BILL LOCKYER, Attorney General
of the State of California
KATHLEEN B.Y. LAM, State Bar No. 95379
Deputy Attorney General
California Department of Justice
110 West "A" Street, Suite 1100
San Diego, CA 92101

P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 645-2091
Facsimile: (619) 645-2061

Attorneys for Complainant

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

In the Matter of the Accusation/Petition to Revoke Probation Against: CHRISTIANA ANN ROACH, R.P.H. 10380 Maya Linda Road #C206 San Diego, CA 92126 and 6035 W. Berenice Avenue Chicago, IL 60634-2540 Pharmacist License No. RPH 49859 Respondent.	Case No. 2957 OAH No. L-2004110082 **DEFAULT DECISION AND ORDER** [Gov. Code, §11520]

FINDINGS OF FACT

1. On or about April 24, 2006, Complainant Patricia F. Harris, in her official capacity as the Executive Officer of the Board of Pharmacy ("Board"), filed Accusation and Petition to Revoke Probation No. 2957 against CHRISTIANA ANN ROACH, R.P.H. ("Respondent") before the Board of Pharmacy.

2. On or about September 15, 1997, the Board of Pharmacy ("Board") issued Pharmacist License No. RPH 49859 to Respondent. The license expires on April 30, 2007, unless renewed.

3. On or about May 3, 2006, Mona Sebastian, an employee of the Department of Justice, served by Certified and First Class Mail a copy of Accusation and Petition to Revoke Probation No. 2957, Statement to Respondent, Notice of Defense, Request for Discovery, and Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board, which was and is 10380 Maya Linda Road #C206, San Diego, CA. A copy of the Accusation and Petition to Revoke Probation, the related documents, and Declaration of Service are attached as Exhibit "A," and are incorporated herein by reference.

4. Service of the Accusation and Petition to Revoke Probation was effective as a matter of law under the provisions of Government Code section 11505, subdivision (c).

5. On or about May 31, 2006, the Accusation packet sent by Certified Mail was returned by the U.S. Postal Service marked "Unclaimed." A copy of the postal returned documents are attached hereto as Exhibit "B," and are incorporated herein by reference. A new address for Ms. Roach of 6035 W. Berenice Avenue, Chicago, IL 60634-2540 was noted on the envelope.

6. On or about June 8, 2006, the Accusation packet was sent by Certified and First Class Mail to Ms. Roach at the address noted by the U.S. Postal Service, namely 6035 W. Berenice Avenue, Chicago, IL 60634-2540.

7. On or about June 19, 2006, the Accusation packet mailed first class was returned by the U.S. Postal Service with a handwritten notation "Return to Sender." A copy of the returned envelope is attached as Exhibit "C," and incorporated herein by reference.

8. On or about July 3, 2006, the Accusation packet mailed by Certified Mail was returned by the U.S. Postal Service marked "Unclaimed." A copy of the returned envelope is attached as Exhibit "D," and incorporated herein by reference.

9. Government Code section 11506 states, in pertinent part:

"(c) The respondent shall be entitled to a hearing on the merits if the respondent files a notice of defense, and the notice shall be deemed a specific denial of all 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."

10. Respondent failed to file a Notice of Defense within 15 days after service upon her of the Accusation and Petition to Revoke Probation, and therefore waived her right to a hearing on the merits of Accusation and Petition to Revoke Probation No. 2957.

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

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

12. Pursuant to its authority under Government Code section 11520, the Board of Pharmacy finds Respondent is in default. The Board will take action without further hearing and, based on Respondent's express admissions by way of default and the evidence before it, contained in exhibits A, B, C, and D, finds that the allegations in Accusation and Petition to Revoke Probation No. 2957 are true.

12. The total costs for investigation and enforcement are $1,606.00 as of August 2, 2006.

DETERMINATION OF ISSUES

1. Based on the foregoing findings of fact, Respondent CHRISTIANA ANN ROACH, R.P.H. has subjected her Pharmacist License No. RPH 49859 to discipline.

2. A copy of the Accusation and Petition to Revoke Probation and the related documents and Declarations of Service are attached.

