

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

In the Matter of the Statement of Issues Against:

Case No. 3405

**DROGUERIA DE LA VILLA, INC.**

Avenida Jose De Diego #17  
Arecibo, Puerto Rico 00612

Applicant for Nonresident Wholesaler License

Respondent.

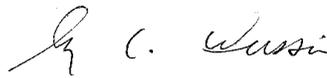
**DECISION AND ORDER**

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 20, 2011.

It is so ORDERED on October 10, 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  
Deputy Attorney General  
4 State Bar No. 214663  
455 Golden Gate Avenue, Suite 11000  
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*Attorneys for Complainant*

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

12 In the Matter of the Statement of Issues Against:

Case No. 3405

13 **DROGUERIA DE LA VILLA, INC.**  
14 **Avenida Jose De Diego # 17**  
15 **Arecibo, Puerto Rico 00612**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

**Applicant for Nonresident Wholesaler License**

Respondent.

16 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
17 interest and responsibility of the Board of Pharmacy of the Department of Consumer Affairs, the  
18 parties agree to the following Stipulated Settlement and Disciplinary Order to be submitted to the  
19 Board for approval and adoption as the final disposition of the Statement of Issues, and of several  
20 citations and fines that have been issued to Respondent and/or its affiliated entities.

21  
22 PARTIES

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

26 2. Drogueria De La Villa, Inc. (Respondent) is represented in this proceeding by  
27 attorney Noah E. Jussim, whose address is: McGuireWoods LLP, 1800 Century Park East, 8th  
28 Floor, Los Angeles, CA 90067 (telephone (310) 315-8225).







1 **DISCIPLINARY ORDER**

2 IT IS HEREBY ORDERED that, upon satisfaction of statutory and regulatory requirements  
3 for issuance thereof, including but not limited to a new application and satisfaction of the bond  
4 requirement as specified below, a Nonresident Wholesaler License shall be issued by the Board to  
5 Drogueria De La Villa, Inc. (Respondent) and immediately revoked. Revocation is stayed and the  
6 License is placed on probation for three (3) years on the terms and conditions detailed below.

7 **1. New Application for Nonresident Wholesaler License**

8 Prior to issuance of the license, and as a condition precedent to issuance of the license and  
9 commencement of the period of probation, Respondent shall prepare and submit a new and fully  
10 complete Application for Nonresident Wholesaler License, and all associated paperwork, forms,  
11 and materials required by the Board or its designee, submitted under penalty of perjury.

12 **2. Nonresident Wholesaler License Surety Bond**

13 Prior to issuance of the license, and as a condition precedent to issuance of the license and  
14 commencement of the period of probation, Respondent shall post and submit the surety bond or  
15 other equivalent means of security required by Business and Professions Code section 4162.5, at  
16 a value of \$100,000.00. The required amount of the surety bond or other equivalent means of  
17 security to be posted and submitted by Respondent shall be \$100,000.00 for the duration of the  
18 period of probation, regardless of the total sales volume or annual gross receipts of Respondent.  
19 Respondent shall immediately replenish any amount(s) withdrawn from the bond or equivalent  
20 security, to keep a \$100,000.00 value. At the conclusion of the probationary period, the Board or  
21 its designee may exercise discretion under Business and Professions Code section 4162.5 to set  
22 the amount of the surety bond or other equivalent security that will be required of Respondent.

23 **3. Civil Penalty**

24 Within thirty (30) days of the effective date of this decision, Respondent shall pay to the  
25 Board a civil penalty of \$150,000.00. Respondent understands and agrees that this civil penalty is  
26 an administrative fine pursuant to 11 U.S.C. § 523(a)(7), and is non-dischargeable in bankruptcy.  
27 Respondent further understands and agrees that the filing of bankruptcy by Respondent shall not  
28 relieve Respondent of the obligation to pay the balance of the civil penalty to the Board.

