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

In the Matter of the Accusation Against:

WALDO R. PASACHE

Respondent.

Case No. 3345

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about June 12, 2009, Complainant Virginia Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 3345 against Waldo R. Pasache (Respondent) before the Board of Pharmacy.
2. On or about November 9, 2007, the Board of Pharmacy (Board) issued Pharmacy Technician License No. TCH 79340 to Respondent. The License was in full force and effect at all times relevant to the charges brought herein, and will expire on May 31, 2011 if not renewed.
3. On or about June 19, 2009 Wallace Greene, an employee of the Department of Justice, served by Certified and First Class Mail a copy of the Accusation No. 3345, a Statement to Respondent, two copies of a form Notice of Defense, a Request for Discovery, and copies of Government Code sections 11507.5., 11507.6 and 11507.7 to Respondent's address of record with the Board: 1519 44th Avenue, San Francisco, CA 94122. Copies of the Accusation and service materials are attached as exhibit A, and are incorporated herein by reference.

1 b. In violation of Business and Professions Code sections 4301(j) and/or (o), and/or
2 Health and Safety Code section(s) 11170 and/or 11550, in or around September 2008
3 Respondent, self-administered/used, conspired to self-administer/use, and/or assisted in/abetted
4 self-administration/use of a controlled substance, without prescription.

5 c. In violation of Business and Professions Code section 4301 (j) and/or (o) and/or
6 section 4059 of the Code, and/or Health and Safety Code section(s) 11170 and/or 11550, in or
7 around September 2008 Respondent furnished and/or conspired to furnish, and/or assisted or
8 abetted furnishing, without prescription, of a controlled substance.

9 d. In violation of Business and Professions Code section 4301 (j) and/or (o) and/or
10 section 4060 of the Code, and/or Health and Safety Code section 11357 and/or 11377 in or
11 around September 2008 Respondent possessed, conspired to possess, and/or assisted in or abetted
12 possession of one or more controlled substances.

13 e. In violation of Business and Professions Code section 4301, by way of the actions
14 described in paragraph(s) 4(a) through 4(d) above, Respondent engaged in unprofessional
15 conduct.

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ORDER

IT IS SO ORDERED that Pharmacy Technician Registration No. TCH 79340, heretofore issued to Respondent Waldo R. Pasache, 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 February 10, 2010.

It is so ORDERED January 11, 2010.

Kenneth H. Schell

KENNETH H. SCHELL, BOARD PRESIDENT
FOR THE BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS

Attachment: Exhibit A: Accusation No. 3345

Exhibit A
Accusation Packet No. 3345 and Service Documents

1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JOSHUA A. ROOM
Deputy Attorney General
4 State Bar No. 214663
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1299
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against,
11 **WALDO R. PASACHE**
12 1519 44th Avenue
San Francisco, California 94122

Case No. 3345

13 Pharmacy Technician
14 License No. TCH 79340

ACCUSATION

15 Respondent.

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18 Complainant alleges:

19 PARTIES

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

22 2. On or about November 9, 2007, the Board of Pharmacy issued Pharmacy Technician
23 License No. TCH 79340 to Waldo R. Pasache (Respondent). The License was in full force and
24 effect at all times relevant to the charges herein and will expire on May 31, 2009, unless renewed.

25 JURISDICTION

26 3. This Accusation is brought before the Board of Pharmacy (Board), Department of
27 Consumer Affairs, under the authority of the following laws. All section references are to the
28 Business and Professions Code (Code) unless otherwise indicated.

1 8. Section 4059 of the Code, in pertinent part, prohibits furnishing of any dangerous
2 drug or dangerous device except upon the prescription of an authorized prescriber.

3 9. Section 4060 of the Code provides, in pertinent part, that no person shall possess any
4 controlled substance, except that furnished upon a valid prescription/drug order.

5 10. Health and Safety Code section 11170 provides that no person shall prescribe,
6 administer, or furnish a controlled substance for himself or herself.

7 11. Health and Safety Code section 11357, in pertinent part, makes it unlawful for any
8 person to possess **marijuana** or concentrated cannabis.