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

4. The Board is authorized to revoke Respondent's Pharmacist License based upon the following violations alleged in the Accusation and Petition to Revoke Probation:

a. Business and Professions Code section 4301(h) - use of dangerous drugs;

b. California Code of Regulations, Title 16, Section 1773 - failure to complete the Pharmacists Recovery Program (PRP) while on probation;

///

c. California Code of Regulations, Title 16, Section 1773 - failure to participate in random drug screening while on probation; and

d. California Code of Regulations, Title 16, Section 1773 - failure to abstain from drug use while on probation.

ORDER

IT IS SO ORDERED that Pharmacist License No. RPH 49859, heretofore issued to Respondent CHRISTIANA ANN ROACH, R.P.H., 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 15, 2006.

It is so ORDERED October 16, 2006.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By William Powers
WILLIAM POWERS
Board President

80084594.wpd
DOJ docket number:SD2005800390

Attachments:

Exhibit A: Accusation and Petition to Revoke Probation No.2957, Related Documents, and Declaration of Service
Exhibit B: Postal Return Documents (May 31, 2006 Service)
Exhibit C: Postal Return Documents (June 19, 2006 Service - 1st Class)
Exhibit D: Postal Return Documents (June 19, 2006 Service - Certified Mail)

Exhibit A

Accusation/Petition to Revoke Probation No. 2957,
Related Documents and Declaration of Service

ERRATA

Corrections to Exhibit A
Accusation/Petition to Revoke Probation No. 2957

Exhibit A, the Accusation/Petition to Revoke Probation No. 2957, as served May 31, 2006 and June 8, 2006, contains references to the underlying disciplinary action entitled "In the Matter of the Accusation against Christiana Ann Roach" which, pursuant to a decision of the Board of Pharmacy effective May 27, 2005, revoked Respondent's Pharmacist License but stayed revocation in favor of probation for five (5) years. Those references mistakenly use the Board of Pharmacy case number for the present disciplinary action (2957) rather than the first case number (2593). This clerical error is hereby corrected as part of the Board's Default Decision and Order. This Errata page shall become part of Respondent's disciplinary history with the Board. For the purposes of correcting the record, the following changes are hereby made to Exhibit A:

Page 1, Line 28: Substitute "2593 " for "2957"
Page 4, Line 28: Substitute "2593 " for "2957"
Page 7, Line 10: Substitute "2593 " for "2957"

BILL LOCKYER, Attorney General
of the State of California
KATHLEEN B.Y. LAM, State Bar No. 95379
Deputy Attorney General
California Department of Justice
110 West "A" Street, Suite 1100
San Diego, CA 92101

P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 645-2091
Facsimile: (619) 645-2061

Attorneys for Complainant

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

In the Matter of the Accusation and Petition to Revoke Probation Against: CHRISTIANA ANN ROACH 10380 Maya Linda Road #C206 San Diego, California 92126 Pharmacist License No. RPH 49859 Respondent.	Case No. 2957 **ACCUSATION AND PETITION TO REVOKE PROBATION**

Complainant alleges:

PARTIES

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

2. On or about September 15, 1997, the Board of Pharmacy issued Pharmacist License No. RPH 49859 to Christiana Ann Roach ("Respondent"). The license was in effect at all times relevant to the charges brought herein, and will expire on April 30, 2007, unless renewed.

3. In a disciplinary action entitled "In the Matter of Accusation against Christiana Ann Roach," Case No. 2957, the Board of Pharmacy issued a decision, effective

May 27, 2005, in which Respondent's Pharmacist License was revoked. However, the revocation was stayed and Respondent's license was placed on probation for a period of five (5) years with certain terms and conditions. A copy of that decision is attached as Exhibit A and is incorporated by reference.

JURISDICTION

4. This Petition to Revoke Probation is brought before the Board of Pharmacy ("Board"), Department of Consumer Affairs under the authority of the below mentioned statutes and regulations.[1]

5. Section 4300 of the Code 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 on 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.

" . . .

"(e) The proceedings under this article shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of the Government Code, and the board shall have all the powers granted therein. The action shall be final, except that the propriety of the action is

---

1. All statutory references are to the Business and Professions Code (Code) unless otherwise indicated.

subject to review by the superior court pursuant to Section 1094.5 of the Code of Civil Procedure."

