BILL LOCKYER, Attorney General
of the State of California
JAMI L. CANTORE, State Bar No. 165410
Deputy Attorney General
California Department of Justice
300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 897-2569
Facsimile: (213) 897-2804

Attorneys for Complainant

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

In the Matter of the Accusation Against: JENNIFER LEIGH ADDINGTON 17 Apollo Road Tiburon, CA 94920 Pharmacist License No. RPH49947 Respondent.	Case No. 2606 OAH No. L-2004030255 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

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

PARTIES

1. Patricia F. Harris (Complainant) is the Executive Officer of the Board of Pharmacy. She brought this action solely in her official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by Jami L. Cantore, Deputy Attorney General.

2. Respondent JENNIFER LEIGH ADDINGTON (Respondent) is represented in this proceeding by attorney Dexter B. Louie, Esq., whose address is HASSARD BONNINGTON LLP, Two Embarcadero Center, Suite 1800, San Francisco, CA 94111-3993.

3. On or about March 17, 1998, the Board of Pharmacy issued Pharmacist License No. RPH49947 to JENNIFER LEIGH ADDINGTON (Respondent).

The License was in full force and effect at all times relevant to the charges brought in Accusation No. 2606 and will expire on June 30, 2005, unless renewed.

JURISDICTION

4. Accusation No. 2606 was filed before the Board of Pharmacy (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 22, 2004. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2606 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2606. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent understands and agrees that the charges and allegations in Accusation No. 2606, if proven at a hearing, constitute cause for imposing discipline upon her Pharmacist License.

9. Without admitting the truthfulness of the Accusation, and for the purpose of resolving the Accusation without the expense and uncertainty of further proceedings, Respondent agrees to the terms of this stipulated settlement.

10. Respondent agrees that her Pharmacist License is subject to discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CIRCUMSTANCES IN MITIGATION

11. Respondent JENNIFER LEIGH ADDINGTON has never been the subject of any disciplinary action. She has submitted ample evidence (by declarations of employers) of competence in the practice of pharmacy.

RESERVATION

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

CONTINGENCY

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

14. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall

have the same force and effect as the originals.

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

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Pharmacist License No. RPH49947 issued to Respondent JENNIFER LEIGH ADDINGTON is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions.

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

2. **Reporting to the Board.** Respondent shall report to the Board quarterly. The report shall be made either in person or in writing, as directed. Respondent shall state under penalty of perjury whether there has been compliance with all the terms and conditions of probation. If the final probation report **is not** made as directed, probation

shall be extended automatically until such time as the final report is made and accepted by the Board.

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

4. **Cooperation with Board Staff.** Respondent shall cooperate with the Board's inspectional program and in the Board's monitoring and investigation of Respondent's compliance with the terms and conditions of her probation. Failure to comply shall be considered a violation of probation.

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

6. **Notice to Employers.** Respondent shall notify all present and prospective employers of the decision in case number 2606 and the terms, conditions and restrictions imposed on Respondent by the decision. Within 30 days of the effective date of this decision, and within 15 days of Respondent undertaking new employment, Respondent shall cause her direct supervisor, pharmacist-in-charge and/or owner to report to the Board in writing acknowledging the employer has read the decision in case number 2606.

If Respondent works for or is employed by or through a pharmacy employment service, Respondent must notify the direct supervisor, pharmacist-in-charge, and/or owner at every pharmacy of the and terms conditions of the decision in case number 2606 in advance of the Respondent commencing work at each pharmacy.

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

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

8. **Reimbursement of Board Costs.** Respondent shall pay to the Board its costs of investigation and prosecution in the amount of $3000.00. Respondent shall make said payments as follows: Respondent may defer quarterly installment payments until the thirteenth (13th) month of probation, with cost recovery to be fully paid three months prior to the end of the probation period.

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

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

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

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

11. **License Surrender while on Probation/Suspension.** Following the effective date of this decision, should Respondent cease practice due to retirement or health, or be otherwise unable to satisfy the terms and conditions of probation, Respondent may tender her license to the Board for surrender. The Board shall have the discretion whether to grant the request for surrender or take any other action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the license, Respondent will no

longer be subject to the terms and conditions of probation.