1 Payment of this civil penalty shall satisfy all of the assessed, outstanding, pending, and  
2 appealed fines included in the above-listed citations. Upon full payment of the civil penalty, all  
3 of the above-listed citations shall be deemed satisfactorily resolved, and shall be so represented in  
4 any future public disclosure of those citations by the Board.

5 Failure to timely pay this civil penalty shall be considered a violation of probation. Further,  
6 absent prior written approval by the Board or its designee, Respondent may not successfully  
7 complete probation until this amount is paid in full.

8 **4. Obey All Laws**

9 Respondent shall obey all state and federal laws and regulations. Respondent shall report to  
10 the Board, in writing, within seventy-two (72) hours of such occurrence, any of the following  
11 with regard to Respondent or any of its owners, officers, managers, or employees:

- 12 • an arrest or issuance of a criminal complaint for violation of any provision of the  
13 Pharmacy Law, state and federal food and drug laws, or state and federal controlled  
substances laws
- 14 • a plea of guilty or nolo contendere in any state or federal criminal proceeding to any  
15 criminal complaint, information or indictment
- 16 • a conviction of any crime
- 17 • discipline, citation, or other administrative action filed by any state or federal agency  
18 which involves Respondent's wholesaler license or which is related to the practice of  
wholesaling, pharmacy or the manufacturing, obtaining, handling or distributing,  
19 billing, or charging for any drug, device or controlled substance.

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

20 **5. Report to the Board**

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

1           **6. Report on Sales to California**

2           As part of each quarterly report, Respondent shall prepare and submit a quarterly report on  
3 the locations in California to which Respondent has sold or otherwise transferred dangerous drugs  
4 or dangerous devices during the preceding quarter. Each report shall, in summary fashion, list the  
5 names, addresses, and license numbers of all California recipients. It shall not be necessary for  
6 the report to list the names or volumes of drugs or devices sold or transferred to each location.  
7 The report shall be certified under penalty of perjury by an owner or officer of Respondent. The  
8 same deadline(s) that apply to the above quarterly reports shall apply to this term. Failure to  
9 submit timely reports in a form as directed shall be considered a violation of probation. Any  
10 period(s) of delinquency in submission of reports as directed may be added to the period of  
11 probation. Moreover, if a final probation report is not made as directed, probation shall be  
12 automatically extended until such time as the final report is made and accepted by the Board.

13           **7. Interview with the Board**

14           Upon receipt of reasonable prior notice, an owner or officer of Respondent shall appear in  
15 person for interviews with the Board or its designee, at intervals and locations as determined by  
16 the Board or its designee. Failure to appear for any scheduled interview without prior notification  
17 to Board staff, or failure to appear for two (2) or more scheduled interviews with the Board or its  
18 designee during the period of probation, shall be considered a violation of probation.

19           **8. Cooperate with Board Staff**

20           Respondent and its owners and officers shall cooperate with the Board's inspection program  
21 and with the Board's monitoring and investigation of Respondent's compliance with the terms and  
22 conditions of probation. Failure to cooperate shall be considered a violation of probation.

23           **9. Compliance with California Law on Transfers from Pharmacies**

24           Respondent shall comply with California law in all respects, including that in compliance  
25 with California Business and Professions Code section 4126.5, Respondent shall not accept any  
26 returns or other transfers from any pharmacy of dangerous drugs not sold thereto by Respondent,  
27 absent written approval for any such return or transfer from the Board or its designee.

28           ///

1           **10. Probation Monitoring Costs**

2           Respondent shall pay any costs associated with probation monitoring, as determined by the  
3 Board or its designee, each and every year of probation. Such costs shall be payable to the Board  
4 on a schedule as directed by the Board or its designee. Failure to pay costs by the deadline(s) as  
5 directed shall be considered a violation of probation.

