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of the State of California  
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Deputy Attorney General  
3 California Department of Justice  
1300 I Street, Suite 125  
4 P.O. Box 944255  
Sacramento, CA 94244-2550  
5 Telephone: (916) 324-5333  
Facsimile: (916) 327-8643  
6 E-mail: ron.diedrich@doj.ca.gov

7 Attorneys for Complainant

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

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In the Matter of the Accusation Against:

Case No. 2656

13

**MARK WESLEY FORSTER**

P.O. Box 803  
Carefree, Arizona

**DEFAULT DECISION  
AND ORDER**

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License No. RPH 47086

[Gov. Code, §11520]

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Respondent.

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FINDINGS OF FACT

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1. On or about July 14, 2003, Complainant Patricia F. Harris

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("Complainant"), in her official capacity as the Executive Officer of the Board of Pharmacy

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("Board"), Department of Consumer Affairs, filed Accusation No. 2656 against Mark Wesley

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Forster ("Respondent") before the Board.

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2. On or about February 21, 1995, the Board issued License No. RPH 47086

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to Respondent. The license was in full force and effect at all times relevant to the charges

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brought in Accusation No. 2656, and will expire on February 28, 2005, unless renewed.

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3. On or about July 22, 2003, B. L. Hampton, an employee of the Department

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of Justice, served by Certified and First Class Mail a copy of the Accusation No. 2656, Statement

1 to Respondent, Notice of Defense, Request for Discovery, and Government Code sections  
2 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which was and  
3 is P.O. Box 803, Carefree, Arizona 85377. A copy of the Accusation, the related documents,  
4 and Declaration of Service are attached as exhibit A, and are incorporated herein by reference.

5 4. Service of the Accusation was effective as a matter of law under the  
6 provisions of Government Code section 11505, subdivision (c).

7 5. Government Code section 11506 states, in pertinent part:

8 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
9 files a notice of defense, and the notice shall be deemed a specific denial of all  
10 parts of the accusation not expressly admitted. Failure to file a notice of defense  
shall constitute a waiver of respondent's right to a hearing, but the agency in its  
discretion may nevertheless grant a hearing.

11 6. Respondent failed to file a Notice of Defense within 15 days after service  
12 upon him of the Accusation, and therefore waived his right to a hearing on the merits of  
13 Accusation No. 2656.

14 7. California Government Code section 11520 states, in pertinent part:

15 (a) If the respondent either fails to file a notice of defense or to appear at the  
16 hearing, the agency may take action based upon the respondent's express  
17 admissions or upon other evidence and affidavits may be used as evidence without  
any notice to respondent.

18 8. Pursuant to its authority under Government Code section 11520, the Board  
19 finds Respondent is in default. The Board will take action without further hearing and, based on  
20 Respondent's express admissions by way of default and the evidence before it, contained in  
21 exhibits A finds that the allegations in Accusation No. 2656 are true.

22 9. The total costs for investigation and enforcement are \$1,680.00 as of  
23 September 8, 2003.

24 10. The record upon which this Default Decision and Order is based is located  
25 at the Board's Sacramento office at 400 "R" Street, Suite 4070, Sacramento, California 95814.

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DETERMINATION OF ISSUES

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2           1.       Based on the foregoing findings of fact, Respondent Mark Wesley Forster  
3 has subjected his License No. 47086 to discipline.

4           2.       A copy of the Accusation and the related documents and Declaration of  
5 Service are attached.

6           3.       The agency has jurisdiction to adjudicate this case by default.

7           4.       The Board of Pharmacy is authorized to revoke Respondent's License No.  
8 47086 based upon the following violations alleged in the Accusation:

9           a.       Respondent violated Business and Professions Code ("Code") section  
10 4301, subdivision (n), in that Respondent's license to practice pharmacy in Illinois was  
11 disciplined by the Department of Professional Regulation of the State of Illinois. Effective on or  
12 about January 11, 2002, Respondent's license to practice pharmacy in Illinois was indefinitely  
13 suspended, for a minimum of one (1) year, and a twenty thousand dollar (\$20,000) fine imposed,  
14 in the case of *Department of Professional Regulation of the State of Illinois v. Mark W. Forster*,  
15 *License No. 51-286548* (State of Ill. Dept. of Prof. Reg., 2002, Case No. 1999-03368-2).

