected by the stress from her illness. Mr. Ebied felt this stress contributed to his poor performance in the December 2012 competency exam.
- Mr. Ebied’s health started to deteriorate due to additional stressors in his life, and he presented with signs of depression.
- Mr. Ebied chose to retire due to these health concerns and stressors as he felt he was not doing his job properly. He did not renew his practice permit and his last shift as a pharmacist was March 22, 2014.
- He was referred to a psychiatrist and ultimately admitted to a hospital for over 40 days of treatment.
- After receiving treatment for his depression Mr. Ebied felt fit enough to return back to work. On the advice of his doctor that he return back to his normal life and routine, he initiated the process to become reinstated as a pharmacist.
- Mr. Ebied missed his job and felt that he could once again practice safely and effectively as a pharmacist.

Mr. Attia did not call any other witnesses.

V. SUBMISSIONS

The Hearing Tribunal heard submissions on behalf of the Complaints Director from Ms. Vance. Ms. Vance submitted there are two things that must be proven on the balance of probabilities. First, the Complaints Director must prove the facts alleged in the allegations in the Notice of Hearing, and second the Complaints Director must then prove that these

allegations constitute unprofessional conduct. Ms. Vance submitted that the allegations were proven and did indeed constitute unprofessional conduct based on the evidence before the Hearing Tribunal and based on the Terms of Resolution Agreement between Mr. Krempien and Mr. Ebied in which the latter agreed and acknowledged that his conduct in failing to comply with the requirements of Step 3 of the RxCEL Competence Program constituted unprofessional conduct.

Mr. Attia then made his submissions. Regarding Allegation 2, where Mr. Ebied entered into an Agreement in which he agreed and acknowledged that his conduct in failing to comply with the requirements of Step 3 of the RxCEL Competence Program constituted unprofessional conduct, Mr. Attia submitted that Mr. Ebied was in a haze when he signed that agreement and did not know or understand what he was admitting to. Mr. Attia argued that the Hearing Tribunal must take into account Mr. Ebied's ill state of mind at the time. He was confused, depressed and not thinking clearly. Mr. Attia indicated it is the Hearing Tribunal's role to determine if Mr. Ebied's actions were unprofessional, regardless of a signed Agreement as to such.

VI. FINDINGS

The Hearing Tribunal carefully considered the evidence presented during the hearing and the submissions on behalf of both the Complaints Director and Mr. Ebied. The Hearing Tribunal makes the following findings:

Allegation 1 – Failed to Complete RxCEL Competence Program (Step 3) by Deadline

With respect to Allegation 1 the Hearing Tribunal accepts Mr. Ebied's admission that he failed to complete the RxCEL Competence Program competence assessment at Step 3 by the deadline of April 11, 2014. There is a significant amount of evidence in Exhibit 2 that confirms that Mr. Ebied did, in fact, fail to comply with the deadline imposed. The documentation establishes that Mr. Ebied was notified that he was required to complete the competence assessment, and was reminded of the deadline on a number of occasions, but failed to comply. Mr. Ebied also acknowledged that he failed to meet the deadline when he signed the "Terms of Resolution" on July 30, 2014. The Hearing Tribunal therefore finds that Allegation 1 is factually proven.

Although Mr. Ebied signed the "Terms of Resolution" on July 30, 2014, confirming that the admissions in the agreement constituted "unprofessional conduct", given the submissions made on Mr. Ebied's behalf, the Hearing Tribunal nevertheless carefully considered whether to accept the admission and whether the conduct constitutes unprofessional conduct as defined in section 1(1)(pp) of the *Health Professions Act*.

Specifically, the Hearing Tribunal considered whether Mr. Ebied was guilty of "unprofessional conduct" in light of the evidence concerning the medical issues and the stressors he was

experiencing in 2014. In addition, the Hearing Tribunal considered the submissions on behalf of Mr. Ebied that his failure to comply was not deliberate or intentional.

The Hearing Tribunal notes that s. 1(1)(pp)(vi)(A) defines “unprofessional conduct” to include a “failure or refusal...to comply with the requirements of the continuing competence program.” Although there is no evidence that Mr. Ebied “refused” to comply, he was provided with a number of opportunities to comply with the requirements of the Competence Program, and did not do so. This is a “failure” as contemplated by s. 1(1)(pp).

Although Mr. Ebied testified that he was hospitalized for 40 days (from August 15 – September 29, 2014), he was hospitalized well after the portfolio submission deadline of April 11, 2014 had passed. There is no evidence that Mr. Ebied was medically incapable of meeting the deadline of April 11, 2014.

The Hearing Tribunal understands that Mr. Ebied was hospitalized approximately two weeks after he signed the Terms of Resolution on July 30, 2014, admitting to unprofessional conduct. The Hearing Tribunal considered whether to rely on the admission he made, as set out in Paragraph 16 of that document. The Hearing Tribunal finds that it is not necessary to rely on Mr. Ebied’s admission, since the allegation is proven regardless of the admission being made.

