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**BEFORE THE  
DIVISION OF MEDICAL QUALITY  
MEDICAL BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

**In the Matter of the Accusation** )  
**Against:** )  
 )  
 )  
**JUERGEN WINKLER, M.D.** )  
 )  
**Physician's and Surgeon's** )  
**Certificate No. G-67075** )  
 )  
**Respondent** )  
\_\_\_\_\_ )

**File No. 10-1998-91390**

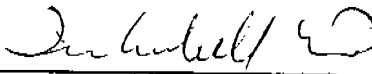
**DECISION**

**The attached Stipulation in Settlement and Order is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.**

**This Decision shall become effective at 5:00 p.m. on June 8, 2000.**

**IT IS SO ORDERED May 9, 2000.**

**MEDICAL BOARD OF CALIFORNIA**

**By:**   
**IRA LUBELL, M.D.**  
**Chair, Panel A**  
**Division of Medical Quality**

1 BILL LOCKYER, Attorney General  
of the State of California  
2 SANFORD FELDMAN  
Deputy Attorney General  
3 State Bar No. 47775  
Department of Justice  
4 110 West A Street, Suite 1100  
Post Office Box 85266  
5 San Diego, CA 92186-5266  
Telephone: (619) 645-2079  
6  
7 Attorneys for Complainant

8 **BEFORE THE**  
9 **DIVISION OF MEDICAL QUALITY**  
10 **MEDICAL BOARD OF CALIFORNIA**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation )  
14 Against: ) Case No. 10-1998-091390  
15 )  
16 **JUERGEN WINKLER, M.D.** )  
17 3727 Camino Del Rio South, ) **STIPULATION**  
18 Suite 220 ) **IN SETTLEMENT**  
19 San Diego, CA 92108 ) **AND ORDER**  
20 )  
21 Physician's and Surgeon's )  
22 Certificate No. G 67075 )  
23 )  
24 Respondent. )  
25 )

26 Complainant, Ron Joseph, Executive Director of the  
27 Medical Board of California ("Board"), by and through his  
28 attorney, Bill Lockyer, Attorney General of the State of  
29 California, by Sanford Feldman, Deputy Attorney General, and  
30 Juergen Winkler, M.D. ("respondent"), by and through his  
31 attorney, Jay Hartz, Esq., hereby stipulate as follows:

32 1. The Division of Medical Quality of the Board  
33 ("Division") acquired jurisdiction over respondent by reason of  
34 the following:

35 ///

1           A.    Respondent was duly served with a copy of the  
2           Accusation, Statement to Respondent, Request for Discovery,  
3           Form Notice of Defense and copies of Government Code  
4           sections 11507.5, 11507.6 and 11507.7 as required by section  
5           11503 and 11505, and respondent timely filed a Notice of  
6           Defense within the time allowed by section 11506 of the  
7           code.

8           B.    Respondent has received and read the  
9           Accusation which is presently on file as Case No. 10-1998-  
10          091390 before the Division. Respondent understands the  
11          nature of the charges alleged in the Accusation and that the  
12          charges and allegations constitute cause for imposing  
13          discipline upon respondent's license to practice medicine  
14          which was issued by the Board.

15          2.    Respondent and his counsel are aware of each of  
16          respondent's rights, including the right to a hearing on the  
17          charges and allegations, the right to confront and cross-examine  
18          witnesses who would testify against respondent, the right to  
19          present evidence in his favor and call witnesses on his behalf,  
20          or to testify, his right to contest the charges and allegations,  
21          and other rights which are accorded to respondent pursuant to the  
22          California Administrative Procedure Act (Gov. Code, § 11500 et  
23          seq.), including the right to seek reconsideration, review by the  
24          superior court, and appellate review.

25          3.    Respondent freely and voluntarily waives each and  
26          every one of the rights set forth in paragraph 2.

27        ///

1           4.    Respondent understands that in signing this  
2 stipulation rather than contesting the Accusation, he is enabling  
3 the Division to issue the following order without further  
4 process.

5           5.    For the purpose of resolving Accusation  
6 No. 10-1998-091390, respondent admits the truth and accuracy of  
7 the allegations in the Accusation. Respondent admits that he has  
8 thereby subjected his Physician's and Surgeon's Certificate to  
9 disciplinary action. Respondent agrees to be bound by the  
10 Division's Disciplinary Order as set forth below.

11           6.    It is understood by respondent that, in deciding  
12 whether to adopt this stipulation, the Division may receive oral  
13 and written communications from its staff and the Attorney  
14 General's office. Communications pursuant to this paragraph  
15 shall not disqualify the Division or other persons from future  
16 participation in this or any other matter affecting respondent.  
17 In the event this settlement is not adopted by the Division, the  
18 stipulation will not become effective and may not be used for any  
19 purpose, except for this paragraph, which shall remain in effect.

20           7.    Based upon the foregoing, it is stipulated and  
21 agreed that the Division may issue the following as its decision  
22 in this case.

23           8.    This Stipulation in Settlement and Decision is  
24 intended by the parties herein to be an integrated writing  
25 representing the complete, final and exclusive embodiment of the  
26 agreements of the parties.

27    ///



1 incompetence, as appropriate, and shall constitute a basis upon  
2 which discipline may be imposed.

3 **ACCEPTANCE**

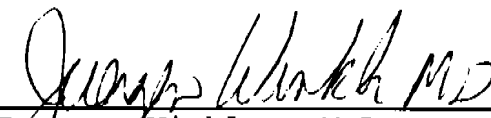
4 I have carefully read and fully understand the  
5 stipulation and order set forth above. I have discussed the  
6 terms and conditions set forth in the stipulation and order with  
7 my attorney, Jay Hartz, Esq. I understand that in signing this  
8 stipulation I am waiving my right to a hearing on the charges set  
9 forth in the Accusation on file in this matter. I further  
10 understand that in signing this stipulation the Division  
11 may enter the foregoing order placing certain requirements,

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1 restrictions and limitations on my right to practice medicine in  
2 the State of California.

3 DATED: 2/16/00

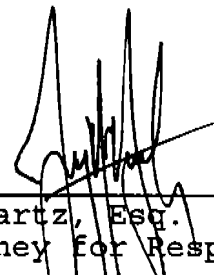
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7 \_\_\_\_\_  
8 Juergen Winkler, M.D.  
Respondent

9 We concur in the stipulation and order.

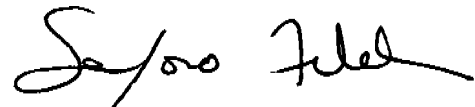
10 DATED: 2/22/00

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15 \_\_\_\_\_  
16 Jay Hartz, Esq.  
17 Attorney for Respondent

18 DATED: 3/9/00

19  
20  
21 BILL LOCKYER, Attorney General  
of the State of California

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23 \_\_\_\_\_  
24 Sanford Feldman  
25 Deputy Attorney General  
26 Attorneys for Complainant

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