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of the State of California
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6 Attorneys for Complainant
7

8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 STEVEN ALLEN BROWN
3563 Mill Springs Drive
13 Stockton, CA 95219-3226
14 Pharmacist License No. RPH 47208

15 Respondent.

Case No. 2498

OAH No. N2003080587

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
18 above-entitled proceedings that the following matters are true:
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20 PARTIES

21 1. Patricia F. Harris (Complainant) is the Executive Officer of the Board of
22 Pharmacy. She brought this action solely in her official capacity and is represented in this matter
23 by Bill Lockyer, Attorney General of the State of California, by Jana L. Tuton, Deputy Attorney
24 General.
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26 2. Respondent STEVEN ALLEN BROWN (Respondent) is represented in
27 this proceeding by attorney Gregory P. Matzen, Esq., whose address is Lewis Brisbois Bisgaard
& Smith LLP, 2500 Venture Oaks Way, Suite 200, Sacramento, CA 95833.
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1 he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary
2 Order below.

3 RESERVATION

4 10. The admissions made by Respondent herein are only for the purposes of
5 this proceeding, or any other proceedings in which the Board of Pharmacy or other professional
6 licensing agency is involved, and shall not be admissible in any other criminal or civil
7 proceeding.

8 CONTINGENCY

9 11. This stipulation shall be subject to approval by the Board of Pharmacy.
10 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
11 Pharmacy may communicate directly with the Board regarding this stipulation and settlement,
12 without notice to or participation by Respondent or his counsel. By signing the stipulation,
13 Respondent understands and agrees that he may not withdraw his agreement or seek to rescind
14 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
15 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall
16 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
17 between the parties, and the Board shall not be disqualified from further action by having
18 considered this matter.

19 12. The parties understand and agree that facsimile copies of this Stipulated
20 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
21 force and effect as the originals.

22 13. In consideration of the foregoing admissions and stipulations, the parties
23 agree that the Board may, without further notice or formal proceeding, issue and enter the
24 following Disciplinary Order:

25 DISCIPLINARY ORDER

26 IT IS HEREBY ORDERED that Pharmacist License No. RPH 47208 issued to
27 Respondent STEVEN ALLEN BROWN is revoked. However, the revocation is stayed and
28 Respondent is placed on probation for three (3) years on the following terms and conditions.

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1. **Actual Suspension - Pharmacist.** License number RPH 47208, issued to Respondent STEVEN ALLEN BROWN is suspended for a period of 90 days.

During suspension, Respondent shall not enter any pharmacy area or any portion of the licensed premises of a wholesaler, veterinary food-animal drug retailer or any other distributor of drugs which is licensed by the Board, or any manufacturer, or where dangerous drugs and devices or controlled substances are maintained. Respondent shall not practice pharmacy nor do any act involving drug selection, selection of stock, manufacturing, compounding, dispensing or patient consultation; nor shall Respondent manage, administer, or be a consultant to any licensee of the Board, or have access to or control the ordering, manufacturing or dispensing of dangerous drugs and devices or controlled substances.

Respondent shall not engage in any activity that requires the professional judgment of a pharmacist. Respondent shall not direct or control any aspect of the practice of pharmacy. Respondent shall not perform the duties of a pharmacy technician or an exemptee for any entity licensed by the Board. Subject to the above restrictions, Respondent may continue to own or hold an interest in any pharmacy in which Male holds an interest at the time this decision becomes effective unless otherwise specified in this order.

2. **Obey All Laws.** Respondent shall obey all state and federal laws and regulations substantially related to or governing the practice of pharmacy.

Respondent shall report any of the following occurrences to the Board, in writing, within 72 hours of such occurrence:

- an arrest or issuance of a criminal complaint for violation of any provision of the Pharmacy Law, state and federal food and drug laws, or state and federal controlled substances laws
- a plea of guilty or nolo contendere in any state or federal criminal proceeding to any criminal complaint, information or indictment
- a conviction of any crime
- discipline, citation, or other administrative action filed by any state and federal

1 agency which involves Respondent's license or which is related to the practice
2 of pharmacy or the manufacturing, obtaining, handling or distribution or billing
3 or charging for any drug, device or controlled substance.