16           b.       Respondent also violated Code section 4301, subdivision (n), in that on or  
17 about January 11, 2002, Respondent's license to operate a pharmacy in Illinois was revoked by  
18 the Department of Professional Regulation of the State of Illinois in the case of *Department of*  
19 *Professional Regulation of the State of Illinois v. Cook County Pharmacy Network, License No.*  
20 *58-013420* (State of Ill. Dept. of Prof. Reg., 2002, Case No. 1999-03368-1.).

21           c.       Respondent also violated Code section 4301, subdivision (n), in that  
22 Respondent's license to practice pharmacy in Arizona was disciplined by the Arizona State  
23 Board of Pharmacy. Effective on or about May 2, 2002, Respondent's license to practice  
24 pharmacy in Arizona was suspended for five (5) years pursuant to the Order in the case of *In the*  
25 *Matter of: Mark W. Forster, Pharmacist License Number 9865* (Ariz. State Bd. of Pharm., 2002,  
26 Case No. 02-0003-PHR.).

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ORDER

IT IS SO ORDERED that License No. RPH 47086, heretofore issued to Respondent Mark Wesley Forster, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on November 26, 2003.

It is so ORDERED October 27, 2003

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By

  
\_\_\_\_\_  
JOHN D. JONES  
Board President

Exhibit A  
Accusation No. 2656,  
Related Documents and Declaration of Service

1 BILL LOCKYER, Attorney General  
of the State of California  
2 RONALD L. DIEDRICH, State Bar No. 95146  
Deputy Attorney General  
3 California Department of Justice  
1300 I Street, Suite 125  
4 P.O. Box 944255  
Sacramento, CA 94244-2550  
5 Telephone: (916) 324-5333  
Facsimile: (916) 327-8643  
6 E-mail: ron.diedrich@doj.ca.gov

7 Attorneys for Complainant

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

12 In the Matter of the Accusation Against:

Case No. 2656

13 **MARK WESLEY FORSTER**

14 P.O. Box 803  
Carefree, Arizona 85377

**ACCUSATION**

15 License No. No. RPH 47086

16 Respondent.

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19 Complainant alleges:

20 PARTIES

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

24 2. On or about February 21, 1995, the Board issued License Number RPH  
25 47086 to Mark Wesley Forster ("Respondent"). The License was in full force and effect at all  
26 times relevant to the charges brought herein and will expire on February 28, 2005, unless  
27 renewed.

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1 pharmacy in Illinois. It also required the Respondent to pay a twenty thousand dollar (\$20,000)  
2 fine.

3 SECOND CAUSE FOR DISCIPLINE

4 (Out-Of-State Discipline - Operate a Pharmacy - Illinois)

5 8. Respondent is also subject to disciplinary action under Code section 4301,  
6 subdivision (n), in that Respondent's license to operate a pharmacy in Illinois was disciplined by  
7 the Department of Professional Regulation of the State of Illinois.

8 9. Effective on or about January 11, 2002, Respondent, as the owner and  
9 pharmacist-in-charge of Cook County Pharmacy Network, and with the advice of legal counsel,  
10 entered into a Consent Order resolving the case of *Department of Professional Regulation of the*  
11 *State of Illinois v. Cook County Pharmacy Network, License No. 58-013420* (State of Ill. Dept. of  
12 Prof. Reg., 2002, Case No. 1999-03368-1.). That Order mandated the revocation of the  
13 pharmacy license of Cook County Pharmacy Network.

14 THIRD CAUSE FOR DISCIPLINE

15 (Out-Of-State Discipline - Arizona)

16 10. Respondent is also subject to disciplinary action under Code section 4301,  
17 subdivision (n), in that Respondent's license to practice pharmacy in Arizona was disciplined by  
18 the Arizona State Board of Pharmacy.