9 12. Health and Safety Code section 11377, in pertinent part, makes it unlawful to possess
10 any controlled substance in Schedule II, subdivision (d), without a prescription.

11 13. Health and Safety Code section 11550, in pertinent part, makes it unlawful for any
12 person to use or be under the influence of any controlled substance in Schedule II (Health and
13 Safety Code section 11055), subdivision (d)(1) or (d)(2), or any narcotic drug in Schedules III-V,
14 except when administered by or under the direction of an authorized licensee.

15 14. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
16 administrative law judge to direct a licentiate found to have committed a violation of the licensing
17 act to pay a sum not to exceed its reasonable costs of investigation and enforcement.

18 CONTROLLED SUBSTANCES / DANGEROUS DRUGS

19 15. Section 4021 of the Code provides that a "controlled substance" is any substance
20 listed in Division 10, Chapter 2 (Section 11053 et seq.) of the Health and Safety Code.

21 16. Section 4022 of the Code states, in pertinent part:

22 "‘Dangerous drug’ or ‘dangerous device’ means any drug or device unsafe for self use,
23 except veterinary drugs that are labeled as such, and includes the following:

24 “(a) Any drug that bears the legend: ‘Caution: federal law prohibits dispensing without
25 prescription,’ ‘Rx only,’ or words of similar import.

26
27 “(c) Any other drug or device that by federal or state law can be lawfully dispensed only on
28 prescription or furnished pursuant to Section 4006.”

1 THIRD CAUSE FOR DISCIPLINE

2 (Furnishing of Controlled Substance)

3 23. Respondent is subject to discipline under section 4301(j) and/or (o) and/or section
4 4059 of the Code in that Respondent, as described in paragraph 20, furnished and/or conspired to
5 furnish, and/or assisted or abetted furnishing, without prescription, of a controlled substance.
6

7 FOURTH CAUSE FOR DISCIPLINE

8 (Possession of Controlled Substance)

9 24. Respondent is subject to discipline under section 4301(j) and/or (o) and/or section
10 4060 of the Code, and/or Health and Safety Code section 11357 and/or 11377, in that
11 Respondent, as described in paragraph 20, possessed, conspired to possess, and/or assisted in or
12 abetted possession of one or more controlled substances.
13

14 FIFTH CAUSE FOR DISCIPLINE

15 (Unprofessional Conduct)

16 25. Respondent is subject to discipline under section 4301 of the Code in that
17 Respondent, as described in paragraphs 20 to 24 above, engaged in unprofessional conduct.
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22 PRAYER

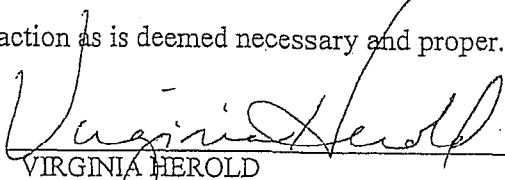
23 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
24 and that following the hearing, the Board of Pharmacy issue a decision:

- 25 1. Revoking or suspending Pharmacy Technician License Number TCH 79340, issued
26 to Waldo R. Pasache (Respondent);
- 27 2. Ordering Respondent to pay the Board of Pharmacy reasonable costs of investigation
28 and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

DATED: 6/12/09



VIRGINIA HEROLD
Executive Officer
Board of Pharmacy
Department of Consumer Affairs
State of California
Complainant

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1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JOSHUA A. ROOM
Deputy Attorney General
4 State Bar No. 214663
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1299
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 3345

11 **WALDO R. PASACHE**

STATEMENT TO RESPONDENT

12 Respondent.

[Gov. Code §§ 11504, 11505(b)]

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15 **TO RESPONDENT:**

16 Enclosed is a copy of the Accusation that has been filed with the Board of Pharmacy of the
17 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 or
19 mailed to the Board, represented by Deputy Attorney General Joshua A. Room, within fifteen
20 (15) days after a copy of the Accusation was personally served on you or mailed to you, you will
21 be deemed to have waived your right to a hearing in this matter and the Board may proceed upon
22 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 forms
24 entitled "Notice of Defense," or by delivering or mailing a Notice of Defense as provided in
25 section 11506 of the Government Code, to

26
27 **Joshua A. Room**
Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
28 **San Francisco, California 94102**

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

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

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

8 The hearing may be postponed for good cause. If you have good cause, you are obliged to
9 notify the Office of Administrative Hearings, 1515 Clay Street, Suite 206, Oakland, CA 94612,
10 within ten (10) working days after you discover the good cause. Failure to notify the Office of
11 Administrative Hearings within ten (10) days will deprive you of a postponement.