4 **3. Reporting to the Board.** Respondent shall report to the Board
5 quarterly. The report shall be made either in person or in writing, as directed. Respondent
6 shall state under penalty of perjury whether there has been compliance with all the terms and
7 conditions of probation. If the final probation report **is not** made as directed, probation shall
8 be extended automatically until such time as the final report is made and accepted by the
9 Board.

10 **4. Interview with the Board.** Upon receipt of reasonable notice,
11 Respondent shall appear in person for interviews with the Board upon request at various
12 intervals at a location to be determined by the Board. Failure to appear for a scheduled
13 interview without prior notification to Board staff shall be considered a violation of probation.

14 **5. Cooperation with Board Staff.** Respondent shall cooperate with the
15 Board's inspectional program and in the Board's monitoring and investigation of Respondent's
16 compliance with the terms and conditions of Male probation. Failure to comply shall be
17 considered a violation of probation.

18 **6. Continuing Education.** Respondent shall provide evidence of efforts
19 to maintain skill and knowledge as a pharmacist as directed by the Board.

20 **7. Notice to Employers.** Respondent shall notify all present and
21 prospective employers of the decision in case number 2498 and the terms, conditions and
22 restrictions imposed on Respondent by the decision. Within 30 days of the effective date of
23 this decision, and within 15 days of Respondent undertaking new employment, Respondent
24 shall cause Male direct supervisor, pharmacist-in-charge and/or owner to report to the Board
25 in writing acknowledging the employer has read the decision in case number 2498.

26 If Respondent works for or is employed by or through a pharmacy employment
27 service, Respondent must notify the direct supervisor, pharmacist-in-charge, and/or owner at
28 every pharmacy of the and terms conditions of the decision in case number 2498 in advance of

1 the Respondent commencing work at each pharmacy.

2 "Employment" within the meaning of this provision shall include any full-time, part-
3 time, temporary, relief or pharmacy management service as a pharmacist, whether the
4 Respondent is considered an employee or independent contractor.

5 8. **No Preceptorships, Supervision of Interns, Being Pharmacist-in-**
6 **Charge (PIC), or Serving as a Consultant.** Respondent shall not supervise any intern
7 pharmacist or perform any of the duties of a preceptor, nor shall Respondent be the
8 pharmacist-in-charge of any entity licensed by the Board unless otherwise specified in this
9 order.

10 9. **Reimbursement of Board Costs.** Respondent shall pay to the Board
11 its costs of investigation and prosecution in the amount of \$5,000. Respondent shall make
12 said payments as follows: \$116.66 each quarter.

13 The filing of bankruptcy by Respondent shall not relieve Respondent of Male
14 responsibility to reimburse the Board its costs of investigation and prosecution.

15 10. **Probation Monitoring Costs.** Respondent shall pay the costs
16 associated with probation monitoring as determined by the Board each and every year of
17 probation. Such costs shall be payable to the Board at the end of each year of probation.
18 Failure to pay such costs shall be considered a violation of probation.

19 11. **Status of License.** Respondent shall, at all times while on probation,
20 maintain an active current license with the Board, including any period during which
21 suspension or probation is tolled.

22 If Respondent's license expires or is canceled by operation of law or otherwise,
23 upon renewal or reapplication, Respondent's license shall be subject to all terms and
24 conditions of this probation not previously satisfied.

25 12. **License Surrender while on Probation/Suspension.** Following the
26 effective date of this decision, should Respondent cease practice due to retirement or health, or
27 be otherwise unable to satisfy the terms and conditions of probation, Respondent may tender
28 Male license to the Board for surrender. The Board shall have the discretion whether to grant

1 the request for surrender or take any other action it deems appropriate and reasonable. Upon
2 formal acceptance of the surrender of the license, Respondent will no longer be subject to the
3 terms and conditions of probation.

4 Upon acceptance of the surrender, Respondent shall relinquish Male pocket
5 license to the Board within 10 days of notification by the Board that the surrender is accepted.
6 Respondent may not reapply for any license from the Board for three years from the effective
7 date of the surrender. Respondent shall meet all requirements applicable to the license sought
8 as of the date the application for that license is submitted to the Board.