6. Section 4301 of the Code states in pertinent part:

"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:

" . . .

"(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.

" . . . "

7. Section 125.3 of the Code states, in pertinent part, that 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,

8. Health and Safety Code section 11055 states that Hydromorphone is an opiate and classified as a Schedule II Controlled Substance.

9. California Code of Regulations, title 16, section 1773, states in pertinent part:

"(a) Unless otherwise directed by the Board in its sole discretion, any pharmacist who is serving a period of probation shall comply with the following conditions:

"(1) Obey all laws and regulations substantially related to the practice of Pharmacy;

"(2) Report to the Board or its designee quarterly either in person or in writing as directed; the report shall include the name and address of the probationer's employer. If the final probation report is not made as directed, the period of probation shall be extended until such time as the final report is made;

" . . .

"(b) If ordered by the Board in an administrative action or agreed upon in the stipulated settlement of an administrative action, any registered pharmacist who is serving a period of probation shall comply with any or all of the following conditions:

" . . .

"(3) Allow the Board to obtain samples of blood or urine (at the pharmacist's option) for analysis at the pharmacist's expense, if the need for such a procedure is indicated by the circumstances leading to the violation and is directed by the Board:

" . . ."

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Use of Dangerous Drugs)

10. Respondent is subject to disciplinary action under section 4301(h) in that she used dangerous drugs in a manner dangerous or injurious to herself or another person or to the public, or to the extent that such use impaired her ability to conduct with safety to the public the practice authorized by her license, in that on or around August 24, 2005, Respondent used opiates (hydromorphone), which was discovered during a drug screening conducted while Respondent was participating in the Pharmacist Recovery Program.

OTHER MATTERS

11. In order to determine the degree of penalty, if any, to be imposed on Respondent, Complainant alleges that on April 27, 2005, the Board adopted Decision and Order No. 2957, effective May 27, 2005, revoking Pharmacist License No. RPH 49859, issued to

Respondent, for violation of Business and Professions Code sections 4301, 4060, and 490.

PETITION TO REVOKE PROBATION

12. The allegations in paragraphs 1 through 11 are incorporated herein by reference, as if fully set forth at this point.

FIRST CAUSE TO REVOKE PROBATION

(Failure to Complete the Pharmacists Recovery Program)

13. At all times after the effective date of Respondent's probation, Condition 17 stated:

"**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."

14. Respondent's probation is subject to revocation in that she failed to comply with Probation Condition 17, referenced above, in that on or about August 31, 2005, Respondent sent a letter to the PRP indicating she was withdrawing from the program. Subsequently, on or about September 16, 2005, Respondent was terminated from the Pharmacists Recovery Program.

SECOND CAUSE TO REVOKE PROBATION

(Failure to Participate in Random Drug Screening)

15. At all times after the effective date of Respondent's probation, Condition 18 stated:

"**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 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."

16. Respondent's probation is subject to revocation because she failed to comply with Probation Condition 18, referenced above, in that she failed to submit to random body fluid tests on the following dates: August 13, 2005; August 16, 2005; and August 30, 2005.

THIRD CAUSE TO REVOKE PROBATION

(Failure to Abstain from Drug Use)

17. At all times after the effective date of Respondent's probation, Condition 19 stated:

"**Abstain from Drugs and Alcohol Use.** Respondent shall completely abstain from the possession or use of alcohol, 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. Respondent's probation is subject to revocation because she failed to comply with Probation Condition 19, referenced above, in that on or around August 25, 2005, Respondent used Opiates (Hydromorphone), a Schedule II controlled substance, discovered during a drug screening conducted that day while Respondent was participating in the Pharmacist Recovery Program.