6           **11. Status of License**

7           Respondent shall, at all times while on probation, maintain current licensure with the  
8 Board. If Respondent submits an application to the Board, and the application is approved, for a  
9 change of location, change of permit or change of ownership, the Board shall retain continuing  
10 jurisdiction over the license, and Respondent shall remain on probation as determined by the  
11 Board. Failure to maintain current licensure shall be considered a violation of probation.

12           If Respondent's license expires or is cancelled by operation of law or otherwise at any time  
13 during the period of probation, including any extensions thereof or otherwise, upon renewal or  
14 reapplication Respondent's license shall be subject to all terms and conditions of this probation  
15 not previously satisfied.

16           **12. Notice to Employees**

17           Respondent shall, upon or before the effective date of this decision, ensure that all  
18 employees involved in permit operations are made aware of all the terms and conditions of  
19 probation, either by posting a notice of the terms and conditions, circulating such notice, or both.  
20 If the notice required by this provision is posted, it shall be posted in a prominent place and shall  
21 remain posted throughout the probation period. Respondent shall ensure that any employees  
22 hired or used after the effective date of this decision are made aware of the terms and conditions  
23 of probation by posting a notice, circulating a notice, or both. Additionally, Respondent shall  
24 submit written notification to the Board, within fifteen (15) days of the effective date of this  
25 decision, that this term has been satisfied. Failure to submit such notification to the Board shall  
26 be considered a violation of probation.

27           "Employees" as used in this provision includes all full-time, part-time,  
28 volunteer, temporary, and relief employees and independent contractors employed or  
hired at any time during probation.

1           **13. Posted Notice of Probation**

2           Respondent shall prominently post a probation notice provided by the Board in a place  
3 conspicuous and readable to the public. The probation notice shall remain posted during the  
4 entire period of probation.

5           Respondent shall not, directly or indirectly, engage in any conduct or make any statement  
6 which is intended to mislead or is likely to have the effect of misleading any patient, customer,  
7 member of the public, or other person(s) as to the nature of and reason(s) for the probation.

8           Failure to post such notice shall be considered a violation of probation.

9           **14. Owners and Officers: Knowledge of the Law**

10          Respondent shall provide, within thirty (30) days after the effective date of this decision,  
11 signed and dated statements from its owners, including any owner or holder of ten percent (10%)  
12 or more of the interest in Respondent or Respondent's stock, and any officer, stating under  
13 penalty of perjury that said individuals have read and are familiar with state and federal laws and  
14 regulations governing the practice of pharmacy. The failure to timely provide said statements  
15 under penalty of perjury shall be considered a violation of probation.

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

17          Following the effective date of this decision, should Respondent discontinue business,  
18 Respondent may tender the premises license to the Board for surrender. The Board or its  
19 designee shall have the discretion whether to grant the request for surrender or take any other  
20 action it deems appropriate and reasonable. Upon formal acceptance of the surrender of the  
21 license, Respondent will no longer be subject to the terms and conditions of probation.

22          Upon acceptance of the surrender, Respondent shall relinquish the premises wall and  
23 renewal license to the Board within ten (10) days of notification by the Board that the surrender is  
24 accepted. Respondent shall further submit a completed Discontinuance of Business form  
25 according to Board guidelines and shall notify the Board of the records and inventory transfer.

26          Neither Respondent nor its officers or owners may apply for any new Board license for  
27 three (3) years from the effective date of the surrender. Any applicant shall meet all requirements  
28 applicable to the license sought as of the date the application is submitted to the Board.

1 Respondent further stipulates that any applicant shall reimburse the Board for its costs of  
2 investigation and prosecution prior to the acceptance of the surrender.

3 **16. Violation of Probation**

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

9 If Respondent violates probation in any respect, the Board, after giving Respondent notice  
10 and an opportunity to be heard, may revoke probation and carry out the disciplinary order that  
11 was stayed. If a petition to revoke probation or an accusation is filed against Respondent during  
12 probation, the Board shall have continuing jurisdiction and the period of probation shall be  
13 automatically extended until the petition to revoke probation or accusation is heard and decided.