9 **13. Notification of Employment/Mailing Address Change.** Respondent
10 shall notify the Board in writing within 10 days of any change of employment. Said
11 notification shall include the reasons for leaving and/or the address of the new employer,
12 supervisor or owner and work schedule if known. Respondent shall notify the Board in
13 writing within 10 days of a change in name, mailing address or phone number.

14 **14. Tolling of Probation.** Should Respondent, regardless of residency, for
15 any reason cease practicing pharmacy for a minimum of 40 hours per calendar month
16 in California, Respondent must notify the Board in writing within 10 days of cessation of the
17 practice of pharmacy or the resumption of the practice of pharmacy. Such periods of time
18 shall not apply to the reduction of the probation period. It is a violation of probation for
19 Respondent's probation to remain tolled pursuant to the provisions of this condition for a
20 period exceeding three years.

21 "Cessation of practice" means any period of time exceeding 30 days in which
22 Respondent is not engaged in the practice of pharmacy as defined in Section 4052 of
23 the Business and Professions Code.

24 **15. Violation of Probation.** If Respondent violates probation in any
25 respect, the Board, after giving Respondent notice and an opportunity to be heard, may revoke
26 probation and carry out the disciplinary order which was stayed. If a petition to revoke
27 probation or an accusation is filed against Respondent during probation, the Board shall have
28 continuing jurisdiction and the period of probation shall be extended, until the petition to

1 revoke probation or accusation is heard and decided.

2 If Respondent has not complied with any term or condition of probation, the
3 Board shall have continuing jurisdiction over Respondent, and probation shall automatically
4 be extended until all terms and conditions have been satisfied or the Board has taken other
5 action as deemed appropriate to treat the failure to comply as a violation of probation, to
6 terminate probation, and to impose the penalty which was stayed.

7 16. Completion of Probation. Upon successful completion of probation,
8 Respondent's license will be fully restored.

9 17. No Ownership of Premises. Respondent shall not own, have any legal
10 or beneficial interest in, or serve as a manager, administrator, member, officer, director,
11 associate, or partner of any business, firm, partnership, or corporation currently or hereinafter
12 licensed by the Board. Respondent shall sell or transfer any legal or beneficial interest in any
13 entity licensed by the Board within 90 days following the effective date of this decision and
14 shall immediately thereafter provide written proof thereof to the Board.

15 ACCEPTANCE

16 I have carefully read the above Stipulated Settlement and Disciplinary Order
17 and have fully discussed it with my attorney, Gregory P. Matzen, Esq. I understand the
18 stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated
19 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
20 bound by the Decision and Order of the Board of Pharmacy.

21 DATED: 12-01-03

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23 
24 STEVEN ALLEN BROWN
25 Respondent

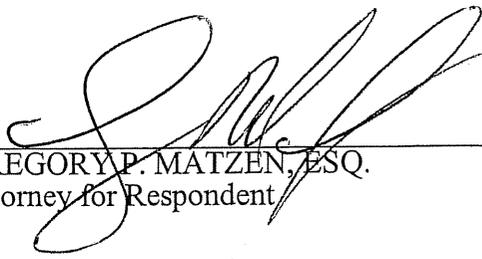
26 I have read and fully discussed with Respondent STEVEN ALLEN BROWN
27 the terms and conditions and other matters contained in the above Stipulated Settlement and
28 ///

1 Disciplinary Order. I approve its form and content.

2 DATED: 12/01/03.

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GREGORY P. MATZEN, ESQ.
Attorney for Respondent

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ENDORSEMENT

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The foregoing Stipulated Settlement and Disciplinary Order is hereby
9 respectfully submitted for consideration by the Board of Pharmacy of the Department of
10 Consumer Affairs.

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12 DATED: 12-02-03.

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BILL LOCKYER, Attorney General
of the State of California

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JANA L. TUTON
Deputy Attorney General

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Attorneys for Complainant

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20 JLT:djd
12-1-03

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**BEFORE THE
BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

STEVEN ALLEN BROWN
3563 Mill Springs Drive
Stockton, CA 95219-3226

Pharmacist License No. RPH 47208

Respondent.