19 11. Effective on or about May 2, 2002, Respondent's license to practice  
20 pharmacy in Arizona was suspended for five (5) years pursuant to the Order in the case of *In the*  
21 *Matter of: Mark W. Forster, Pharmacist License Number 9865* (Ariz. State Bd. of Pharm., 2002,  
22 Case No. 02-0003-PHR.).

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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:

A. Revoking or suspending License Number No. RPH 47086 issued to Mark Wesley Forster;

B. Ordering Mark Wesley Forster 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; and,

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

DATED: 7/14/03



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

10004953.wpd

1 BILL LOCKYER, Attorney General  
of the State of California  
2 RONALD L. DIEDRICH, State Bar No. 95146  
Deputy Attorney General  
3 California Department of Justice  
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**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:  
12 MARK WESLEY FORSTER  
13 Respondent.

Case No. 2656  
**STATEMENT TO RESPONDENT**  
[Gov. Code §§ 11503, 11505, subd. (b)]

14  
15 TO RESPONDENT:

16 Enclosed is a copy of the Accusation that has been filed with the Board of  
17 Pharmacy of the Department of Consumer Affairs (Board), and which is hereby served on you.

18 Unless a written request for a hearing signed by you or on your behalf is delivered  
19 or mailed to the Board, represented by Deputy Attorney General Ronald L. Diedrich, within  
20 fifteen (15) days after a copy of the Accusation was personally served on you or mailed to you,  
21 you will be deemed to have waived your right to a hearing in this matter and the Board may  
22 proceed upon the Accusation without a hearing and may take action thereon as provided by law.

23 The request for hearing may be made by delivering or mailing one of the enclosed  
24 forms entitled "Notice of Defense," or by delivering or mailing a Notice of Defense as provided  
25 in section 11506 of the Government Code, to

26 **Ronald L. Diedrich**  
**Deputy Attorney General**  
27 **1300 I Street, Suite 125**  
**P.O. Box 944255**  
28 **Sacramento, California 94244-2550.**

1                   You may, but need not, be represented by counsel at any or all stages of these  
2 proceedings.

3                   The enclosed Notice of Defense, if signed and filed with the Board, shall be  
4 deemed a specific denial of all parts of the Accusation, but you will not be permitted to raise any  
5 objection to the form of the Accusation unless you file a further Notice of Defense as provided in  
6 section 11506 of the Government Code within fifteen (15) days after service of the Accusation  
7 on you.

8                   If you file any Notice of Defense within the time permitted, a hearing will be held  
9 on the charges made in the Accusation.

10                  The hearing may be postponed for good cause. If you have good cause, you are  
11 obliged to notify the Office of Administrative Hearings, 560 J Street, Suite 340/360, Sacramento,  
12 California 95814, within ten (10) working days after you discover the good cause. Failure to  
13 notify the Office of Administrative Hearings within ten (10) days will deprive you of a  
14 postponement.

15                  Copies of sections 11507.5, 11507.6, and 11507.7 of the Government Code are  
16 enclosed.

17                  If you desire the names and addresses of witnesses or an opportunity to inspect  
18 and copy the items mentioned in section 11507.6 of the Government Code in the possession,  
19 custody or control of the Board you may send a Request for Discovery to the above designated  
20 Deputy Attorney General.

21                                   **NOTICE REGARDING STIPULATED SETTLEMENTS**

22                  It may be possible to avoid the time, expense and uncertainties involved in an  
23 administrative hearing by disposing of this matter through a stipulated settlement. A stipulated  
24 settlement is a binding written agreement between you and the government regarding the matters  
25 charged and the discipline to be imposed. Such a stipulation would have to be approved by the  
26 Board of Pharmacy but, once approved, it would be incorporated into a final order.

27                  Any stipulation must be consistent with the Board's established disciplinary  
28 guidelines; however, all matters in mitigation or aggravation will be considered. A copy of the

1 Board's Disciplinary Guidelines will be provided to you on your written request to the state  
2 agency bringing this action.