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

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

13. **Tolling of Probation.** Should Respondent, regardless of residency, for any reason cease practicing pharmacy for a minimum of eighty (80) hours per calendar month in California, Respondent must notify the Board in writing within 10 days of cessation of the practice of pharmacy or the resumption of the practice of pharmacy. Such periods of time shall not apply to the reduction of the probation period. It is a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period exceeding three years.

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

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

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

15. **Completion of Probation.** Upon successful completion of probation, Respondent's license will be fully restored.

16. **Rehabilitation Program - Pharmacists Recovery Program (PRP).** Within 30 days of the effective date of this decision, Respondent shall contact the Pharmacists Recovery Program for evaluation and shall successfully participate in and complete the treatment contract and any subsequent addendums as recommended and provided by the PRP and as approved by the Board. The costs for PRP participation shall be borne by the Respondent.

If Respondent is currently enrolled in the PRP, said participation is now mandatory and is no longer considered a self-referral under Business and Professions Code section 4363, as of the effective date of this decision. Respondent shall successfully participate in and complete her current contract and any subsequent addendums with the PRP. Probation shall be automatically extended until Respondent successfully completes her treatment contract. Any person terminated from the program shall be automatically suspended upon notice by the Board. Respondent may not resume the practice of pharmacy until notified by the Board in writing. The Board shall retain jurisdiction to institute action to terminate probation for any violation of this term.

If Respondent is successfully evaluated and released from the PRP, Respondent's probation period will be reduced to three (3) years.

17. **Abstain from Drugs and Alcohol Use.** Respondent shall completely abstain from the possession or use of alcohol (unless authorized by the PRP), controlled substances, dangerous drugs and their associated paraphernalia except when the drugs are lawfully prescribed by a licensed practitioner as part of a documented medical

treatment. Upon request of the Board, Respondent shall provide documentation from the licensed practitioner that the prescription was legitimately issued and is a necessary part of the treatment of the Respondent.

18. **Random Drug Screening.** Respondent, at her own expense, shall participate in random testing, including but not limited to biological fluid testing (urine, blood), breathalyzer, hair follicle testing, or a drug screening program approved by the Board. The length of time shall be for the entire probation period and the frequency of testing will be determined by the Board. At all times Respondent shall fully cooperate with the Board, and shall, when directed, submit to such tests and samples for the detection of alcohol, narcotics, hypnotics, dangerous drugs or other controlled substances. Failure to submit to testing as directed shall constitute a violation of probation. Any confirmed positive drug test demonstrating the use of drugs during the probation period shall result in the immediate suspension of practice by Respondent. Respondent may not resume the practice of pharmacy until notified by the Board in writing.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Dexter B. Louie, Esq. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: 1/6/05

JENNIFER LEIGH ADDINGTON
Respondent

I have read and fully discussed with Respondent Jennifer Leigh Addington the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 1/10/05.

DEXTER B. LOUIE, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: _____.

BILL LOCKYER, Attorney General
of the State of California

JAMI L. CANTORE
Deputy Attorney General

Attorneys for Complainant

I have read and fully discussed with Respondent Jennifer Leigh Addington the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: _____.

_____
DEXTER B. LOUIE, ESQ.
Attorney for Respondent

ENDORSEMENT

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

DATED: 12/30/04.

BILL LOCKYER, Attorney General
of the State of California

Jami L. Cantore
JAMI L. CANTORE
Deputy Attorney General

Attorneys for Complainant

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

In the Matter of the Accusation Against: JENNIFER LEIGH ADDINGTON 17 Apollo Road Tiburon, CA 94920 Pharmacist License No. RPH49947 Respondent.	Case No. 2606 OAH No. L-2004030255

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 31, 2005.