Case No. 2498

OAH No. N2003080587

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on March 19, 2004.

It is so ORDERED February 18, 2004.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By


JOHN D. JONES
Board President

Exhibit A
Accusation No. 2498

1 BILL LOCKYER, Attorney General
of the State of California
2 JANA L. TUTON, State Bar No. 78206
Deputy Attorney General
3 California Department of Justice
1300 I Street, Suite 125
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5 Telephone: (916) 324-5342
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7 Attorneys for Complainant

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9 **BEFORE THE**
BOARD OF PHARMACY
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2498

12 STEVEN ALLEN BROWN
3563 Mill Springs Dr.
13 Stockton, CA 95219-3226

ACCUSATION

14 Pharmacist License No. RPH 47208

15 Respondents.

16
17 Complainant alleges:

18 PARTIES

19 1. Patricia F. Harris (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer
21 Affairs.

22 2. On or about August 2, 1994, the Board of Pharmacy issued Pharmacist
23 License No. RPH 47208 to Steven Allen Brow (Respondent). The Pharmacist License was in
24 full force and effect at all times relevant to the charges brought herein and will expire on January
25 31, 2004, unless renewed.

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JURISDICTION AND STATUTORY AUTHORITY

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2 3. This Accusation is brought before the Board of Pharmacy (Board), under
3 the authority of the following provisions of the Business and Professions Code (Code), the
4 Health and Safety Code, and the California Code of Regulations.

5 4. Section 4301 of the Code states, in pertinent part:

6 "The board shall take action against any holder of a license who is guilty of
7 unprofessional conduct or whose license has been procured by fraud or misrepresentation or
8 issued by mistake. Unprofessional conduct shall include, but is not limited to, any of the
9 following:

10 "(a) Gross immorality.

11 "(b) Incompetence.

12 "(c) Gross negligence.

13 "(d) The clearly excessive furnishing of controlled substances in violation of
14 subdivision (a) of Section 11153 of the Health and Safety Code.

15 * * * *

16 "(f) The commission of any act involving moral turpitude, dishonesty, fraud,
17 deceit, or corruption, whether the act is committed in the course of relations as a licensee or
18 otherwise, and whether the act is a felony or misdemeanor or not.

19 "(g) Knowingly making or signing any certificate or other document that falsely
20 represents the existence or nonexistence of a state of facts.

21 * * * *

22 "(j) The violation of any of the statutes of this state or of the United States
23 regulating controlled substances and dangerous drugs.

24 * * * *

25 "(o) Violating or attempting to violate, directly or indirectly, or assisting in or
26 abetting the violation of or conspiring to violate any provision or term of this chapter or of the
27 applicable federal and state laws and regulations governing pharmacy, including regulations
28 established by the board.

1 5. Section 4022 of the Code states:

2 "Dangerous drug" or "dangerous device" means any drug or device unsafe for
3 self-use, except veterinary drugs that are labeled as such, and includes the following:

4 "(a) Any drug that bears the legend: "Caution: federal law prohibits dispensing
5 without prescription," "Rx only," or words of similar import.

6 "(b) Any device that bears the statement: "Caution: federal law restricts this
7 device to sale by or on the order of a _____," "Rx only," or words of similar import, the
8 blank to be filled in with the designation of the practitioner licensed to use or order use of the
9 device.

10 "(c) Any other drug or device that by federal or state law can be lawfully
11 dispensed only on prescription or furnished pursuant to Section 4006."

12 6. Section 4059 of the Code states, in pertinent part, that a person may not
13 furnish any dangerous drug except upon the prescription of a physician, dentist, podiatrist,
14 optometrist, or veterinarian.