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4 If you are interested in pursuing this alternative to a formal administrative hearing,  
5 or if you have any questions, you or your attorney should contact Deputy Attorney General  
6 Ronald L. Diedrich at the earliest opportunity.

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

In the Matter of the Accusation Against:

MARK WESLEY FORSTER

Respondent.

Case No. 2656

**NOTICE OF DEFENSE**

[Gov. Code §§ 11505 and 11506]

I, the undersigned Respondent in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Accusation; Statement to Respondent; Government Code sections 11507.5, 11507.6 and 11507.7, Complainant's Request for Discovery; and two copies of a Notice of Defense.

I hereby request a hearing to permit me to present my defense to the charges contained in the Accusation.

DATED: \_\_\_\_\_

Respondent's Name

Respondent's Signature

Respondent's Mailing Address

City, State and Zip Code

Respondent's Telephone Number

**Check appropriate box:**

- I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name

Counsel's Mailing Address

City, State and Zip Code

Counsel's Telephone Number

- I am not now represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address and telephone number will be filed with the Office of Administrative Hearing and a copy sent to counsel for Complainant so that counsel will be on record to receive legal notices, pleadings and other papers.

The agency taking the action described in the Accusation may have formulated guidelines to assist the administrative law judge in reaching an appropriate penalty. You may obtain a copy of the guidelines by requesting them from the agency in writing.

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

In the Matter of the Accusation Against:

Case No. 2656

MARK WESLEY FORSTER

**NOTICE OF DEFENSE**

Respondent.

[Gov. Code §§ 11505 and 11506]

I, the undersigned Respondent in the above-entitled proceeding, hereby acknowledge receipt of a copy of the Accusation; Statement to Respondent; Government Code sections 11507.5, 11507.6 and 11507.7, Complainant's Request for Discovery; and two copies of a Notice of Defense.

I hereby request a hearing to permit me to present my defense to the charges contained in the Accusation.

DATED: \_\_\_\_\_

Respondent's Name

Respondent's Signature

Respondent's Mailing Address

City, State and Zip Code

Respondent's Telephone Number

**Check appropriate box:**

- I am represented by counsel, whose name, address and telephone number appear below:

Counsel's Name

Counsel's Mailing Address

City, State and Zip Code

Counsel's Telephone Number

- I am not now represented by counsel. If and when counsel is retained, immediate notification of the attorney's name, address and telephone number will be filed with the Office of Administrative Hearing and a copy sent to counsel for Complainant so that counsel will be on record to receive legal notices, pleadings and other papers.

The agency taking the action described in the Accusation may have formulated guidelines to assist the administrative law judge in reaching an appropriate penalty. You may obtain a copy of the guidelines by requesting them from the agency in writing.

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2 RONALD L. DIEDRICH, State Bar No. 95146  
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8 **BEFORE THE**  
**BOARD OF PHARMACY**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 MARK WESLEY FORSTER

13 Respondent.

Case No. 2656

**REQUEST FOR DISCOVERY**

[Gov. Code § 11507.6]

14  
15 TO RESPONDENT:

16 Under section 11507.6 of the Government Code of the State of California, parties  
17 to an administrative hearing, including the Complainant, are entitled to certain information  
18 concerning the opposing party's case. A copy of the provisions of section 11507.6 of the  
19 Government Code concerning such rights is included among the papers served.

20  
21 PURSUANT TO SECTION 11507.6 OF THE GOVERNMENT CODE, YOU  
22 ARE HEREBY REQUESTED TO:

- 23 1. Provide the names and addresses of witnesses to the extent known to the  
24 Respondent, including, but not limited to, those intended to be called to testify at the hearing, and  
25 2. Provide an opportunity for the Complainant to inspect and make a copy of any of  
26 the following in the possession or custody or under control of the Respondent:  
27 a. A statement of a person, other than the Respondent, named in the initial  
28 administrative pleading, or in any additional pleading, when it is claimed that the act or

1 omission of the Respondent as to this person is the basis for the administrative  
2 proceeding;

