

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

In the Matter of the Accusation Against:

Case No. 3604

**MICHAEL THOMAS EDGINTON**

3920 Lantana Lane

Napa, CA 94558

Pharmacist License No. RPH 27137

Respondent.

**DECISION AND ORDER**

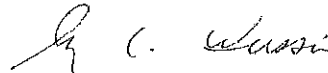
The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This decision shall become effective on October 27, 2011.

It is so ORDERED on September 27, 2011.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

By



\_\_\_\_\_  
STANLEY C. WEISSER  
Board President

1 KAMALA D. HARRIS  
Attorney General of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 JOSHUA A. ROOM  
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*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. 3604

11 **MICHAEL THOMAS EDGINTON**  
12 **3920 Lantana Lane**  
13 **Napa, CA 94558**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

14 **Pharmacist License No. RPH 27137**

15 Respondent.

16 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
17 interest and the responsibility of the Board of Pharmacy of the Department of Consumer Affairs,  
18 the parties hereby agree to the following Stipulated Settlement and Disciplinary Order which will  
19 be submitted to the Board for approval and adoption as the final disposition of the Accusation.

20 **PARTIES**

21 1. Virginia Herold (Complainant), Executive Officer of the Board of Pharmacy, brought  
22 this action solely in her official capacity and is represented in this matter by Kamala D. Harris,  
23 Attorney General of the State of California, by Joshua A. Room, Deputy Attorney General.

24 2. Respondent Michael Thomas Edginton (Respondent) is representing himself in this  
25 proceeding and has chosen not to exercise his right to be represented by counsel.

26 3. On or about June 9, 1971, the Board of Pharmacy issued Pharmacist License No.  
27 RPH 27137 to Michael Thomas Edginton (Respondent). The License was in full force and effect  
28 at all times relevant to the charges herein and will expire on July 31, 2012, unless renewed.

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Respondent shall report any of the following occurrences to the board, in writing, within seventy-two (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 or federal agency which involves respondent's pharmacist license or which is related to the practice of pharmacy or the manufacturing, obtaining, handling, distributing, billing, or charging for any drug, device or controlled substance.

Failure to timely report such occurrence shall be considered a violation of probation.

## **2. Report to the Board**

Respondent shall report to the board quarterly, on a schedule as directed by the board or its designee. The report shall be made either in person or in writing, as directed. Among other requirements, respondent shall state in each report under penalty of perjury whether there has been compliance with all the terms and conditions of probation. Failure to submit timely reports in a form as directed shall be considered a violation of probation. Any period(s) of delinquency in submission of reports as directed may be added to the total period of probation. Moreover, if the final probation report is not made as directed, probation shall be automatically extended until such time as the final report is made and accepted by the board.

## **3. Interview with the Board**

Upon receipt of reasonable prior notice, respondent shall appear in person for interviews with the board or its designee, at such intervals and locations as are determined by the board or its designee. Failure to appear for any scheduled interview without prior notification to board staff, or failure to appear for two (2) or more scheduled interviews with the board or its designee during the period of probation, shall be considered a violation of probation.

1           4.     **Cooperate with Board Staff**

2           Respondent shall cooperate with the board's inspection program and with the board's  
3 monitoring and investigation of respondent's compliance with the terms and conditions of his  
4 probation. Failure to cooperate shall be considered a violation of probation.

5           5.     **Continuing Education**

6           Respondent shall provide evidence of efforts to maintain skill and knowledge as a  
7 pharmacist as directed by the board or its designee.

8           6.     **Notice to Employers**

9           During the period of probation, respondent shall notify all present and prospective  
10 employers of the decision in case number 3604 and the terms, conditions and restrictions imposed  
11 on respondent by the decision, as follows:

12           Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
13 respondent undertaking any new employment, respondent shall cause his direct supervisor,  
14 pharmacist-in-charge (including each new pharmacist-in-charge employed during respondent's  
15 tenure of employment) and owner to report to the board in writing acknowledging that the listed  
16 individual(s) has/have read the decision in case number 3604, and terms and conditions imposed  
17 thereby. It shall be respondent's responsibility to ensure that his employer(s) and/or supervisor(s)  
18 submit timely acknowledgment(s) to the board.

19           If respondent works for or is employed by or through a pharmacy employment service,  
20 respondent must notify his direct supervisor, pharmacist-in-charge, and owner at every entity  
21 licensed by the board of the terms and conditions of the decision in case number 3604 in advance  
22 of the respondent commencing work at each licensed entity. A record of this notification must be  
23 provided to the board upon request.

