

1 BILL LOCKYER, Attorney General
of the State of California
2 JAMI L. CANTORE, State Bar No. 165410
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2569
5 Facsimile: (213) 897-2804

6 Attorneys for Complainant

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

11 In the Matter of the Accusation Against:

Case No. 2606

12 JENNIFER LEIGH ADDINGTON
17 Apollo Road
13 Tiburon, CA 94920

OAH No. L-2004030255

14 Pharmacist License No. RPH49947

**STIPULATED SETTLEMENT
AND DISCIPLINARY ORDER**

15 Respondent.

16 IT IS HEREBY STIPULATED AND AGREED by and between the parties
17 to the above-entitled proceedings that the following matters are true:

18 PARTIES

19 1. Patricia F. Harris (Complainant) is the Executive Officer of the
20 Board of Pharmacy. She brought this action solely in her official capacity and is
21 represented in this matter by Bill Lockyer, Attorney General of the State of California, by
22 Jami L. Cantore, Deputy Attorney General.

23 2. Respondent JENNIFER LEIGH ADDINGTON (Respondent) is
24 represented in this proceeding by attorney Dexter B. Louie, Esq., whose address is
25 HASSARD BONNINGTON LLP, Two Embarcadero Center, Suite 1800, San Francisco,
26 CA 94111-3993.

27 3. On or about March 17, 1998, the Board of Pharmacy issued
28 Pharmacist License No. RPH49947 to JENNIFER LEIGH ADDINGTON (Respondent).

1 The License was in full force and effect at all times relevant to the charges brought in
2 Accusation No. 2606 and will expire on June 30, 2005, unless renewed.

3 JURISDICTION

4 4. Accusation No. 2606 was filed before the Board of Pharmacy
5 (Board), Department of Consumer Affairs, and is currently pending against Respondent.
6 The Accusation and all other statutorily required documents were properly served on
7 Respondent on January 22, 2004. Respondent timely filed her Notice of Defense contesting
8 the Accusation. A copy of Accusation No. 2606 is attached as Exhibit A and incorporated
9 herein by reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, fully discussed with counsel, and
12 understands the charges and allegations in Accusation No. 2606. Respondent has also
13 carefully read, fully discussed with counsel, and understands the effects of this Stipulated
14 Settlement and Disciplinary Order.

15 6. Respondent is fully aware of her legal rights in this matter, including
16 the right to a hearing on the charges and allegations in the Accusation; the right to be
17 represented by counsel at her own expense; the right to confront and cross-examine the
18 witnesses against her; the right to present evidence and to testify on her own behalf; the
19 right to the issuance of subpoenas to compel the attendance of witnesses and the production
20 of documents; the right to reconsideration and court review of an adverse decision; and all
21 other rights accorded by the California Administrative Procedure Act and other applicable
22 laws.

23 7. Respondent voluntarily, knowingly, and intelligently waives and
24 gives up each and every right set forth above.

25 CULPABILITY

26 8. Respondent understands and agrees that the charges and allegations
27 in Accusation No. 2606, if proven at a hearing, constitute cause for imposing discipline
28 upon her Pharmacist License.

1 shall be extended automatically until such time as the final report is made and accepted by
2 the Board.

3 3. **Interview with the Board.** Upon receipt of reasonable notice,
4 Respondent shall appear in person for interviews with the Board upon request at various
5 intervals at a location to be determined by the Board. Failure to appear for a scheduled
6 interview without prior notification to Board staff shall be considered a violation of
7 probation.

8 4. **Cooperation with Board Staff.** Respondent shall cooperate with
9 the Board's inspectional program and in the Board's monitoring and investigation of
10 Respondent's compliance with the terms and conditions of her probation. Failure to comply
11 shall be considered a violation of probation.

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

14 6. **Notice to Employers.** Respondent shall notify all present and
15 prospective employers of the decision in case number 2606 and the terms, conditions and
16 restrictions imposed on Respondent by the decision. Within 30 days of the effective date of
17 this decision, and within 15 days of Respondent undertaking new employment, Respondent
18 shall cause her direct supervisor, pharmacist-in-charge and/or owner to report to the Board
19 in writing acknowledging the employer has read the decision in case number 2606.

20 If Respondent works for or is employed by or through a pharmacy
21 employment service, Respondent must notify the direct supervisor, pharmacist-in-charge,
22 and/or owner at every pharmacy of the and terms conditions of the decision in case number
23 2606 in advance of the Respondent commencing work at each pharmacy.