It is so ORDERED March 1, 2005.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

STANLEY W. GOLDENBERG
Board President

Exhibit A

Accusation No. 2606

BILL LOCKYER, Attorney General
of the State of California
JAMI L. CANTORE, State Bar No. 165410
Deputy Attorney General
California Department of Justice
300 So. Spring Street, Suite 1702
Los Angeles, CA 90013
Telephone: (213) 897-2581
Facsimile: (213) 897-2804

Attorneys for Complainant

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

In the Matter of the Accusation Against: JENNIFER LEIGH ADDINGTON a.k.a. JENNIFER LEIGH GARCEA 300 3rd Street Sausalito, CA 94965 Pharmacist License No. RPH49947 Respondent.	Case No. 2606 **ACCUSATION**

Complainant alleges:

PARTIES

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

2. On or about March 17, 1998, the Board of Pharmacy issued Pharmacist License No. RPH 49947 to Jennifer Leigh Addington (Respondent). The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on June 30, 2005, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board of Pharmacy (Board), Department of Consumer Affairs, under the authority of the following laws.

4. Business and Professions Code section 4300 states, in pertinent part:

"(a) Every license issued may be suspended or revoked.

"(b) The board shall discipline the holder of any license issued by the board, whose default has been entered or whose case has been heard by the board and found guilty, by any of the following methods:

"(1) Suspending judgment.

"(2) Placing him or her upon probation.

"(3) Suspending his or her right to practice for a period not exceeding one year.

"(4) Revoking his or her license.

"(5) Taking any other action in relation to disciplining him or her as the board in its discretion may deem proper."

5. Business and Professions Code section 118, subdivision (b), states:

"The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground."

6. Business and Professions Code section 4301 states:

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

"(a) Gross immorality.

. . . .

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

. . . .

"(h) The administering to oneself, of any controlled substance, or the use of any dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to oneself, to a person holding a license under this chapter, or to any other person or to the public, or to the extent that the use impairs the ability of the person to conduct with safety to the public the practice authorized by the license.

. . . .

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

. . . .

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

"(p) Actions or conduct that would have warranted denial of a license."

7. Business and Professions Code section 4327 states:

"Any person who, while on duty, sells, dispenses or compounds any drug while under the influence of any dangerous drug or alcoholic beverages shall be guilty of a misdemeanor."

8. Health and Safety Code section 11364 states:

"It is unlawful to possess an opium pipe or any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking (1) a controlled substance specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, specified in subdivision (b) or

(c) of Section 11055, or specified in paragraph (2) of subdivision (d) of Section 11055, or (2) a controlled substance which is a narcotic drug classified in Schedule III, IV, or V."

9. Health and Safety Code section 11550, subdivision (a), states in pertinent part:

"No person shall use, or be under the influence of any controlled substance which is (1) specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), (21), (22), or (23) of subdivision (d) of Section 11054, specified in subdivision (b) or (c) of Section 11055, or specified in paragraph (1) or (2) of subdivision (d) or in paragraph (3) of subdivision (e) of Section 11055, or (2) a narcotic drug classified in Schedule III, IV, or V, except when administered by or under the direction of a person licensed by the state to dispense, prescribe, or administer controlled substances."

10. California Code of Regulations, title 16, section 1770, states:

"For the purpose of denial, suspension, or revocation of a personal or facility license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered substantially related to the qualifications, functions or duties of a licensee or registrant if to a substantial degree it evidences present or potential unfitness of a licensee or registrant to perform the functions authorized by his license or registration in a manner consistent with the public health, safety, or welfare."

11. Business and Professions Code section 125.3, subdivision (a), states, in pertinent part:

"Except as otherwise provided by law, in any order issued in resolution of a disciplinary proceeding before any board within the department . . . the board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case."

CONTROLLED SUBSTANCES

12. "Methamphetamine," is a schedule II controlled substance, as defined by Health and Safety Code section 11055(d)(2) and is categorized as a "dangerous drug" pursuant to

Business and Professions Code section 4022.