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

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

17 **NOTICE REGARDING STIPULATED SETTLEMENTS**

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

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

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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 Joshua A. Room at the earliest opportunity

Dated: June 19, 2009

Respectfully Submitted,
EDMUND G. BROWN JR.
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General


JOSHUA A. ROOM
Deputy Attorney General
Attorneys for Complainant

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

In the Matter of the Accusation Against:

Case No. 3345

WALDO R. PASACHE

Respondent.

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: _____

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

In the Matter of the Accusation Against:

Case No. 3345

WALDO R. PASACHE

Respondent.

NOTICE OF DEFENSE

[Gov. Code §§ 11505 and 11506]

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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:	_____

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 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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1 EDMUND G. BROWN JR.
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JOSHUA A. ROOM
Deputy Attorney General
4 State Bar No. 214663
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-1299
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
BOARD OF PHARMACY
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 3345

11 WALDO R. PASACHE

REQUEST FOR DISCOVERY

12 Respondent.
13

14 TO RESPONDENT:

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

19
20 PURSUANT TO SECTION 11507.6 OF THE GOVERNMENT CODE, YOU ARE
21 HEREBY REQUESTED TO:

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

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

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

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

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

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

17
18 For the purpose of this Request for Discovery, "statements" include written statements by
19 the person, signed, or otherwise authenticated by him or her, stenographic, mechanical, electrical
20 or other recordings, or transcripts thereof, of oral statements by the person, and written reports or
21 summaries of these oral statements.

22
23 YOU ARE HEREBY FURTHER NOTIFIED that nothing in this Request for Discovery
24 should be deemed to authorize the inspection or copying of any writing or thing which is
25 privileged from disclosure by law or otherwise made confidential or protected as attorney's work
26 product.

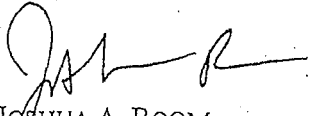
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Your response to this Request for Discovery should be directed to the undersigned attorney for the Complainant at the address on the first page of this Request for Discovery within 30 days after service of the Accusation.

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: June 19, 2009

Respectfully Submitted,
EDMUND G. BROWN JR.
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General


JOSHUA A. ROOM
Deputy Attorney General
Attorneys for Complainant

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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)

Case Name: In The Matter Of The Accusation Against: WALDO R. PASACHE

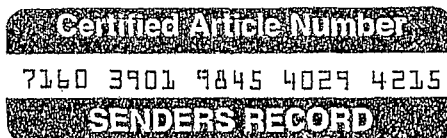
Case No.: 3345

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 19, 2009, I served the attached (1) STATEMENT TO RESPONDENT; (2) ACCUSATION; (3) NOTICE OF DEFENSE [2 copies]; (4) REQUEST FOR DISCOVERY; and (5) GOVERNMENT CODE SECTIONS 11507.5, 11507.6 AND 11507.7 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 (1) STATEMENT TO RESPONDENT; (2) ACCUSATION; (3) NOTICE OF DEFENSE [2 copies]; (4) REQUEST FOR DISCOVERY; and (5) GOVERNMENT CODE SECTIONS 11507.5, 11507.6 AND 11507.7 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 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Waldo R. Pasache
1519 44th Avenue
San Francisco, California 94122
Pro Per



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 19, 2009, at San Francisco, California.

Wallace Greene

Declarant

Wallace Greene

Signature

7110 3901 9845 4029 4215

TO:

Waldo R. Pasache
1519 44th Avenue
San Francisco, California 94122

SENDER: Joshua A. Room

REFERENCE:

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PS Form 3800, January 2005

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