24 "Employment" within the meaning of this provision shall include any full-time,
25 part-time, temporary, relief or pharmacy management service as a pharmacist,
26 whether the Respondent is considered an employee or independent contractor.

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1 7. **No Preceptorships, Supervision of Interns, Being Pharmacist-in-**
2 **Charge (PIC), or Serving as a Consultant.** Respondent shall not supervise any intern
3 pharmacist or perform any of the duties of a preceptor, nor shall Respondent be the
4 pharmacist-in-charge of any entity licensed by the Board unless otherwise specified in this
5 order.

6 8. **Reimbursement of Board Costs.** Respondent shall pay to the
7 Board its costs of investigation and prosecution in the amount of \$3000.00. Respondent
8 shall make said payments as follows: Respondent may defer quarterly installment
9 payments until the thirteenth (13th) month of probation, with cost recovery to be fully paid
10 three months prior to the end of the probation period.

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

13 9. **Probation Monitoring Costs.** Respondent shall pay the costs
14 associated with probation monitoring as determined by the Board each and every year of
15 probation. Such costs shall be payable to the Board at the end of each year of probation.
16 Failure to pay such costs shall be considered a violation of probation.

17 10. **Status of License.** Respondent shall, at all times while on
18 probation, maintain an active current license with the Board, including any period during
19 which suspension or probation is tolled.

20 If Respondent's license expires or is canceled by operation of law or
21 otherwise, upon renewal or reapplication, Respondent's license shall be subject to all terms
22 and conditions of this probation not previously satisfied.

23 11. **License Surrender while on Probation/Suspension.** Following the
24 effective date of this decision, should Respondent cease practice due to retirement or
25 health, or be otherwise unable to satisfy the terms and conditions of probation, Respondent
26 may tender her license to the Board for surrender. The Board shall have the discretion
27 whether to grant the request for surrender or take any other action it deems appropriate and
28 reasonable. Upon formal acceptance of the surrender of the license, Respondent will no

1 longer be subject to the terms and conditions of probation.

2 Upon acceptance of the surrender, Respondent shall relinquish her pocket
3 license to the Board within 10 days of notification by the Board that the surrender is
4 accepted. Respondent may not reapply for any license from the Board for three years from
5 the effective date of the surrender. Respondent shall meet all requirements applicable to
6 the license sought as of the date the application for that license is submitted to the Board.

7 **12. Notification of Employment/Mailing Address Change.**

8 Respondent shall notify the Board in writing within 10 days of any change of employment.
9 Said notification shall include the reasons for leaving and/or the address of the new
10 employer, supervisor or owner and work schedule if known. Respondent shall notify the
11 Board in writing within 10 days of a change in name, mailing address or phone number.

12 **13. Tolling of Probation.** Should Respondent, regardless of residency,

13 for any reason cease practicing pharmacy for a minimum of eighty (80) hours per calendar
14 month in California, Respondent must notify the Board in writing within 10 days of
15 cessation of the practice of pharmacy or the resumption of the practice of pharmacy. Such
16 periods of time shall not apply to the reduction of the probation period. It is a violation of
17 probation for Respondent's probation to remain tolled pursuant to the provisions of this
18 condition for a period exceeding three years.

19 "Cessation of practice" means any period of time exceeding 30 days in which

20 Respondent is not engaged in the practice of pharmacy as defined in Section 4052
21 of the Business and Professions Code.

22 **14. Violation of Probation.** If Respondent violates probation in any

23 respect, the Board, after giving Respondent notice and an opportunity to be heard, may
24 revoke probation and carry out the disciplinary order which was stayed. If a petition to
25 revoke probation or an accusation is filed against Respondent during probation, the Board
26 shall have continuing jurisdiction and the period of probation shall be extended, until the
27 petition to revoke probation or accusation is heard and decided.

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

6 15. **Completion of Probation.** Upon successful completion of
7 probation, Respondent's license will be fully restored.

8 16. **Rehabilitation Program - Pharmacists Recovery Program (PRP).**
9 Within 30 days of the effective date of this decision, Respondent shall contact the
10 Pharmacists Recovery Program for evaluation and shall successfully participate in and
11 complete the treatment contract and any subsequent addendums as recommended and
12 provided by the PRP and as approved by the Board. The costs for PRP participation shall
13 be borne by the Respondent.