15 7. Section 4081 of the Code states, in pertinent part:

16 "(a) All records of manufacture and of sale, acquisition, or disposition of
17 dangerous drugs or dangerous devices shall be at all times during business hours open to
18 inspection by authorized officers of the law, and shall be preserved for at least three years from
19 the date of making. A current inventory shall be kept by every manufacturer, wholesaler,
20 pharmacy, veterinary food-animal drug retailer, physician, dentist, podiatrist, veterinarian,
21 laboratory, clinic, hospital, institution, or establishment holding a currently valid and unrevoked
22 certificate, license, permit, registration, or exemption under Division 2 (commencing with
23 Section 1200) of the Health and Safety Code or under Part 4 (commencing with Section 16000)
24 of Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous drugs or
25 dangerous devices.

26 "(b) The owner, officer, and partner of any pharmacy, wholesaler, or veterinary
27 food-animal drug retailer shall be jointly responsible, with the pharmacist-in-charge or exemptee,
28 for maintaining the records and inventory described in this section."

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8. Section 4078 of the Code states, in pertinent part:

"(a)(1) No person shall place a false or misleading label on a prescription."

9. Section 4105(a) of the Code states:

"(a) All records or other documentation of the acquisition and disposition of dangerous drugs and dangerous devices by any entity licensed by the board shall be retained on the licensed premises in a readily retrievable form."

10. Section 4113(b) of the Code states:

"(b) The pharmacist-in-charge shall be responsible for a pharmacy's compliance with all state and federal laws and regulations pertaining to the practice of pharmacy."

11. Section 4324 of the Code states:

"(a) Every person who signs the name of another, or of a fictitious person, or falsely makes, alters, forges, utters, publishes, passes, or attempts to pass, as genuine, any prescription for any drugs is guilty of forgery and upon conviction thereof shall be punished by imprisonment in the state prison, or by imprisonment in the county jail for not more than one year.

(b) Every person who has in his or her possession any drugs secured by a forged prescription shall be punished by imprisonment in the state prison, or by imprisonment in the county jail for not more than one year."

12. California Code of Regulations, title 16, section 1718, states:

"'Current Inventory'" as used in Section 4081 of the Business and Professions Code shall be considered to include complete accountability for all dangerous drugs handled by every licensee enumerated in Section 4081. The controlled substances inventories required by Title 21, CFR, Section 1304 shall be available for inspection upon request for at least 3 years after the date of the inventory."

13. Health and Safety Code section 11153 states, in pertinent part:

"(a) A prescription for a controlled substance shall only be issued for a legitimate medical purpose by an individual [licensed physician] acting in the usual course of his or her

1 professional practice. The responsibility for the proper prescribing and dispensing of controlled
2 substances is upon the prescribing practitioner, but a corresponding responsibility rests with the
3 pharmacist who fills the prescription. . . ."

4 14. Health and Safety Code section 11157 states:

5 "No person shall issue a prescription that is false or fictitious in any respect."

6 15. Health and Safety Code section 11173 states, in pertinent part:

7 "(d) No person shall affix any false or forged label to a package or receptacle
8 containing a controlled substance."

9 16. Health and Safety Code section 11352 states:

10 "(a) Except as otherwise provided in this division, every person who transports,
11 imports into this state, sells, furnishes, administers, or gives away, or offers to transport, import
12 into this state, sell, furnish, administer, or give away, or attempts to import into this state or
13 transport (1) any controlled substance specified in subdivision (b), (c), or (e), or paragraph (1) of
14 subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of
15 Section 11054, or specified in subdivision (b) or (c) of Section 11055, or specified in subdivision
16 (h) of Section 11056, or (2) any controlled substance classified in Schedule III, IV, or V which is
17 a narcotic drug, unless upon the written prescription of a physician, dentist, podiatrist, or
18 veterinarian licensed to practice in this state, shall be punished by imprisonment in the state
19 prison for three, four, or five years.

20 "(b) Notwithstanding the penalty provisions of subdivision (a), any person who
21 transports for sale any controlled substances specified in subdivision (a) within this state from
22 one county to another noncontiguous county shall be punished by imprisonment in the state
23 prison for three, six, or nine years."

24 17. Section 125.3 of the Code states, in pertinent part, that the Board may
25 request the administrative law judge to direct a licentiate found to have committed a violation or
26 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
27 and enforcement of the case.

