

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
NO. 4:20-CV-18-FL

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>CONSENT JUDGMENT AND</b>
	)	<b>PERMANENT INJUNCTION</b>
FARMVILLE DISCOUNT DRUG,	)	
INC. and ROBERT L. CROCKER,	)	
	)	
Defendants.	)	

Plaintiff, the United States of America, has filed a Complaint for Permanent Injunction and Civil Penalties (the “Complaint”) under the Controlled Substances Act, 21 U.S.C. § 801 *et seq.*, against Defendants Farmville Discount Drug, Inc., and Robert L. Crocker. [D.E. 1.] Plaintiff and Defendants (the “Parties”) stipulate to the entry of this Consent Judgment and Permanent Injunction (“Order”) to resolve the claims alleged in the Complaint. The Parties have informed the Court of the following:

**PARTIES**

1. Plaintiff is the United States of America.
2. Defendant Farmville Discount Drug, Inc. (“FARMVILLE DISCOUNT DRUG”) is a corporation organized under the laws of North Carolina, with its principal place of business at 3708 North Main Street, Farmville, North Carolina 27828-1499. FARMVILLE DISCOUNT DRUG was assigned registration number

AF6883222 by the U.S. Drug Enforcement Administration (“DEA”) for dispensing controlled substances in the course of pharmacy practice.

3. Defendant Robert L. Crocker (“CROCKER”) is a resident of the Eastern District of North Carolina. At all times relevant to the Complaint, CROCKER was a pharmacist duly licensed by the North Carolina Board of Pharmacy. CROCKER is the owner of FARMVILLE DISCOUNT DRUG and, during all times relevant to the Complaint, was the pharmacist-in-charge and responsible for the active management of FARMVILLE DISCOUNT DRUG’s retail pharmacy business, including the filling of prescriptions for controlled substances.

#### **JURISDICTION AND VENUE**

4. This Court has subject-matter jurisdiction over this action pursuant to 21 U.S.C. §§ 842(c)(1)(A), 843(f)(2), and 882(a), as well as 28 U.S.C. §§ 1345 and 1355. For purposes of this Order, Defendants consent to this Court’s subject-matter and personal jurisdiction.

5. Venue is proper in the Eastern District of North Carolina under 21 U.S.C. §§ 842(c)(1)(A) and 843(f)(2), as well as 28 U.S.C. §§ 1395(a) and 1391(b)–(d). For purposes of this Order, Defendants consent to venue in this judicial district.

6. Defendants agree to waive service of the Complaint and summons.

7. For purposes of this Order, Defendants agree that the Complaint states claims upon which relief can be granted under the Controlled Substances Act.

8. To avoid the delay, uncertainty, inconvenience, and expense of protracted litigation, the Parties have reached a settlement of this matter, including

the terms set forth below. The Parties recognize, and by entry of this Order the Court finds, that this Order is fair, reasonable, and in the public interest.

**ORDER**

In view of the foregoing, and based on the Parties' consent, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. Judgment is hereby entered in favor of the United States and against Defendants FARMVILLE DISCOUNT DRUG and CROCKER in the amount of \$600,000.00 (the "Civil Penalty Amount"). The following shall apply to the Civil Penalty Amount:

- a. Defendants are jointly and severally liable for satisfaction of the Civil Penalty Amount;
- b. None of the Civil Penalty Amount is restitution;
- c. The Civil Penalty Amount is a debt to the United States as defined in the Federal Debt Collection Procedures Act, of 1990, 28 U.S.C. §§ 3001-08, and nothing in this Order precludes the United States from taking action to collect the debt as authorized by law; and
- d. The United States agrees to waive pre-judgment interest on the Civil Penalty Amount.

2. Defendants FARMVILLE DISCOUNT DRUG and CROCKER are hereby permanently restrained and enjoined under 21 U.S.C. §§ 843(f) and 882(a) from, directly or indirectly, administering, dispensing, distributing, or possessing with the intent to distribute, any controlled substance. For purposes of this Order,

the terms “administer,” “controlled substance,” “dispense,” and “distribute” are defined as set forth in 21 U.S.C. § 802.

3. Defendant FARMVILLE DISCOUNT DRUG shall within fifteen (15) calendar days from the entry of this Order surrender its DEA Certificate of Registration No. AF6883222 for cause by executing Form DEA-104, to be provided to Defendant FARMVILLE DISCOUNT DRUG, through counsel, by the United States Attorney’s Office for the Eastern District of North Carolina. Defendant FARMVILLE DISCOUNT DRUG shall never apply for or seek renewal of a DEA registration, whether on its own behalf or on behalf of any other corporate entity.

4. Defendant CROCKER shall never apply for or seek renewal of a controlled-substances registration from DEA, whether on his own behalf or on behalf of any other corporate entity.


5. Defendant CROCKER shall relinquish his license to practice pharmacy from the North Carolina Board of Pharmacy and shall never apply for or seek the renewal or reinstatement of a license or certificate to practice pharmacy anywhere in the United States.

6. Each Party shall bear its own legal and other costs incurred in connection with this matter.

7. Defendants warrant that they freely and voluntarily enter into this Order without any duress or compulsion and upon the advice of legal counsel, and the undersigned counsel represent and warrant that they are fully authorized to execute this Order on behalf of the persons and entities indicated below.

8. The United States District Court for the Eastern District of North Carolina retains exclusive jurisdiction to enforce or modify this Order, and for the purpose of granting such additional relief as may be necessary or appropriate.

SO ORDERED, this 3rd day of February, 2020.


  
LOUISE W. FLANAGAN  
United States District Judge

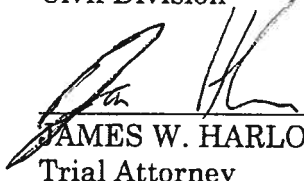
*[Signatures Appear On Following Page]*

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