14 If Respondent is currently enrolled in the PRP, said participation is now
15 mandatory and is no longer considered a self-referral under Business and Professions Code
16 section 4363, as of the effective date of this decision. Respondent shall successfully
17 participate in and complete her current contract and any subsequent addendums with the
18 PRP. Probation shall be automatically extended until Respondent successfully completes
19 her treatment contract. Any person terminated from the program shall be automatically
20 suspended upon notice by the Board. Respondent may not resume the practice of pharmacy
21 until notified by the Board in writing. The Board shall retain jurisdiction to institute action
22 to terminate probation for any violation of this term.

23 If Respondent is successfully evaluated and released from the PRP,
24 Respondent's probation period will be reduced to three (3) years.

25 17. **Abstain from Drugs and Alcohol Use.** Respondent shall
26 completely abstain from the possession or use of alcohol (unless authorized by the PRP),
27 controlled substances, dangerous drugs and their associated paraphernalia except when the
28 drugs are lawfully prescribed by a licensed practitioner as part of a documented medical

1 treatment. Upon request of the Board, Respondent shall provide documentation from the
2 licensed practitioner that the prescription was legitimately issued and is a necessary part of
3 the treatment of the Respondent.

4 18. **Random Drug Screening.** Respondent, at her own expense, shall
5 participate in random testing, including but not limited to biological fluid testing (urine,
6 blood), breathalyzer, hair follicle testing, or a drug screening program approved by the
7 Board. The length of time shall be for the entire probation period and the frequency of
8 testing will be determined by the Board. At all times Respondent shall fully cooperate with
9 the Board, and shall, when directed, submit to such tests and samples for the detection of
10 alcohol, narcotics, hypnotics, dangerous drugs or other controlled substances. Failure to
11 submit to testing as directed shall constitute a violation of probation. Any confirmed
12 positive drug test demonstrating the use of drugs during the probation period shall result in
13 the immediate suspension of practice by Respondent. Respondent may not resume the
14 practice of pharmacy until notified by the Board in writing.

15 ACCEPTANCE

16 I have carefully read the above Stipulated Settlement and Disciplinary Order
17 and have fully discussed it with my attorney, Dexter B. Loutie, Esq. I understand the
18 stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated
19 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
20 bound by the Decision and Order of the Board of Pharmacy.

21 DATED: 1/6/05

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24 JENNIFER LEIGH ADDINGTON
25 Respondent
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I have read and fully discussed with Respondent Jennifer Leigh Addington the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: 7/10/05



DEXTER B. LOUIE, ESQ.
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: _____

BILL LOCKYER, Attorney General
of the State of California

JAMI L. CANTORE
Deputy Attorney General
Attorneys for Complainant

1 I have read and fully discussed with Respondent Jennifer Leigh Addington
2 the terms and conditions and other matters contained in the above Stipulated Settlement
3 and Disciplinary Order. I approve its form and content.

4
5 DATED: _____

6
7 _____
8 DEXTER B. LOUIE, ESQ.
9 Attorney for Respondent

10
11 ENDORSEMENT

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

15
16 DATED: 12/30/04

17 BILL LOCKYER, Attorney General
18 of the State of California

19 _____
20 *Jamil L. Cantore*
21 JAMIL L. CANTORE
22 Deputy Attorney General
23 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:

JENNIFER LEIGH ADDINGTON
17 Apollo Road
Tiburon, CA 94920

Pharmacist License No. RPH49947

Respondent.

Case No. 2606

OAH No. L-2004030255

DECISION AND ORDER

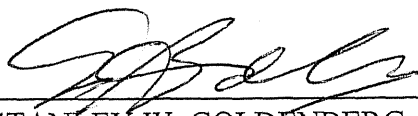
The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Pharmacy, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on March 31, 2005.