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 the probation that was granted by the Board of Pharmacy in Case No. 2957 and imposing the disciplinary order that was stayed thereby revoking Pharmacist License No. RPH 49859 issued to Christiana Ann Roach;

2. Revoking or suspending Pharmacist License No. RPH 49859, issued to Christiana Ann Roach;

3. Ordering Christiana Ann Roach 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

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

DATED: 4/24/06

P. F. Harris

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

70052594.wpd
3/7/2006

Exhibit A

Decision and Order
Board of Pharmacy Case No. 2593

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

In the Matter of the Accusation Against: CHRISTIANA ANN ROACH 10380 Maya Linda Road, Apt. C-206 San Diego, CA 92126 Pharmacist License No. RPH 49859 Respondent.	Case No. 2593 OAH No. L-2004110082

DECISION AND ORDER

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

This Decision shall become effective on May 27, 2005.

It is so ORDERED April 27, 2005.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By

STANLEY W. GOLDENBERG
Board President

BILL LOCKYER, Attorney General
of the State of California
KATHLEEN B.Y. LAM, State Bar No. 95379
Deputy Attorney General
California Department of Justice
110 West "A" Street, Suite 1100
San Diego, CA 92101

P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 645-2091
Facsimile: (619) 645-2061

Attorneys for Complainant

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

In the Matter of the Accusation Against: CHRISTIANA ANN ROACH 10380 Maya Linda Road, Apt. C-206 San Diego, CA 92126 Pharmacist License No. RPH 49859 Respondent.	Case No. 2593 OAH No. L-2004110082 **STIPULATED SETTLEMENT AND DISCIPLINARY ORDER**

In the interest of a prompt and speedy settlement of this matter, consistent with the public interest and the responsibility of the Board of Pharmacy ("Board"), the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will be submitted to the Board for approval and adoption as the final disposition of the Accusation.

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 Kathleen B.Y. Lam, Deputy Attorney General.

2. Respondent CHRISTIANA ANN ROACH ("Respondent") is represented in this proceeding by attorney M. Gayle Askren, Esq., whose address is 1224 Tenth Street, #206, Coronado, California 92118-3420.

3. On or about September 15, 1997, the Board of Pharmacy issued Pharmacist License No. RPH 49859 to CHRISTIANA ANN ROACH ("Respondent"). The license expired on April 30, 2003, and has not been renewed.[1]

JURISDICTION

4. Accusation No. 2593 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on June 28, 2004. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2593 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. 2593. 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.

//

///

---

[1]On December 5, 2002, Respondent was prohibited from practicing as a pharmacist pursuant to Penal Code section 23, while on pretrial O.R. release or while on bail pending resolution of charges filed against her in *People of the State of California* v. *Christiana Ann Roach*, San Diego County Superior Court Case No. CD170485.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2593.

9. 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.

CONTINGENCY

10. 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.

11. 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. RPH 49859 issued to Respondent CHRISTIANA ANN ROACH ("Respondent") is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions.

1. **Actual Suspension - Pharmacist.** Pharmacist License No.RPH 49859, issued to Respondent Christiana Ann Roach is suspended for a period of two (2) years. However, Respondent shall be given credit for the time her pharmacist license was suspended by the Superior Court in *People of the State of California* v. *Christiana Ann Roach*, San Diego County Superior Court Case No. CD 170485. In addition, Respondent cannot practice as a pharmacist without the approval of the Pharmacist Recovery Program ("PRP").

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 she 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 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.

3. **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.

4. **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.

5. **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.

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

7. **Notice to Employers.** Respondent shall notify all present and prospective employers of the decision in Case No. 2593, 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 No. 2593.

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 No. 2593 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.

8. **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.

9. **Reimbursement of Board Costs.** Respondent shall pay to the Board its costs of investigation and prosecution in the amount of $6,573. Respondent shall pay said costs on a quarterly basis.

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

10. **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.

11. **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 cancelled 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.

12. **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.

13. **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.

14. **Tolling of Probation.** Should Respondent, regardless of residency, for any reason cease practicing pharmacy for a minimum of forth (40) 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.

15. **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.

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.

16. **Completion of Probation.** Upon successful completion of probation,

Respondent's license will be fully restored.

17. **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.

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 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.

19. **Abstain from Drugs and Alcohol Use.** Respondent shall completely abstain from the possession or use of alcohol, 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.