Mr. Ebied failed to complete the RxCEL Competence Program competence assessment at Step 3 by his deadline of April 11, 2014. His admitted conduct contravened section 1(1)(pp)(vi)(A) of the *Health Professions Act*. An expectation of safe and effective pharmacy practice is for all pharmacists to remain current with clinical best practices and up-to-date medication knowledge. The Alberta College of Pharmacists Competence Program is a necessary part of ensuring that pharmacists continue to demonstrate their clinical skill and ongoing competence to practice pharmacy. Compliance with this program is a requirement for all pharmacists and Mr. Ebied’s repeated failure to do so demonstrates conduct that undercuts the basic duties and obligations of pharmacists.

Allegation 2 – Entered into an Agreement Acknowledging Failure to Comply with RxCEL Program was “Unprofessional Conduct”

With respect to Allegation 2, Mr. Ebied did sign a Terms of Resolution Agreement, dated July 30, 2014, in which he agreed and acknowledged that his conduct in failing to comply with the requirements of Step 3 of the RxCEL Competence Program constituted unprofessional conduct.

During the course of the hearing, the Hearing Tribunal questioned Ms. Vance regarding whether Allegation 2 was a separate allegation, or whether the fact that Mr. Ebied made an admission on July 30, 2014 was evidence in support of Allegation 1. Ms. Vance clarified that it was a supporting statement that was relevant to Allegation 1.

As noted above, the Hearing Tribunal finds that even without this admission, Allegation 1 is proven and does indeed constitute unprofessional conduct.

VI. ORDERS AND REASONS

After sharing its findings verbally with the parties, the Hearing Tribunal moved directly into the sanction phase of the hearing. Both the Complaints Director and Mr. Ebied were invited to make submissions on sanctions.

The Hearing Tribunal views the purposes of sanctions as:

- To protect the public,
- To preserve the integrity of the profession, and
- To be fair to the member.

Ms. Vance indicated the parties would be proceeding with a Joint Submission on Penalty. The Joint Submission was included with a package of other documents, which was entered as Exhibit 3. The parties jointly suggested that the following orders should be imposed:

1. A reprimand from the Hearing Tribunal.
2. Payment of the full costs of the investigation and hearing.
3. A one month suspension of Mr. Ebied's practice permit, held in abeyance for two years from the date of hearing, such that:
 - a) If Mr. Ebied complies with all orders from the Competence Committee, including meeting all deadlines set by the Competence Committee, for the next two years, there will be no suspension to serve.
 - b) If Mr. Ebied does not comply with all orders from the Competence Committee, including meeting all deadlines set by the Competence Committee over the next two years and if the Competence Committee provides notice of that failure to comply with the Complaints Director of the College, Mr. Ebied would then serve the one month suspension.

Ms. Vance also referred to the Court's decision in *Jaswal v. Newfoundland*, which establishes a number of factors that may be relevant in determining penalty. In addition, Ms. Vance referred to a previous decision issued by a Hearing Tribunal in 2009 in which Mr. Ebied was found guilty of unprofessional conduct.

After the Joint Submission was reviewed, Mr. Attia asked the Hearing Tribunal to consider Mr. Ebied's financial situation in regards to Sanction 2. Mr. Ebied is the family breadwinner but has not been practicing as a pharmacist since March 22, 2014. Respecting Sanction 2, Mr. Attia asked for a flexible payment schedule set by the Complaints Director which allows enough time for Mr. Ebied to address his financial concerns.

The Hearing Tribunal considered a number of factors referred to in *Jaswal*, before determining whether to accept the Joint Submission. In particular, the Hearing Tribunal determined that the following factors were relevant:

- Nature and gravity of the conduct
Regulated members are obligated to comply with the continuing competence program, including meeting all deadlines that are imposed. Although the failure to comply with the program requirements is serious, there was no evidence that Mr. Ebied refused to comply or intentionally set out to thwart the authority of the College. The failure to comply is significant, but would have been more serious if the conduct was intentional.
- Age and experience of the member
Mr. Ebied is experienced as a professional and has been a practicing pharmacist for 28 years.
- Previous character of the offender
There was one previous finding of unprofessional conduct against Mr. Ebied in 2009. The conduct in issue in 2009 involved practice issues, and also theft of items from the store. Although not directly similar to the conduct in issue in this case, the theft did demonstrate a failure to abide by basic expectations of the profession, and is similar in that regard to this case.
- Age and mental condition of offended patient
No evidence of any actual patient harm was presented.
- Number of times offense occurred
There is no evidence of a repeat pattern of conduct. There was a failure to meet one deadline that had been imposed.
- Role of member in acknowledging what occurred
Mr. Ebied has acknowledged his actions and cooperated with the Complaints Director during his investigation. Mr. Ebied signed a Terms of Resolution Agreement acknowledging his conduct.
- Other serious or financial penalties
Mr. Ebied is the family breadwinner and has not been working since March 22, 2014.
- Impact on offended patient
There was no evidence presented to the Hearing Tribunal of direct patient harm.