24           Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
25 (15) days of respondent undertaking any new employment by or through a pharmacy employment  
26 service, respondent shall cause his direct supervisor with the pharmacy employment service to  
27 report to the board in writing acknowledging that he has read the decision in case number 3604  
28 and the terms and conditions imposed thereby.

1 It shall be respondent's responsibility to ensure that his employer(s) and/or supervisor(s)  
2 submit timely acknowledgment(s) to the board. Failure to timely notify present or prospective  
3 employer(s) or to cause that/those employer(s) to submit timely acknowledgments to the board  
4 shall be considered a violation of probation.

5 "Employment" within the meaning of this provision shall include any full-time,  
6 part-time, temporary, relief or pharmacy management service as a pharmacist or any  
7 position for which a pharmacist license is a requirement or criterion for employment,  
8 whether the respondent is an employee, independent contractor or volunteer.

9 **7. No Supervision or Consultant Responsibilities For Two (2) Years**

10 For the first two (2) years of probation, respondent shall not supervise intern pharmacists,  
11 be the pharmacist-in-charge or designated representative-in-charge of any entity licensed by the  
12 board, nor serve as a consultant unless otherwise specified in this order. Assumption of any such  
13 unauthorized supervision responsibilities shall be considered a violation of probation.

14 **8. Reimbursement of Board Costs**

15 As a condition precedent to successful completion of probation, respondent shall pay to the  
16 board its costs of investigation and prosecution: \$1,782.00. Respondent shall be permitted to pay  
17 these costs in a payment plan approved by the Board or its designee, so long as full payment is  
18 completed no later than thirty (30) months after the effective date of this decision. There shall be  
19 no deviation from this schedule absent prior written approval by the Board or its designee.  
20 Failure to pay costs by the deadline(s) as directed shall be considered a violation of probation.

21 The filing of bankruptcy by respondent shall not relieve respondent of his responsibility to  
22 reimburse the board its costs of investigation and prosecution.

23 **9. Probation Monitoring Costs**

24 Respondent shall pay any costs associated with probation monitoring as determined by the  
25 board each and every year of probation. Such costs shall be payable to the board on a schedule as  
26 directed by the board or its designee. Failure to pay such costs by the deadline(s) as directed shall  
27 be considered a violation of probation.

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1           **10. Status of License**

2           Respondent shall, at all times while on probation, maintain an active, current license with  
3 the board, including any period during which suspension or probation is tolled. Failure to  
4 maintain an active, current license shall be considered a violation of probation.

5           If respondent's license expires or is cancelled by operation of law or otherwise at any time  
6 during the period of probation, including any extensions thereof due to tolling or otherwise, upon  
7 renewal or reapplication respondent's license shall be subject to all terms and conditions of this  
8 probation not previously satisfied.

9           **11. Notification of Change in Employment, Name, Address(es), or Phone(s)**

10          Respondent shall notify the board in writing within ten (10) days of any change of  
11 employment. Said notification shall include the reasons for leaving, the address of the new  
12 employer, the name of the supervisor and owner, and the work schedule if known. Respondent  
13 shall further notify the board in writing within ten (10) days of a change in name, residence  
14 address, mailing address, or phone number.

15          Failure to timely notify the board of any change in employer(s), name(s), address(es), or  
16 phone number(s) shall be considered a violation of probation.

17          **12. Tolling of Probation**

18          Except during periods of suspension, respondent shall, at all times while on probation, be  
19 employed as a pharmacist in California for a minimum of forty (40) hours per calendar month.  
20 Any month during which this minimum is not met shall toll the period of probation, i.e., the  
21 period of probation shall be extended by one month for each month during which this minimum is  
22 not met. During any such period of tolling of probation, respondent must nonetheless comply  
23 with all terms and conditions of probation.

24          Should respondent, regardless of residency, for any reason (including vacation) cease  
25 practicing as a pharmacist for a minimum of forty (40) hours per calendar month in California,  
26 respondent must notify the board in writing within ten (10) days of the cessation of practice, and  
27 must further notify the board in writing within ten (10) days of the resumption of practice. Any  
28 failure to provide such notification(s) shall be considered a violation of probation.



1 It is a violation of probation for respondent's probation to remain tolled pursuant to the  
2 provisions of this condition for a total period, counting consecutive and non-consecutive months,  
3 exceeding thirty-six (36) months.

4 "Cessation of practice" means any calendar month during which respondent is  
5 not practicing as a pharmacist as defined by Business and Professions Code section  
6 4000 et seq for at least forty (40) hours,. "Resumption of practice" means any  
7 calendar month during which respondent is practicing as a pharmacist as defined by  
8 Business and Professions Code section 4000 et seq. for at least forty (40) hours.