14 **17. Completion of Probation**

15 Upon written notice by the Board or its designee indicating successful completion of  
16 probation, Respondent's license will be fully restored.

17

18

ACCEPTANCE

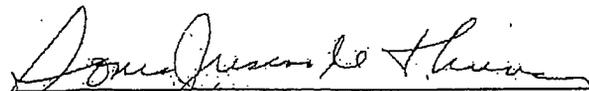
19 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
20 discussed it with my attorney, Noah E. Jussim. I understand the stipulation and the effect it will  
21 have on my Application for Nonresident Wholesaler License, and on the above-listed citations  
22 that are also the subject of and resolved by this agreement. I enter into this Stipulated Settlement  
23 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the  
24 Decision and Order of the Board of Pharmacy.

25

26

DATED:

6/23/11



SONIA JUSINO THUNA, President  
Respondent DROGUERIA DE LA VILLA, INC.

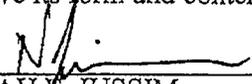
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I have read and fully discussed with the executive officers for Respondent Drogueria de la Villa, Inc. the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 6/24/11

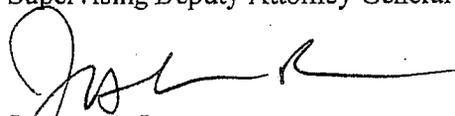
  
\_\_\_\_\_  
NOAH E. JUSSIM  
Attorney for Respondent

ENDORSEMENT

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

Dated: 7/21/2011

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*

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**Exhibit A**

**Statement of Issues No. 3405**

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*

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9 **DEPARTMENT OF CONSUMER AFFAIRS**  
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Case No. 3405

11 **DROGUERIA DE LA VILLA, INC.**  
12 **Avenida Jose De Diego # 17**  
13 **Arecibo, Puerto Rico 00612**

**STATEMENT OF ISSUES**

14 **Applicant for Nonresident Wholesaler License**

15 **Respondent.**

16 Complainant alleges:

17 PARTIES

- 18 1. Virginia Herold (Complainant) brings this Statement of Issues solely in her official  
19 capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs.
- 20 2. On or about October 24, 2008, the Board of Pharmacy, Department of Consumer  
21 Affairs received an Application for Nonresident Wholesaler License and associated application  
22 materials from Drogueria De La Villa, Inc., Sonia Jusino Thuna, President, Wayne Scott Thuna,  
23 Vice President, Jared Brandon Thuna, Designated Representative in Charge (Respondent). On or  
24 about September 29, 2008, Jared Brandon Thuna certified under penalty of perjury by signing the  
25 Application that, *inter alia*, each and every statement made in the Application is true and correct;  
26 that all supplemental statements filed with the Application are true, complete, and accurate; and  
27 that no person other than the applicant(s) has any direct or indirect interest in the business for  
28 which application is made. The Board denied the application on March 5, 2009.



1 (g) Knowingly making or signing any certificate or other document that falsely represents  
2 the existence or nonexistence of a state of facts.

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

5 (n) The revocation, suspension, or other discipline by another state of a license to practice  
6 pharmacy, operate a pharmacy, or do any other act for which a license is required by this chapter.

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

11 7. Section 4043 of the Code defines "wholesaler" to mean and include any person/entity  
12 that acts as a wholesale merchant, broker, jobber, customs broker, reverse distributor, agent, or a  
13 nonresident wholesaler, who sells for resale, or negotiates for distribution, or takes possession of,  
14 any drug or device included in Section 4022 (dangerous drugs and dangerous devices).

15 8. Section 4160 of the Code provides, in pertinent part, that no person/entity may act as  
16 a wholesaler of any dangerous drug or dangerous device without first obtaining a license from the  
17 Board, that a separate license shall be required for each place of business owned or operated by a  
18 wholesaler, and that no wholesaler license may be issued until the wholesaler applicant identifies  
19 a designated representative-in-charge responsible for compliance with state and federal laws.