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct – Use of a Controlled Substance)

13. Respondent is subject to disciplinary action under Business and Professions Code sections 4300, 4301, subdivisions (a), (f), (h), (j), and (o), and section 4327 for violating Health and Safety Code section 11550, subdivision (a), in that on or about September 18, 2001, Respondent, by her own admission, knowingly and willingly, ingested an illegal controlled substance, namely Methamphetamine. Respondent admitted to ingesting methamphetamine prior to reporting for duty as a pharmacist at Longs Drugs Store in Victorville, California. Respondent further admitted to the arresting detectives that she was still under the influence of that controlled substance at the time of her arrest while on duty as a pharmacist. Respondent was arrested on September 18, 2001, for possession of illegal drug paraphernalia and for the use of illegal drugs.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct – Possession of an Illegal Device)

14. Respondent is subject to disciplinary action under Business and Professions Code sections 4300, 4301, subdivisions (a), (j), and (o), for violating Health and Safety Code section 11364, as more fully set forth below:

A. On or about September 18, 2001, Respondent, by her own admission, possessed and used illegal paraphernalia to smoke and ingest the controlled substance methamphetamine.

B. On or about December 12, 2001, Respondent was found guilty of violating Health and Safety Code section 11364 (possession of illegal paraphernalia), a misdemeanor, in the Superior Court of California, County of San Bernardino, Victorville Judicial District, under Case No. MVI031140, entitled *People v. Jennifer Leigh Addington.* The Court granted Respondent diversion for a period of 18 months.

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PRAYER

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

1. Revoking or suspending Pharmacist License No. RPH 49947, issued to Jennifer Leigh Addington;

2. Ordering Jennifer Leigh Addington to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: 1/14/04

P. F. Harris

PATRICIA F. HARRIS
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California

Complainant

DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL
(Separate Mailings)

In the Matter of the Accusation Against: JENNIFER LEIGH ADDINGTON
Agency Case No. 2606

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 January 22, 2004, 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 300 So. Spring St., Los Angeles, CA 90013, addressed as follows:

JENNIFER LEIGH ADDINGTON
17 Apollo Road
Tiburon, CA 94920

Certified mail number
7001 0360 0003 6749 1296

Kim deLong, Enforcement Technician
Board of Pharmacy
400 R Street, Suite 4070
Sacramento, CA 95814-6200

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$

Postmark Here

Sent To
Street, Apt. No.; or PO Box No.
City, State, ZIP+ 4

7001 0360 0003 6749 1296

the laws of the State of California the foregoing is true
executed on January 22, 2004, at Los Angeles,

Signature

Addington : Accusatio
Packet

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JENNIFER LEIGH ADDINGTON
17 Apollo Road
Tiburon, CA 94920

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)*

B. Date of Delivery 2-21

C. Signature

X

☐ Agent
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☒ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Copy from service label)* 7001 0360 0003 6749 1296

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952

HASSARD BONNINGTON LLP
DEXTER B. LOUIE, ESQ., State Bar No. 105991
Two Embarcadero Center, Suite 1800
San Francisco, California 94111-3993
Telephone: (415) 288-9800
Fax: (415) 288-9801

Attorneys for Respondent
JENNIFER LEIGH ADDINGTON

BEFORE THE BOARD OF PHARMACY

DEPARTMENT OF CONSUMER AFFAIRS

STATE OF CALIFORNIA

In the Matter of the Accusation Against: JENNIFER LEIGH ADDINGTON Respondent.	Case No. 2606 **DECLARATION OF JEFFREY ADDINGTON**

I, Jeffrey Addington, declare:

1. I currently reside in Sausalito, California and am employed as a chef in San Francisco, California. I am over the age of 21 and am familiar with and can competently testify to the matters stated herein.

2. I have known Jennifer Addington since early 1998. We were married in March of 1999. We have been separated for over one year.

3. In September 2001, we were living in Apple Valley, California. I had previously been stationed at Fort Irwin, California while I was enlisted in the Army. I was discharged from the Army on December 14, 2000. In September 2001, I was employed as a chef in Victorville, California.

4. I was present at home, on September 18, 2001, when the Sherriff's Department of the County of San Bernadino appeared at my home and presented a search warrant for the premises. They searched the house prior to my wife's arrival at home. I am aware that they located a pipe which they described in their Sheriff's

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report as drug paraphernalia. The pipe was not found where the sheriff indicated, i.e. in her personal dresser drawers. The pipe did not belong to Jennifer Addington.