9 **13. Community Services Program**

10 Within sixty (60) days of the effective date of this decision, respondent shall submit to the  
11 board or its designee, for prior approval, a community service program in which respondent shall  
12 provide free health-care related services on a regular basis to a community or charitable facility or  
13 agency for at least one hundred (100) hours during each year of probation. Within thirty (30)  
14 days of board approval thereof, respondent shall submit documentation to the board showing the  
15 commencement of community service. Respondent shall report on progress with the community  
16 service program in the quarterly reports. Failure to timely submit, commence, comply with or  
17 document performance of the program shall be considered a violation of probation.

18 **14. Remedial Education**

19 Within ninety (90) days of the effective date of this decision, respondent shall submit to the  
20 board or its designee, for prior approval, an appropriate program of remedial education related to  
21 security of dangerous drugs and controlled substances in a pharmacy. The program of remedial  
22 education shall consist of at least fifteen (15) unit-hours to be completed each year of probation at  
23 respondent's own expense. All remedial education shall be in addition to, and shall not be  
24 credited toward, continuing education (CE) courses used for license renewal purposes.

25 Failure to timely submit or complete the approved remedial education shall be considered a  
26 violation of probation. The period of probation will be automatically extended until such  
27 remedial education is successfully completed and written proof, in a form acceptable to the board,  
28 is provided to the board or its designee.

1 Following the completion of each course, the board or its designee may require the  
2 respondent, at his own expense, to take an approved examination to test the respondent's  
3 knowledge of the course. If the respondent does not achieve a passing score on the examination,  
4 this failure shall be considered a violation of probation. Any such examination failure shall  
5 require respondent to take another course approved by the board in the same subject area.

6 **15. License Surrender While on Probation/Suspension**

7 Following the effective date of this decision, should respondent cease practice due to  
8 retirement or health, or be otherwise unable to satisfy the terms and conditions of probation,  
9 respondent may tender his license to the board for surrender. The board or its designee shall have  
10 the discretion whether to grant the request for surrender or take any other action it deems  
11 appropriate and reasonable. Upon formal acceptance of the surrender of the license, respondent  
12 will no longer be subject to the terms and conditions of probation. This surrender constitutes a  
13 record of discipline and shall become a part of the respondent's license history with the board.

14 Upon acceptance of the surrender, respondent shall relinquish his pocket and wall license to  
15 the board within ten (10) days of notification by the board that surrender is accepted. Respondent  
16 may not reapply for any license from the board for three (3) years from the effective date of the  
17 surrender. Respondent shall meet all requirements applicable to the license sought as of the date  
18 the application for that license is submitted to the board, including any outstanding costs.

19 **16. Violation of Probation**

20 If respondent has not complied with any term or condition of probation, the board shall  
21 have continuing jurisdiction over respondent, and probation shall automatically be extended, until  
22 all terms and conditions are satisfied or the board has taken other action as deemed appropriate to  
23 treat the failure to comply as a violation of probation, to terminate probation, and to impose the  
24 penalty that was stayed. If respondent violates probation in any respect, the board, after giving  
25 respondent notice and an opportunity to be heard, may revoke probation and carry out the  
26 disciplinary order that was stayed. If a petition to revoke probation an accusation is filed against  
27 respondent during probation, the board shall have continuing jurisdiction and probation shall be  
28 automatically extended until the petition to revoke probation or accusation is heard and decided.

17. **Completion of Probation**

Upon written notice by the board or its designee indicating successful completion of probation, respondent's license will be fully restored.

ACCEPTANCE

I have carefully read the foregoing Stipulated Settlement and Disciplinary Order. 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:

6-27-2011 

MICHAEL THOMAS EDGINTON  
Respondent

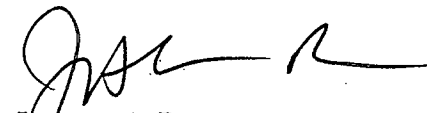
ENDORSEMENT

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

Dated: 7/29/2011

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
FRANK H. PACOE  
Supervising Deputy Attorney General



JOSHUA A. ROOM  
Deputy Attorney General  
*Attorneys for Complainant*

**Exhibit A**

**Accusation No. 3604**

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  
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*Attorneys for Complainant*

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9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 3604

11 **MICHAEL THOMAS EDGINTON**  
12 **3920 Lantana Lane**  
13 **Napa, CA 94558**

**A C C U S A T I O N**

14 **Pharmacist License No. RPH 27137**

15 Respondent.

16 Complainant alleges:

17 **PARTIES**

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

20 2. On or about June 9, 1971, the Board of Pharmacy issued Pharmacist License No.  
21 RPH 27137 to Michael Thomas Edginton (Respondent). The License was in full force and effect  
22 at all times relevant to the charges herein and will expire on July 31, 2012, unless renewed. As is  
23 relevant to the charges herein, between on or about July 1, 2006 and April 13, 2010, Respondent  
24 served as Pharmacist in Charge (PIC) for Owens Pharmacy No. 7 (PHY 46024) in Napa, CA.