20 9. Section 4161 of the Code provides, in pertinent part, that any person/entity located  
21 outside the state that (1) ships, sells, mails, or delivers dangerous drugs or dangerous devices into  
22 this state or (2) sells, brokers, or distributes dangerous drugs or dangerous devices within this  
23 state, shall be considered a nonresident wholesaler, and before shipping, selling, mailing, or  
24 delivering dangerous drugs or dangerous devices to a site within the state, or selling, brokering, or  
25 distributing dangerous drugs or dangerous devices within the state, must be licensed by the Board  
26 as a nonresident wholesaler, must have a separate license for each owned or operated place of  
27 business performing either/any of these activities, and must identify a designated representative-  
28 in-charge responsible for the person/entity's compliance with state and federal laws.



1 15. Respondent performed the acts described in paragraph 10 under, by and/or through  
2 entity names including but not limited to Drogueria De La Villa, Inc., FMC Distributors, Inc., and  
3 FMC Distributors of Nevada, Inc., and/or a combination of two or more of these entities.

4 SECOND CAUSE FOR DENIAL OF APPLICATION

5 (Dishonesty, Fraud, Deceit, or Corruption)

6 16. Respondent's application is subject to denial under the following section(s) of the  
7 Code: 480(a)(2); 4301(f) and/or (g); 480(a)(3) by reference to 4301(f), (g), (j), and/or (o); and/or  
8 4300(c) by reference to 4301(f), (g), (j), and/or (o); in that Respondent, by the conduct described  
9 in paragraph 10, did acts involving dishonesty, fraud or deceit with intent to substantially benefit  
10 itself or another, or substantially injure another; did acts involving moral turpitude, dishonesty,  
11 fraud, deceit, or corruption; knowingly made or signed a certificate or other document that falsely  
12 represented the existence/nonexistence of facts; did acts constituting causes for discipline against  
13 a license; engaged in unprofessional conduct; violated statutes regulating controlled substances  
14 and dangerous drugs; and/or violated/attempted to violate, directly or indirectly, assisted/abetted  
15 violation of, or conspired to violate, federal or state laws and regulations governing pharmacy.

16 THIRD CAUSE FOR DENIAL OF APPLICATION

17 (Discipline By Other State(s))

18 17. Respondent's application is subject to denial under the following section(s) of the  
19 Code: 4301(n); 480(a)(3) by reference to 4301(n); and/or 4300(c) by reference to 4301(n); in that  
20 Respondent has been the subject of discipline by one or more other state(s) against one or more  
21 license(s) issued by that/those other state(s) to perform acts of wholesaling, for which a license is  
22 required by the Pharmacy Law, including: on or about January 16, 2008, one or more license(s)  
23 held by Respondent was/were the subject(s) of disciplinary surrender(s) in the State of Nevada.

24 FOURTH CAUSE FOR DENIAL OF APPLICATION

25 (Failure to Comply with Citation(s) and/or Fine(s))

26 18. Respondent's application is subject to denial under the following section(s) of the  
27 Code: 125.9, 148, 4314, and/or California Code of Regulations, title 16, section 1775 et seq.;  
28 480(a)(3) by reference to 4301(j), (o), 125.9, 148, 4314, and/or California Code of Regulations,

1 title 16, section 1775 et seq.; and/or 4300(c) by reference to by reference to 4301(j), (o), 125.9,  
2 148, 4314, and/or California Code of Regulations, title 16, section 1775 et seq.; in that on one or  
3 more occasions Respondent failed to comply with a citation issued by the Board, including by not  
4 paying an assessed fine, and thereby engaged in acts that constituted causes for discipline against  
5 a license; engaged in unprofessional conduct; violated statutes regulating controlled substances  
6 and dangerous drugs; and/or violated/attempted to violate, directly or indirectly, assisted/abetted  
7 violation of, or conspired to violate, federal or state laws and regulations governing pharmacy.

