

COMMONWEALTH OF KENTUCKY  
KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS  
P.O. BOX 183  
GLASGOW, KY 42142-0183

*pd \$2,000 CH# 2525*  
*pd. 1,000 - CH# 2552*

COMMONWEALTH OF KENTUCKY,  
BOARD OF CHIROPRACTIC EXAMINERS

COMPLAINANT

*pd. \$1,000 CH# 2551*  
*pd. \$1,500 CH# 2556*  
*pd. \$1,000 CH# 2604*

SETTLEMENT AGREEMENT  
KBCE ADMINISTRATIVE ACTION NO. 14-020

*pd. \$1,500 CH# 2661*  
*pd. \$1,500 CH# 2639*  
*pd. \$1,500 CH# 2004*

DAVID SEASTEDT  
(LICENSE NO.5197)

RESPONDENT

*pd. \$1,500 CH# 2051 4-10-17*  
*pd. \$1,500 CH# 2075 5-26-17*  
*pd. \$1,500 CH# 2147*

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**Whereas**, the Kentucky Board of Chiropractic Examiners (“Board”) having been notified that David Seastedt, (“Respondent”) has acted in violation of KRS Chapter 312, and;

**Whereas**, the parties mutually desire to settle the issues in an expeditious manner, without need for a formal hearing;

**It is hereby stipulated and agreed** between the undersigned parties this matter shall be settled and resolved upon the following terms:

**Findings**

The Respondent neither admits nor denies the following violations:

- 1) One (1) count of violation of KRS 312.150(2)(e).

**Voluntary Waiver of Rights**

The Respondent has had at all times the opportunity to seek the advice from competent counsel of choice and he has exercised that right. No coercion has been exerted upon the Respondent, nor have any promises been made other than those reflected in this Settlement Agreement. The Respondent has freely and voluntarily entered into this Settlement Agreement,

motivated only by a desire to resolve the issues addressed herein. The Respondent has executed this Settlement Agreement only after careful reading of it and a full understanding of all of its terms. The Respondent waives the right to challenge any agreed upon term or condition of this Settlement Agreement notwithstanding any other provision of KRS Chapter 312, and the Respondent expressly agrees those agreed upon terms and condition contained therein are exclusively a matter of right.

The Respondent is fully aware of the rights to contest charges in a formal hearing. These rights include: representation by an attorney at the Respondent's own expense, the right to a public hearing on any charges contained in the Notice of Administrative Hearing and Order, the right to confront and cross-examine witnesses called to testify against the Respondent, the right to present evidence on the Respondent's behalf, the right to compulsory process to secure the attendance of such witnesses, the right to testify on the Respondent's own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the Formal Complaint, the right to obtain judicial review of the Board's decision, and the right to appeal any final order of the Board to the Franklin Circuit Court as otherwise allowed by KRS 312.160(1). All of these rights are being voluntarily waived by the Respondent in exchange for the Board's acceptance of this Settlement Agreement.

#### **Jurisdiction**

**Whereas**, the Board has jurisdiction over this matter pursuant to KRS Chapter 312 and the related administrative regulations;

#### **Publication of Settlement Agreement**

The Respondent acknowledges that, once adopted by the Board, this Agreed Order may be considered a public document, available for inspection at any time by any member of the

public under the Kentucky Open Records Act, and may be reportable under federal law. This Agreed Order may at any time be published on the Board's website, [www.kbce.ky.gov](http://www.kbce.ky.gov).

### **Effect Upon Licensure Status**

#### **Suspension, Fine, Evaluation, Probation, Restrictions, Testing and Education**

The parties agree to the following as the agreed upon disciplinary action:

- 1) **Fine:** The Respondent shall pay to the "Kentucky Board of Chiropractic Examiners" the amount of \$15,000 as a fine. The fine shall be paid by a certified check, cashier's check, or money order with submission of this executed Settlement Agreement, made payable to the "Kentucky Board of Chiropractic Examiners," and with the Respondent's name and license number written on the payment. The fine shall be divided into fifteen monthly payments of \$1,000. (One thousand dollars.) The first payment is due on July 15th, 2016 and will commence every 30 days thereafter, until the amount is paid in full. (August 15th, September 15th, and so on.)
- 2) **Penalty for Late Payment:** Respondent agrees that failure to pay the agreed upon amounts in a timely manner will result in a penalty of \$250 for the first thirty (30) days and \$25 per day each day thereafter. Respondent further acknowledges that should he fail to pay timely, the Board may seek additional sanctions as a violation of KRS 312.150.

The Respondent expressly understands failure to comply with and complete all terms of this Settlement Agreement constitutes misconduct and acknowledges that such misconduct constitutes a violation of KRS 312.

#### **Duty to Cooperate with the Board**

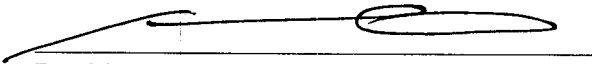
The Respondent agrees to permit and cooperate with the Board, its members, agents and employees, to monitor the Respondent's compliance with the terms and conditions of this Settlement Agreement.

#### **Complete Agreement**

This Agreed Order consists of four (4) pages and embodies the entire agreement between the Kentucky Board of Chiropractic Examiners and David Seastedt, D.C.. It may not be altered,

amended or modified without the express written consent of both parties.

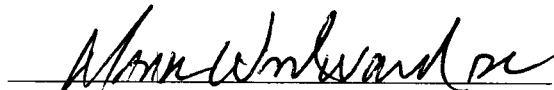
**Have Seen, Understood and Approved:**



David Seastedt, D.C.  
License #5197  
*Respondent*

9/26/10

Date



MARK WOODWARD, D.C.  
President  
Kentucky Board of Chiropractic  
Examiners

10/13/16

Date

## Certificate of Service

I hereby certify that a true and correct copy of the foregoing **Agreed Order** was mailed via U.S. mail, postage pre-paid to the following this 17<sup>th</sup> day of October, 2016:

David L. Seastedt, D.C.  
1830 Overlook Terrace  
Louisville, KY 40205  
*Respondent*

Andrew N. Clooney  
2501 Preston Hwy  
Louisville, KY 40217  
*Counsel for Respondent*

M. Keith Poynter  
209 S. Green St.  
Glasgow, KY 42141  
*Board Counsel*

And the original shall be maintained by the Board



Karalee P. Oldenkamp, D.C.  
Executive Director  
Kentucky Board of Chiropractic Examiners