5. During all of the time that I have known Jennifer Addington, I have not known her to use illicit drugs, including speed, methamphetamine, or any similar substances.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 15th day of November, 2004, at San Francisco California.

Jeffrey Addington

HASSARD BONNINGTON LLP
DEXTER B. LOUIE, ESQ., State Bar No. 105991
Two Embarcadero Center, Suite 1800
San Francisco, California 94111-3993
Telephone: (415) 288-9800
Fax: (415) 288-9801

Attorneys for Respondent
JENNIFER LEIGH ADDINGTON

BEFORE THE BOARD OF PHARMACY

DEPARTMENT OF CONSUMER AFFAIRS

STATE OF CALIFORNIA

In the Matter of the Accusation Against: JENNIFER LEIGH ADDINGTON Respondent.	Case No. 2606 **DECLARATION OF CHRIS GONG**

I, Chris Gong, declare:

1. I am a licensed California pharmacist practicing in Walnut Creek, California. I am over the age of 21 and am familiar with and can competently testify to the matters stated herein.

2. I am currently Vice-President of Pharmacy Operations for Longs Drug Stores, Inc. I have held that position for the past year. I was previously the Regional Manager for Pharmacy Operations for approximately two years and the Pharmacy Supervisor for Southern California for Longs Drug Stores, Inc. for eighteen years prior to that.

3. As Pharmacy Supervisor, I was responsible for overseeing the operations of 35 to 40 Longs pharmacies. In that position, I had direct interaction with pharmacy managers and the pharmacists at the individual stores.

4. I have known Jennifer Addington professionally for the last approximately five years. In approximately 1999, she transferred to Longs Pharmacy in Apple Valley, California from Northern California. As part of the transfer process, I

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received a report regarding Pharmacist Addington from her Area Manager, Larry Barsamian. She came highly recommended as a pharmacist who was very knowledgeable and competent.

5. Pharmacist Addington was a staff pharmacist at Longs Drug Store Pharmacy in Apple Valley, California from 1999 to 2001. During that time, I had the opportunity to observe and speak with her in that role one to two times per quarter. In addition, on at least a quarterly basis, I would discuss Ms. Addington, along with other staff pharmacists, with the Apple Valley Longs Pharmacy Manager.

6. All reports I received from the Pharmacy Manager (Ms. Addington's direct supervisor) were positive.

7. My impression, from my professional observation and interaction with her, was that she was a very good pharmacist, above average in technical skill and knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 31st day of October, 2004, at Walnut Creek California.

Chris Gong

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Attorneys for Respondent
JENNIFER LEIGH ADDINGTON

BEFORE THE BOARD OF PHARMACY

DEPARTMENT OF CONSUMER AFFAIRS

STATE OF CALIFORNIA

In the Matter of the Accusation Against: JENNIFER LEIGH ADDINGTON Respondent.	Case No. 2606 **DECLARATION OF JOHN GALLEGOS**

I, John Gallegos, declare:

1. I am a licensed California pharmacist, practicing in Southern California. I am over the age of 21 and am familiar with and can competently testify to the matters stated herein.

2. For the past 13 years, I have been the Operations Vice President for Southern California for Cameron and Company. Cameron and Company supplies relief pharmacists to pharmacies in Southern California. My responsibilities include hiring and firing of pharmacists.

3. In the fall or winter of 2001, I hired Jennifer Addington as a relief pharmacist for Cameron and Company. She worked for Cameron and Company for approximately 1 to 1½ years. During that time, she was sent to various pharmacies in Southern California in the High Desert, Low Desert and Inland Empire. She worked as a relief pharmacist in at least 4 to 5 different chain store pharmacies, as well as several hospitals and long-term care pharmacies. I also had occasion to work

with her at several pharmacies. I received feedback from many of the pharmacies where she was assigned. Universally, she was found to do an excellent job, was friendly, out-going, personable, and intelligent, and an excellent pharmacist. She was universally liked and was frequently requested by name. She was excellent with customers. There were never any negative comments about her in any manner. This input mirrored my own personal evaluation of her.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 12TH day of November, 2004, at ALTA LOMA, California.

John Gallegos