20. **Supervised Practice.** Respondent shall practice only under the supervision of a pharmacist not on probation with the Board. Respondent shall not practice until the supervisor is approved by the Board. The supervision shall be, as required by the Board, either:

Continuous - 75% to 100% of a work week

Substantial - At least 50% of a work week

Partial - At least 25% of a work week

Daily Review - Supervisor's review of probationer's daily activities within 24 hours

Within 30 days of the effective date of this decision, Respondent shall have her supervisor submit notification to the Board in writing stating the supervisor has read the decision in Case No. 2593 and is familiar with the level of supervision as determined by the Board.

If Respondent changes employment, Respondent shall have her new supervisor, within 15 days after employment commences, submit notification to the Board in writing stating the direct supervisor and pharmacist-in-charge have read the decision in Case No. 2593 and is familiar with the level of supervision as determined by the Board.

Within 10, days of leaving employment, Respondent shall notify the Board in writing.

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

22. **Tolling of Suspension.** If Respondent leaves California to reside or practice outside this state, for any period exceeding 10 days (including vacation), Respondent must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside the state - or any absence exceeding a period of 10 days shall not apply to the reduction of the suspension period.

Respondent shall not practice pharmacy upon returning to this state until notified by the Board that the period of suspension has been completed.

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, M.Gayle Askren, 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: 3/21/05.

CHRISTIANA ANN ROACH
Respondent

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

DATED: 3/21/05.

M. GAYLE ASKREN, Esq.
Attorney for Respondent

ORIGINAL

ENDORSEMENT

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

DATED: 3/22/05.

BILL LOCKYER, Attorney General
of the State of California

KATHLEEN B.Y. LAM
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: SD2002AD0872
KBL:dim
70014675.wpd

BILL LOCKYER, Attorney General
of the State of California
KATHLEEN B.Y. LAM, State Bar No. 95379
Deputy Attorney General
California Department of Justice
110 West "A" Street, Suite 1100
San Diego, CA 92101

P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 645-2091
Facsimile: (619) 645-2061

Attorneys for Complainant

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

In the Matter of the Accusation/ Petition to Revoke Probation Against: CHRISTIANA ANN ROACH, R.P.H. Respondent.	Case No. 2957 **REQUEST FOR DISCOVERY** [Gov. Code § 11507.6]

TO RESPONDENT:

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

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

1. Provide the names and addresses of witnesses to the extent known to the Respondent, including, but not limited to, those intended to be called to testify at the hearing, and

2. Provide an opportunity for the Complainant to inspect and make a copy of any of the following in the possession or custody or under control of the Respondent:

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 persons;

c. Statements of witnesses then proposed to be called by the Respondent 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 Respondent now proposes to offer in evidence;

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

f. Investigative reports made by or on behalf of the Respondent 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 Request for Discovery, "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.

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

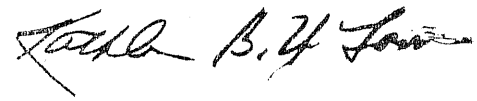
///

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/Petition to Revoke Probation.

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: May 3, 2006.

BILL LOCKYER, Attorney General
of the State of California



KATHLEEN B.Y. LAM
Deputy Attorney General

Attorneys for Complainant

80072760.wpd

BILL LOCKYER, Attorney General
of the State of California
KATHLEEN B.Y. LAM, State Bar No. 95379
Deputy Attorney General
California Department of Justice
110 West "A" Street, Suite 1100
San Diego, CA 92101

P.O. Box 85266
San Diego, CA 92186-5266
Telephone: (619) 645-2091
Facsimile: (619) 645-2061

Attorneys for Complainant

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

In the Matter of the Accusation/ Petition to Revoke Probation Against: CHRISTIANA ANN ROACH, R.P.H. Respondent.	Case No. 2957 **STATEMENT TO RESPONDENT** [Gov. Code §§ 11504, 11505(b)]

TO RESPONDENT:

Enclosed is a copy of the Accusation/Petition to Revoke Probation that has been filed with the Board of Pharmacy, and which is hereby served on you.