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1 FIRST CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 18. Respondent Steven Allen Brown is subject to disciplinary action for
4 unprofessional conduct under section 4301 of the Code. The circumstances are as follows:

5 On or about November 21, 1999, through October 20, 2000, while employed and
6 on duty as the Pharmacist-in-Charge at Longs Drug Store # 390, Respondent Steven Allen
7 Brown prepared, labeled, and filled 53 prescriptions for "John Dunning," a fictitious name, and
8 furnished the drugs to his brother, Roger Brown. Respondent Steven Allen Brown falsely
9 labeled the prescriptions as being prescribed by a Dr. Rooney when in fact Dr. Rooney did not
10 prescribe the medications, had not seen or treated a "John Dunning" or Roger Brown, and had not
11 authorized the prescriptions.

12 The drugs furnished under the false prescriptions included 600 doses of
13 hydrocodone with APAP 10/500 mg, a Schedule III controlled substance under Health and Safety
14 Code section 11056, subdivision (e)(4), 5040 doses of hydrocodone with acetaminophen, a
15 Schedule III controlled substance under Health and Safety Code section 11056, subdivision
16 (e)(4), and 150 doses of allopurinon, a dangerous drug under Business and Professions Code
17 section 4022.

18 A. By falsely labeling the prescriptions for "John Dunning, Steven
19 Allen Brown violated Business and Professions Code sections 4031, subdivisions (f) and (g),
20 4078, and 4324, as well as Health and Safety Code sections 11173, subdivision (d), and 11157.

21 B. By furnishing controlled substances to Roger Brown without a
22 valid prescription, Steven Allen Brown violated Business and Professions Code sections 4031,
23 subdivision (d), 4059, and 4077, as well as Health and Safety Code sections 11153 and 11352.

24 SECOND CAUSE FOR DISCIPLINE

25 (Failure to Account for and Maintain Records)

26 19. Respondent Steven Allen Brown is subject to disciplinary action for
27 unprofessional conduct under section 4301(o) of the Code in conjunction with section 4081,
28 4113(b), and 4105(a) of the Code, and California Code of Regulations, title 16, section 1714(d).

1 Respondent was Pharmacist-in-Charge of Longs Drug Store #390 from December 1, 1999
2 through November 10, 2000. A controlled substance audit on the period from November 10,
3 1999 through October 7, 2000 revealed a shortage of 3,553 tablets of generic Vicodin, 1267
4 tablets of generic Vicodin ES, and 167 tablets of generic Lortab 10/500.

5 PRAYER

6 WHEREFORE, Complainant requests that a hearing be held on the matters herein
7 alleged, and that following the hearing, the Board of Pharmacy issue a decision:

8 A. Revoking or suspending Pharmacist License No. RPH 47208, issued to
9 Steven Allen Brown;

10 B. Ordering Steven Allen Brown to pay the Board of Pharmacy the
11 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
12 Professions Code section 125.3;

13 C. Taking such other and further action as deemed necessary and proper.

14
15 DATED: 6/23/03

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18 PATRICIA F. HARRIS
19 Executive Officer
20 Board of Pharmacy
21 Department of Consumer Affairs
22 State of California
23 Complainant
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DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL

(Separate Mailings)

In the Matter of the Accusation Against: STEVEN ALLEN BROWN

Agency Case No. 2498

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 1, 2003, I served the attached **Accusation, Statement to Respondent, Notice of Defense (2 copies), Request for Discovery and Discovery Statutes** by placing a true copy thereof enclosed in a sealed envelope as certified mail with postage thereon fully prepaid and return receipt requested, and another true copy of the **Accusation, Statement to Respondent, Notice of Defense (2 copies), Request for Discovery and Discovery Statutes** was enclosed in a second sealed envelope as first class mail with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 1300 I Street, P.O. Box 944255, Sacramento, CA 94244-2550, addressed as follows:

**STEVEN ALLEN BROWN
3563 Mill Springs Dr.
Stockton, CA 95219-3226
Cert. Mail No. 71603901984800746423**

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 1, 2003, at Sacramento, California.

Sandra L. Freeburger

Typed Name



Signature