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       4.     Section 4011 of the Code provides that the Board shall administer and enforce both  
2 the Pharmacy Law [Bus. & Prof. Code, § 4000 et seq.] and the Uniform Controlled Substances  
3 Act [Health & Safety Code, § 11000 et seq.].

4       5.     Section 4300(a) of the Code provides that every license issued by the Board may be  
5 suspended or revoked.

6       6.     Section 118(b) of the Code provides, in pertinent part, that the suspension, expiration,  
7 surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a  
8 disciplinary action during the period within which the license may be renewed, restored, reissued  
9 or reinstated. Section 4402(a) of the Code provides that any pharmacist license that is not  
10 renewed within three years following its expiration may not be renewed, restored, or reinstated  
11 and shall be canceled by operation of law at the end of the three-year period. Section 4402(e) of  
12 the Code provides that any other license issued by the Board may be canceled by the Board if not  
13 renewed within 60 days after its expiration, and any license canceled in this fashion may not be  
14 reissued but will instead require a new application to seek reissuance.

#### 15                               STATUTORY AND REGULATORY PROVISIONS

16       7.     Section 4301 of the Code provides, in pertinent part, that the Board shall take action  
17 against any holder of a license who is guilty of "unprofessional conduct," defined to include, but  
18 not be limited to, any of the following:

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

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

25       8.     Section 4081 of the Code provides, in pertinent part, that every pharmacy shall keep a  
26 current inventory of all dangerous drugs and dangerous devices, and that the owner, officer, and  
27 partner of a pharmacy shall be jointly responsible with the pharmacist in charge for maintaining  
28 the inventory of dangerous drugs and dangerous devices.

1           9.     Section 4113, subdivision (c) of the Code states:

2           “The pharmacist-in-charge shall be responsible for a pharmacy's compliance with all state  
3 and federal laws and regulations pertaining to the practice of pharmacy.”

4           10.    Section 4332 of the Code makes it a misdemeanor for any person to fail, neglect, or  
5 refuse to maintain the records required by Section 4081, to fail to timely produce same when  
6 called upon by an authorized officer or a member of the board, or to produce false records.

7           11.    California Code of Regulations, title 16, section 1714, subdivision (b) provides that  
8 each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and equipment  
9 so that drugs are safely and properly prepared, maintained, secured and distributed.

10          12.    California Code of Regulations, title 16, section 1718, defines “current inventory” as  
11 used in sections 4081 and 4332 to include complete accountability for all dangerous drugs  
12 handled by every licensee enumerated in sections 4081 and 4332. It further requires that the  
13 controlled substances inventories required by the Title 21, Code of Federal Regulations, section  
14 1304, shall be available for inspection upon request for at least 3 years.

15          13.    Title 21, Code of Federal Regulations, section 1304.11, subdivision (c) requires that  
16 any registrant of the DEA take a new inventory of all stocks of controlled substances on hand at  
17 least every two years, on any date within two years of the previous biennial inventory date.

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

21                               CONTROLLED SUBSTANCES / DANGEROUS DRUGS

22          15.    Section 4021 of the Code states:

23          “‘Controlled substance’ means any substance listed in Chapter 2 (commencing with Section  
24 11053) of Division 10 of the Health and Safety Code.”

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

26          “‘Dangerous drug’ or ‘dangerous device’ means any drug or device unsafe for self use,  
27 except veterinary drugs that are labeled as such, and includes the following:  
28

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

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

5       17. **Norco, Vicodin, Vicodin ES, Lortab, and Lorcet** are among the brand names for  
6       compounds of varying dosages of acetaminophen (aka APAP) and **hydrocodone**, a Schedule III  
7       controlled substance as designated by Health and Safety Code section 11056(e)(4) and dangerous  
8       drug as designated by Business and Professions Code section 4022. The varying compounds are  
9       also known generically as **Hydrocodone with APAP**. These are all narcotic drugs.