3 b. A statement pertaining to the subject matter of the proceeding made by any  
4 party to another party or persons;

5 c. Statements of witnesses then proposed to be called by the Respondent and  
6 of other persons having personal knowledge of the acts, omissions or events which are the  
7 basis for the proceeding, not included in (a) or (b) above;

8 d. All writings, including but not limited to reports of mental, physical and  
9 blood examinations and things which the Respondent now proposes to offer in evidence;

10 e. Any other writing or thing which is relevant and which would be  
11 admissible in evidence, including but not limited to, any patient or hospital records  
12 pertaining to the persons named in the pleading;

13 f. Investigative reports made by or on behalf of the Respondent pertaining to  
14 the subject matter of the proceeding, to the extent that these reports (1) contain the names  
15 and addresses of witnesses or of persons having personal knowledge of the acts,  
16 omissions or events which are the basis for the proceeding, or (2) reflect matters  
17 perceived by the investigator in the course of his or her investigation, or (3) contain or  
18 include by attachment any statement or writing described in (a) to (e), inclusive, or  
19 summary thereof.

20 For the purpose of this Request for Discovery, "statements" include written  
21 statements by the person, signed, or otherwise authenticated by him or her, stenographic,  
22 mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person,  
23 and written reports or summaries of these oral statements.

24  
25 YOU ARE HEREBY FURTHER NOTIFIED that nothing in this Request for  
26 Discovery should be deemed to authorize the inspection or copying of any writing or thing which  
27 is privileged from disclosure by law or otherwise made confidential or protected as attorney's  
28 work product.

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Your response to this Request for Discovery should be directed to the undersigned attorney for the Complainant at the address on the first page of this Request for Discovery **within 30 days after service** of the Accusation.

Failure without substantial justification to comply with this Request for Discovery may subject the Respondent to sanctions pursuant to sections 11507.7 and 11455.10 to 11455.30 of the Government Code.

DATED: July 22, 2003

BILL LOCKYER, Attorney General  
of the State of California

  
RONALD L. DIEDRICH  
Deputy Attorney General  
Attorneys for Complainant

**COPY OF GOVERNMENT CODE SECTIONS 11507.5, 11507.6 AND 11507.7  
PROVIDED PURSUANT TO GOVERNMENT CODE SECTIONS 11504 AND 11505**

**SECTION 11507.5: Exclusivity of discovery provisions**

The provisions of Section 11507.6 provide the exclusive right to and method of discovery as to any proceeding governed by this chapter.

**SECTION 11507.6: Request for discovery**

After initiation of a proceeding in which a respondent or other party is entitled to a hearing on the merits, a party, upon written request made to another party, prior to the hearing and within 30 days after service by the agency of the initial pleading or within 15 days after the service of an additional pleading, is entitled to (1) obtain the names and addresses of witnesses to the extent known to the other party, including, but not limited to, those intended to be called to testify at the hearing, and (2) inspect and make a copy of any of the following in the possession or custody or under the control of the other party:

(a) A statement of a person, other than the respondent, named in the initial administrative pleading, or in any additional pleading, when it is claimed that the act or omission of the respondent as to this person is the basis for the administrative proceeding;

(b) A statement pertaining to the subject matter of the proceeding made by any party to another party or person;

(c) Statements of witnesses then proposed to be called by the party and of other persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, not included in (a) or (b) above;

(d) All writings, including, but not limited to, reports of mental, physical and blood examinations and things which the party then proposes to offer in evidence;

(e) Any other writing or thing which is relevant and which would be admissible in evidence;

(f) Investigative reports made by or on behalf of the agency or other party pertaining to the subject matter of the proceeding, to the extent that these reports (1) contain the names and addresses of witnesses or of persons having personal knowledge of the acts, omissions or events which are the basis for the proceeding, or (2) reflect matters perceived by the investigator in the course of his or her investigation, or (3) contain or include by attachment any statement or writing described in (a) to (e), inclusive, or summary thereof.