Unless a written request for a hearing signed by you or on your behalf is delivered or mailed to the Board of Pharmacy within fifteen (15) days after a copy of the Accusation/ Petition to Revoke Probation was personally served on you or mailed to you, you will be deemed to have waived your right to a hearing in this matter and the Board may proceed upon the Accusation/Petition to Revoke Probation without a hearing and may take action thereon as provided by law.

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

Kathleen B.Y. Lam
Deputy Attorney General
110 West "A" Street, Suite 1100
San Diego, CA 92101

P.O. Box 85266
San Diego, CA 92186-5266

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

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

If you file any Notice of Defense within the time permitted, a hearing will be held on the charges made in the Accusation/Petition to Revoke Probation.

The hearing may be postponed for good cause. If you have good cause, you are obliged to notify the Office of Administrative Hearings, 1350 Front Street, Suite 6022, San Diego, California 92101, within ten (10) working days after you discover the good cause. Failure to notify the Office of Administrative Hearings within ten (10) days will deprive you of a postponement.

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

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

///

///

///

NOTICE REGARDING STIPULATED SETTLEMENTS

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

Any stipulation must be consistent with the Board's established disciplinary guidelines; however, all matters in mitigation or aggravation will be considered. A copy of the Board's Disciplinary Guidelines will be provided to you on your written request to the state agency bringing this action.

If you are interested in pursuing this alternative to a formal administrative hearing, or if you have any questions, you or your attorney should contact Deputy Attorney General Kathleen B.Y. Lam at the earliest opportunity.

******

SD2005800390

80072760.wpd

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

In the Matter of the Accusation/ Petition to Revoke Probation Against: CHRISTIANA ANN ROACH, R.P.H. Respondent.	Case No. 2957 **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/Petition to Revoke Probation; 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/Petition to Revoke Probation.

DATED: _____

Respondent's Name _____

Respondent's Signature _____

Respondent's Mailing Address _____

City, State and Zip Code _____

Respondent's Telephone Number _____

Check appropriate box:

☐ I do not consent to electronic reporting.

The hearing in this case will be electronically reported/recorded, unless you check the above-left box to indicate that you do not consent to electronic recording, in which case the hearing will be reported by a stenographic reporter. If you do not check this box, you may withdraw your consent to electronic recording at any point up to fifteen (15) calendar days prior to the date set for hearing, by a written statement served on the Office of Administrative Hearings and on counsel for Complainant. If the box is not checked, and no written withdrawal of consent is served on the Office of Administrative Hearing and on counsel for Complainant by fifteen (15) calendar days prior to the hearing, you waive any right to stenographic reporting.

☐ 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/Petition to Revoke Probation 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.

80072760.wpd

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

In the Matter of the Accusation/ Petition to Revoke Probation Against: CHRISTIANA ANN ROACH, R.P.H. Respondent.	Case No. 2957 **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/Petition to Revoke Probation; 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/Petition to Revoke Probation.

DATED: _____

Respondent's Name _____

Respondent's Signature _____

Respondent's Mailing Address _____

City, State and Zip Code _____

Respondent's Telephone Number _____

Check appropriate box:

☐ I do not consent to electronic reporting.

The hearing in this case will be electronically reported/recorded, unless you check the above-left box to indicate that you do not consent to electronic recording, in which case the hearing will be reported by a stenographic reporter. If you do not check this box, you may withdraw your consent to electronic recording at any point up to fifteen (15) calendar days prior to the date set for hearing, by a written statement served on the Office of Administrative Hearings and on counsel for Complainant. If the box is not checked, and no written withdrawal of consent is served on the Office of Administrative Hearing and on counsel for Complainant by fifteen (15) calendar days prior to the hearing, you waive any right to stenographic reporting.

☐ 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/Petition to Revoke Probation 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.

80072760.wpd

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.

