

**APPROVED**  
**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS**  
**FORMAL ADMINISTRATIVE HEARING**  
**July 15, 2013**

The Virginia Board of Funeral Directors and Embalmers convened on July 15, 2013, at the Department of Health Professions, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 4, Henrico, Virginia.

**BOARD MEMBERS PRESENT:** Blair Nelsen, FSL President  
Bob Oman, FSL  
Bob Burger, FSL  
Eric Wray, FSL  
Randy Minter, FSL  
Walter S. Ball, Citizen Member  
Junius Williams, Citizen Member

**DHP STAFF PRESENT:** Lisa R. Hahn, Executive Director  
Lynne Helmick, Deputy Executive Director  
Kathy Petersen, Discipline Operations Manager  
Missy Currier, Board Operations Manager  
Shanice McCormick, Discipline Intern  
Peter Opper, Adjudication Specialist  
Leith Ellis, Senior Investigator

**MEMBERS FROM THE OFFICE OF THE ATTORNEY GENERAL PRESENT:** Charis Mitchell, Assistant Attorney General, Board Counsel  
James Schliessmann, Assistant Attorney General, Prosecution

**OTHERS PRESENT:** Erik Kather, Owner, Kather Removal Service  
James Hendrick, Commonwealth Removal & Mortuary Service  
Larry Corey, Morrissett Funeral & Cremation  
Catherine Baillargeon, MedCure – via telephone

**COURT REPORTER:** Holly Bush, Certified Court Reporter  
Farnsworth & Taylor Reporting

**CALL TO ORDER** The Formal Administrative Hearing of the Board was called to order at 1:03 p.m.

**ESTABLISHMENT OF A QUORUM:** With seven (7) members of the Board present, a quorum was established.

**MATTER SCHEDULED:** **Kather Removal Service**  
**Registration Number: 0509-000168**  
**Case Number: 146075**

**DISCUSSION:** Mr. Kather appeared before the Board in accordance with the Notice and Statement of Particulars dated June 14, 2013. Mr. Kather was present and was not represented by counsel.

The Board received evidence and sworn testimony from the Commonwealth's witnesses regarding the matters as set forth in the Statement of Particulars.

**CLOSED SESSION:** Upon a motion by Mr. Williams, and duly seconded by Mr. Oman, the Board voted to convene a closed meeting pursuant to 2.2-3711.A(27) of the *Code of Virginia*, for the purpose of deliberation to reach a decision in the matter of Kather Removal Service. Additionally, Mr. Williams moved that Ms. Hahn, Ms. Currier and Ms. Mitchell attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The Board convened into closed session at 3:20 p.m.

**OPEN SESSION:** Mr. Williams certified that the matters discussed in the preceding closed session met the requirements of § 2.2.-3712 of the *Code of Virginia*; Mr. Wray seconded the certification and the Board reconvened open session at 4:06 p.m.

**ACTION:** Upon a motion by Mr. Williams and duly seconded by Mr. Minter, the Board voted to revoke the Surface, Transport and Removal Registration of Kather Removal Services.

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Board adjourned at 4:10 p.m.

*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.*

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Blair Nelsen, FSP, President

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Lisa R. Hahn, Executive Director

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Date

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Date