For the purpose of this section, "statements" include written statements by the person signed or otherwise authenticated by him or her, stenographic, mechanical, electrical or other recordings, or transcripts thereof, of oral statements by the person, and written reports or summaries of these oral statements.

Nothing in this section shall authorize the inspection or copying of any writing or thing which is privileged from disclosure by law or otherwise made confidential or protected as the attorney's work product.

**SECTION 11507.7: Petition to compel discovery; Order; Sanctions**

(a) Any party claiming the party's request for discovery pursuant to Section 11507.6 has not been complied with may serve and file with the administrative law judge a motion to compel discovery, naming as respondent the party refusing or failing to comply with Section 11507.6. The motion shall state facts showing the respondent party failed or refused to comply with Section 11507.6, a description of the matters sought to be discovered, the reason or reasons why the matter is discoverable under that section, that a reasonable and good faith attempt to contact the respondent for an informal resolution of the issue has been made, and the ground or grounds of respondent's refusal so far as known to the moving party.

(b) The motion shall be served upon respondent party and filed within 15 days after the respondent party first evidenced failure or refusal to comply with Section 11507.6 or within 30 days after request was made and the party has failed to reply to the request, or within another time provided by stipulation, whichever period is longer.

(c) The hearing on the motion to compel discovery shall be held within 15 days after the motion is made, or a later time that the administrative law judge may on the judge's own motion for good cause determine. The respondent party shall have the right to serve and file a written answer or other response to the motion before or at the time of the hearing.

(d) Where the matter sought to be discovered is under the custody or control of the respondent party and the respondent party asserts that the matter is not a discoverable matter under the provisions of Section 11507.6, or is privileged against disclosure under those provisions, the administrative law judge may order lodged with it matters provided in subdivision (b) of Section 915 of the Evidence Code and examine the matters in accordance with its provisions.

(e) The administrative law judge shall decide the case on the matters examined in camera, the papers filed by the parties, and such oral argument and additional evidence as the administrative law judge may allow.

(f) Unless otherwise stipulated by the parties, the administrative law judge shall no later than 15 days after the hearing make its order denying or granting the motion. The order shall be in writing setting forth the matters the moving party is entitled to discover under Section 11507.6. A copy of the order shall forthwith be served by mail by the administrative law judge upon the parties. Where the order grants the motion in whole or in part, the order shall not become effective until 10 days after the date the order is served. Where the order denies relief to the moving party, the order shall be effective on the date it is served.

\*\*\*\*\*

**DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL**

(Separate Mailings)

In the Matter of the Accusation Against: Mark Wesley Forster

Agency Case No. 2656

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 22, 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:

**Mark Wesley Forster**  
**Post Office Box 803**  
**Carefree, Arizona 85377**  
**7160 3901 9848 0074 7376**

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 22, 2003, at Sacramento, California.

B. L. Hampton

Typed Name



Signature

Courtesy Copy: Board of Pharmacy - proof of service only

**Certified Article Number**

**7160 3901 9848 0074 7376**

**SENDERS RECORD**

**7160 3901 9848 0074 7376**

**TO:** Mark Wesley Forster  
Post Office Box 803  
Carefree, AZ 85377

**SENDER:** Ronald L. Diedrich, DAG

**REFERENCE:** 03583-110-SA2003102065

PS Form 3800, June 2000

RETURN RECEIPT SERVICE	Postage	
	Certified Fee	
	Return Receipt Fee	
	Restricted Delivery	
	Total Postage & Fees	

US Postal Service

**Receipt for  
Certified Mail**

No Insurance Coverage Provided  
Do Not Use for International Mail

POSTMARK OR DATE

2. Article Number



**7160 3901 9848 0074 7376**

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) <i>LINDA FORSTER</i>	B. Date of Delivery <i>7/24/03</i>
C. Signature <i>Linda Forster</i>	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input type="checkbox"/> No



3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)  Yes

1. Article Addressed to:

Mark Wesley Forster  
Post Office Box 803  
Carefree, AZ 85377

03583-110-SA2003102065-ACC

Ronald L. Diedrich, DAG