- Mitigating circumstances
Mr. Ebied had been battling health concerns, including severe depression ultimately requiring a lengthy hospitalization for treatment. This is a significant mitigating factor that must be taken into account.
- Need to promote deterrence
There is a need to ensure that Mr. Ebied and other members of the profession are deterred from engaging in similar conduct. The ACP Pharmacy Competence Program is a necessary part of ensuring that pharmacists continue to demonstrate their clinical skill and ongoing competence to practice pharmacy. Compliance with this program by all members is essential and required for ongoing practice.
- Public confidence in the integrity of the profession
The Hearing Tribunal must ensure public confidence in the sanctioning process. It must be clear to the public that pharmacists are safe and effective health care practitioners and this clinical knowledge is demonstrated through compliance and success with the Competence Program.
- Degree to which the conduct is clearly regarded, by consensus, as falling outside the range of permitted conduct
Mr. Ebied's conduct of failing to complete the RxCEL Competence Program competence assessment at Step 3 was outside the permitted conduct of a licensed pharmacist.
- The range of penalties in similar cases
The Complaints Director noted that there were no cases that were directly on point and therefore there were no precedents to consider.

The Hearing Tribunal carefully considered the Joint Submission from both the Complaints Director and Mr. Ebied and made the decision to impose the sanctions proposed with minor modifications. The Tribunal felt the reprimand sought by both parties for Sanction 1 was appropriate. The Hearing Tribunal also felt Sanction 3 was reasonable and appropriate given the finding of unprofessional conduct. This sanction was felt to adequately protect the public, preserve the integrity of the profession, and was fair to Mr. Ebied in terms of being relatively proportionate to previous sanctions decisions.

For Sanction 2, the Hearing Tribunal agreed with the Joint Submission that was appropriate for Mr. Ebied to pay the costs of the investigation and the hearing. Although costs are discretionary, the members of the profession should not have to bear the costs of the investigation and hearing due to Mr. Ebied's actions. Moreover, the Hearing Tribunal considered the total anticipated costs, and felt that they were reasonable. In addition, the Hearing Tribunal noted that the order for costs was part of a Joint Submission, and could not see any reason to vary the Joint Submission.

The Hearing Tribunal did consider the request to tie the obligation and timing of payment of the costs of the investigation and hearing on a flexible payment schedule to respect Mr. Ebied's current financial situation. The Tribunal will honor Mr. Attia's request by altering the language in the sanction proposed by the Joint Submission to state 'Payment of the full costs of the investigation and hearing on a payment schedule set by the Complaints Director'. This language provides discretion to allow a reasonable grace period for Mr. Ebied's repayment schedule.

During the course of the hearing, the Hearing Tribunal did raise a concern with the parties about the Joint Submission. In particular, the Hearing Tribunal queried whether Mr. Ebied should be required to provide the College with a letter from a medical doctor confirming Mr. Ebied's fitness to practice, before being eligible to receive a practice permit.

Ms. Vance indicated that the Complaints Director did not take a position on the appropriateness of this order, but suggested that if an order was imposed, the letter should be forwarded to the Registrar. Mr. Attia submitted that such an order was not necessary, since Mr. Ebied had testified that he was fit to return to practice.

After careful review of the evidence submitted, the Hearing Tribunal made the decision to impose an additional sanction requiring Mr. Ebied to provide the College with a letter from a medical doctor, who is aware of his medical history and recent hospitalization, confirming that he is fit to practice as a pharmacist. This letter must be provided to the Registrar in conjunction with Mr. Ebied's application for a practice permit. The Tribunal felt that it was appropriate to make this additional order as evidence was presented that Mr. Ebied's medical history caused him to be hospitalized and unable to work as a pharmacist. While he has testified that he is fit, there is no confirming evidence. In the interest of protecting the public the Tribunal feels that Mr. Ebied should be required to provide medical evidence confirming his fitness to practice before he resumes pharmacy practice.

In light of the foregoing, the Hearing Tribunal hereby makes the following Orders pursuant to s. 82 of the HPA:

1. Mr. Ebied shall receive a reprimand, and the Hearing Tribunal's decision shall serve as the reprimand.
2. Mr. Ebied shall be required to pay the full costs of the investigation and hearing, in accordance with a payment scheduled agreed to with the Complaints Director.
3. Mr. Ebied's practice permit will be suspended for a period of one-month, with the period of suspension to be held in abeyance for a period of two years from the date of the hearing, such that:
 - a. If Mr. Ebied complies with all orders from the Competence Committee, including meeting the deadlines set by the

Competence Committee, for the next two years, there will be no suspension to serve.

- b. If Mr. Ebied does not comply with all orders from the Competence Committee, including meeting all deadlines set by the Competence Committee, over the next two years, and if the Competence Committee provides notice of that failure to comply to the Complaints Director, Mr. Ebied would then serve the one-month suspension.
4. Before becoming eligible to have his practice permit reinstated, Mr. Ebied shall be required to provide the Registrar with a letter from a physician who is aware of Mr. Ebied's medical status and hospitalization in 2014, confirming that he is fit to practice.

Signed on behalf of the Hearing Tribunal by
the Chair

Dated: February 27, 2015

Per: [Gillian Hansen]