10                                   FACTUAL BACKGROUND

11       18. Between in or about October 2006 and in or about October 2008, during the period  
12       that Respondent was serving as Pharmacist in Charge (PIC) at Owens Pharmacy No. 7 (PHY  
13       46024) in Napa, CA, a pharmacy technician R.G.<sup>1</sup> was employed at that location.

14       19. During the tenure of her employment by Owens Pharmacy No. 7, R.G. used her  
15       access to divert/steal controlled substances and dangerous drugs, including **Norco** and/or other  
16       **Hydrocodone with APAP** controlled substance/dangerous drug products.

17       20. The exact number of instances of diversion/theft by R.G., and the full quantity of  
18       controlled substances or dangerous drugs diverted/stolen by R.G., are not known, but in the  
19       course of investigations conducted by the pharmacy and by police, the following were among the  
20       observations, admissions, and revelations reported:

21               a. After pharmacy auditors/investigators identified what they believed were thefts  
22       by one or more employees between in or about May 2008 and in or about September 2008 of  
23       approximately sixty (60) 500-tablet bottles of **Norco** (and/or generic **Hydrocodone**-containing  
24       equivalents), they installed surveillance cameras in the pharmacy in late September 2008. The  
25       cameras showed R.G. engaged in suspicious behavior with regard to **Hydrocodone** drugs.

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27       \_\_\_\_\_  
28       <sup>1</sup> The full name of this individual will be revealed to Respondent during discovery.



b. R.G. subsequently admitted to police investigators that sometime during her employment by Owens Pharmacy No. 7, she began taking un-opened bottles (containing 500 tablets) of **Norco** (and/or its generic equivalents) and selling them to an individual for a price of \$900.00 per bottle. She said that she did this repeatedly, though did not identify a total number. She said that she was motivated by the money she made in these transactions.

c. Subsequent audit(s) of the controlled substances stock of Owens Pharmacy No. 7 revealed a shortage of approximately 35,237 tablets of **Norco** and/or **Hydrocodone with APAP 10/325** (generic **Norco**) for the period from May 2008 through September 2008, and an additional shortage of approximately 70,900 tablets of **Norco** and/or its generic equivalents from April 2007 to May 2008, for a total documented shortage/loss of approximately 106,137 tablets.

FIRST CAUSE FOR DISCIPLINE

(Failure to Maintain Pharmacy Security)

21. Respondent is subject to discipline under section 4301(j) and/or (o), and/or section 4113(c), of the Code, in combination with California Code of Regulations, title 16, section 1714(b) , in that, as described in paragraphs 18-20 above, he violated statutes regulating controlled substances or dangerous drugs, and/or directly or indirectly violated, attempted to violate, and/or assisted in or abetted violation of, laws or regulations governing the practice of pharmacy, by acts including his failure(s) to maintain pharmacy facilities, space, fixtures, and equipment so that drugs were safely and properly prepared, maintained, secured and distributed.

## SECOND CAUSE FOR DISCIPLINE

(Failure to Maintain Accurate and Secure Controlled Substances Inventory)

22. Respondent is subject to discipline under section 4301(j) and/or (o) and/or section 4113(c) of the Code, in combination with section(s) 4081 and/or 4332 of the Code, California Code of Regulations, title 16, section 1718, and/or 21 CFR section(s) 1304.11, in that, as described in paragraphs 18-20 above, he violated statutes regulating controlled substances or dangerous drugs, and/or directly or indirectly violated, attempted to violate, and/or assisted in or abetted violation of, laws or regulations governing the practice of pharmacy, by acts including his failure(s) to maintain an accurate and secure inventory of all controlled substances.

1 PRAYER

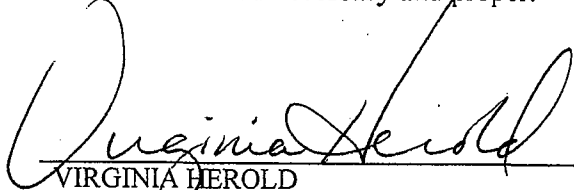
2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Board of Pharmacy issue a decision:

4 1. Revoking or suspending Pharmacist License No. RPH 27137, issued to Michael  
5 Thomas Edginton (Respondent);

6 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and  
7 enforcement of this case, pursuant to Business and Professions Code section 125.3;

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

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10  
11 DATED: 4/18/11

  
12 VIRGINIA HEROLD  
13 Executive Officer  
14 Board of Pharmacy  
15 Department of Consumer Affairs  
16 State of California  
17 Complainant

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