****

80072760.wpd

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

Case Name: In the Matter of the Accusation and Petition to Revoke Probation Against: **CHRISTIANA ANN ROACH**

Case No. **2957**
No.: **L-2004110082**

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 **May 3, 2006**, I served the attached

ACCUSATION AND PETITION TO REVOKE PROBATION; STATEMENT TO RESPONDENT; REQUEST FOR DISCOVERY; NOTICE OF DEFENSE (2 COPIES); 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 AND PETITION TO REVOKE PROBATION; STATEMENT TO RESPONDENT; REQUEST FOR DISCOVERY; NOTICE OF DEFENSE (2 COPIES); 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 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

Christiana Ann Roach
10380 Maya Linda Road, Apt. C-206
San Diego, CA 92126

Certified Article Number
7160 3901 9849 3220 1470
SENDERS RECORD

COURTESY COPY TO:
Kim DeLong, Enforcement Analyst
Board of Pharmacy
400 R Street, Suite 4070
Sacramento, California 95814

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 **May 3, 2006**, at San Diego, California.

MONA S. SEBASTIAN
Declarant

Signature

80072834.wpd

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

Case Name: In the Matter of the Accusation and Petition to Revoke Probation Against: **CHRISTIANA ANN ROACH**

Case No. **2957**
No.: **L-2004110082**

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 **June 8, 2006**, I served the attached

ACCUSATION AND PETITION TO REVOKE PROBATION; STATEMENT TO RESPONDENT; REQUEST FOR DISCOVERY; NOTICE OF DEFENSE (2 COPIES); 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 AND PETITION TO REVOKE PROBATION; STATEMENT TO RESPONDENT; REQUEST FOR DISCOVERY; NOTICE OF DEFENSE (2 COPIES); 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 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

Christiana Ann Roach
6035 W. Berenice Avenue
Chicago, IL 60634-2540

Certified Article Number
7106 4575 1294 3322 9785
SENDERS RECORD

COURTESY COPY TO:
Kim DeLong, Enforcement Analyst
Board of Pharmacy
1625 North Market Boulevard, Ste. N-219
Sacramento, California 95834

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 **June 8, 2006**, at San Diego, California.

MONA S. SEBASTIAN
Declarant

Signature

80077812.wpd

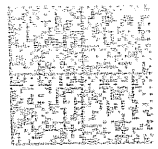
Exhibit B

Postal Return Documents (May 31, 2006 Service)

CERTIFIED MAIL

7160 3901 9849 3220 1470

RETURN RECEIPT REQUESTED



Hasler

06H26502775

$06.08[9]

05/03/2006

Mailed From 92101

US POSTAGE

1st NOTICE _____

2nd NOTICE 5/13

FINAL NOTICE 5/23/06

DEPARTMENT OF JUSTICE

KATHLEEN B.Y. LAM

Office of the Attorney General
110 West "A" Street, Suite 1100
San Diego, California 92101

TO

Christiana Ann Roach

ROAC380 92M263069 1106 44 05/05/06
NOTIFY SENDER OF NEW ADDRESS
ROACH'CHRISTIANA A
6035 W BERENICE AVE
CHICAGO IL 60634-2540

[redacted]

UNCLAIMED

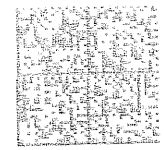
UNCLAIMED

UNCLAIMED

N/C
5-8-06
CS

Exhibit C

Postal Return Documents (June 19, 2006 Service - 1st Class)



016H26502775

$01.83⁰

06/08/2006

Mailed From 92101

US POSTAGE

Hasler

Return to Sender

KATHLEEN B.Y. LAM

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
OFFICE OF ATTORNEY GENERAL
110 WEST A STREET, SUITE 1100
P.O. BOX 85266
SAN DIEGO, CA 92186-5266

Christiana Ana Roa
6035 W. Berenice
Chicago, IL 60634-2540

Exhibit D

Postal Return Documents (June 19, 2006 Service - Certified Mail)

RETURN RECEIPT REQUESTED

KATHLEEN B.Y. LAM

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE
OFFICE OF ATTORNEY GENERAL
110 WEST A STREET, SUITE 1100
P.O. BOX 85266
SAN DIEGO, CA 92186-5266

SCAN BEFORE DELIVERY

Christiana Kim Roach
6035 W. Berenice Avenue
Chicago IL 60634-2540

UNCLAIMED

1st NOTICE
2nd NOTICE 6/22
FINAL NOTICE 6/27/04

NL
6-12-06
CIS

UNCLAIMED