8 a. On or about January 27, 2010, Citation No. CI 2009 42762 with a fine of \$5,000.00  
9 was issued to Drogueria De La Villa, Inc. for violating Business and Professions Code section  
10 4161 by shipping, delivery, or mailing of dangerous drugs or dangerous devices into California  
11 without a nonresident wholesaler license. That citation was not appealed; it is now final and is  
12 incorporated by reference as if fully set forth herein. No payment of the fine has been received.

13 b. On or about January 27, 2010, Citation No. CI 2009 42763 with a fine of \$5,000.00  
14 was issued to Drogueria De La Villa, Inc. for violating Business and Professions Code section  
15 4161 by shipping, delivery, or mailing of dangerous drugs or dangerous devices into California  
16 without a nonresident wholesaler license. That citation was not appealed; it is now final and is  
17 incorporated by reference as if fully set forth herein. No payment of the fine has been received.

18 c. On or about April 28, 2010, Citation No. CI 2008 38274 with a fine of \$5,000.00 was  
19 issued to Drogueria De La Villa, Inc. for violating Business and Professions Code section 4161  
20 by shipping, delivery, or mailing of dangerous drugs or dangerous devices into California without  
21 a nonresident wholesaler license. That citation was not appealed; it is now final and is  
22 incorporated by reference as if fully set forth herein. No payment of the fine has been received.

23 d. On or about April 28, 2010, Citation No. CI 2009 44162 with a fine of \$5,000.00 was  
24 issued to FMC Distributors, Inc. for violating Business and Professions Code section 4161 by the  
25 shipping, delivery, or mailing of dangerous drugs or dangerous devices into California without a  
26 nonresident wholesaler license. That citation was not appealed; it is now final and is incorporated  
27 by reference as if fully set forth herein. No payment of the fine has been received.

28 ///

1 FIFTH CAUSE FOR DENIAL OF APPLICATION

2 (Unprofessional Conduct)

3 19. Respondent's application is subject to denial under the following section(s) of the  
4 Code: 4300(c); 480(a)(3) by reference to 4301; and/or 4300(c) by reference to 4301, in that  
5 Respondent, by the conduct described in paragraphs 14-18, engaged in unprofessional conduct.

6 OTHER CONSIDERATIONS

7 20. As additional consideration(s) in determining whether Respondent's application is  
8 subject to denial, Complainant further alleges the following:

9 a. Respondent's application materials list Wayne Scott Thuna as Vice President. On or  
10 about April 23, 1992, Mr. Thuna was convicted of violating Penal Code section 314, subdivision  
11 (1) (Indecent Exposure), a misdemeanor. Imposition of sentence was suspended in favor of 36  
12 months probation on terms and conditions including 5 days in jail. On or about October 26, 1993,  
13 Mr. Thuna was convicted of violating Vehicle Code section 12031(a) (Carrying Loaded Firearm  
14 on Person or in Vehicle in a Public Place), a misdemeanor. Again, imposition of sentence was  
15 suspended in favor of 36 months probation on terms and conditions including 3 days in jail.

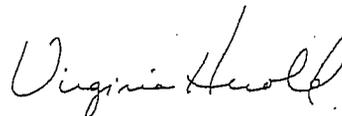
16 PRAYER

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

19 1. Denying the Application for Nonresident Wholesaler License submitted by Drogueria  
20 De La Villa, Inc., Sonia Jusino Thuna, President, Wayne Scott Thuna, Vice President, Jared  
21 Brandon Thuna, Designated Representative in Charge (Respondent);

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

23  
24 DATED: June 15, 2010



25 VIRGINIA HEROLD  
26 Executive Officer  
27 Board of Pharmacy  
28 Department of Consumer Affairs  
State of California  
Complainant

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