It is so ORDERED March 1, 2005.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

By



STANLEY W. GOLDENBERG
Board President

Exhibit A
Accusation No. 2606

1 BILL LOCKYER, Attorney General
of the State of California
2 JAMI L. CANTORE, State Bar No. 165410
Deputy Attorney General
3 California Department of Justice
300 So. Spring Street, Suite 1702
4 Los Angeles, CA 90013
Telephone: (213) 897-2581
5 Facsimile: (213) 897-2804
6 Attorneys for Complainant

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

11
12 In the Matter of the Accusation Against:

Case No. 2606

13 JENNIFER LEIGH ADDINGTON
a.k.a. JENNIFER LEIGH GARCEA
14 300 3rd Street
Sausalito, CA 94965

A C C U S A T I O N

15 Pharmacist License No. RPH49947

16 Respondent.
17

18 Complainant alleges:

19 PARTIES

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

23 2. On or about March 17, 1998, the Board of Pharmacy issued Pharmacist
24 License No. RPH 49947 to Jennifer Leigh Addington (Respondent). The Pharmacist License
25 was in full force and effect at all times relevant to the charges brought herein and will expire on
26 June 30, 2005, unless renewed.

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"(f) The commission of any act involving moral turpitude, dishonesty, fraud, deceit, or corruption, whether the act is committed in the course of relations as a licensee or otherwise, and whether the act is a felony or misdemeanor or not.

....

"(h) The administering to oneself, of any controlled substance, or the use of any dangerous drug or of alcoholic beverages to the extent or in a manner as to be dangerous or injurious to oneself, to a person holding a license under this chapter, or to any other person or to the public, or to the extent that the use impairs the ability of the person to conduct with safety to the public the practice authorized by the license.

....

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

....

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

"(p) Actions or conduct that would have warranted denial of a license."

7. Business and Professions Code section 4327 states:

"Any person who, while on duty, sells, dispenses or compounds any drug while under the influence of any dangerous drug or alcoholic beverages shall be guilty of a misdemeanor."

8. Health and Safety Code section 11364 states:

"It is unlawful to possess an opium pipe or any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking (1) a controlled substance specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, specified in subdivision (b) or

1 (c) of Section 11055, or specified in paragraph (2) of subdivision (d) of Section 11055, or (2) a
2 controlled substance which is a narcotic drug classified in Schedule III, IV, or V."

3 9. Health and Safety Code section 11550, subdivision (a), states in pertinent
4 part:

5 "No person shall use, or be under the influence of any controlled substance which
6 is (1) specified in subdivision (b), (c), or (e), or paragraph (1) of subdivision (f) of Section 11054,
7 specified in paragraph (14), (15), (21), (22), or (23) of subdivision (d) of Section 11054,
8 specified in subdivision (b) or (c) of Section 11055, or specified in paragraph (1) or (2) of
9 subdivision (d) or in paragraph (3) of subdivision (e) of Section 11055, or (2) a narcotic drug
10 classified in Schedule III, IV, or V, except when administered by or under the direction of a
11 person licensed by the state to dispense, prescribe, or administer controlled substances."

12 10. California Code of Regulations, title 16, section 1770, states:

13 "For the purpose of denial, suspension, or revocation of a personal or facility
14 license pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions
15 Code, a crime or act shall be considered substantially related to the qualifications, functions or
16 duties of a licensee or registrant if to a substantial degree it evidences present or potential
17 unfitness of a licensee or registrant to perform the functions authorized by his license or
18 registration in a manner consistent with the public health, safety, or welfare."

19 11. Business and Professions Code section 125.3, subdivision (a), states, in
20 pertinent part:

21 "Except as otherwise provided by law, in any order issued in resolution of a
22 disciplinary proceeding before any board within the department . . . the board may request the
23 administrative law judge to direct a licentiate found to have committed a violation or violations
24 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
25 enforcement of the case."

26 CONTROLLED SUBSTANCES

27 12. "Methamphetamine," is a schedule II controlled substance, as defined by
28 Health and Safety Code section 11055(d)(2) and is categorized as a "dangerous drug" pursuant to

1 Business and Professions Code section 4022.

2 FIRST CAUSE FOR DISCIPLINE

3 (Unprofessional Conduct – Use of a Controlled Substance)

4 13. Respondent is subject to disciplinary action under Business and
5 Professions Code sections 4300, 4301, subdivisions (a), (f), (h), (j), and (o), and section 4327 for
6 violating Health and Safety Code section 11550, subdivision (a), in that on or about September
7 18, 2001, Respondent, by her own admission, knowingly and willingly, ingested an illegal
8 controlled substance, namely Methamphetamine. Respondent admitted to ingesting
9 methamphetamine prior to reporting for duty as a pharmacist at Longs Drugs Store in Victorville,
10 California. Respondent further admitted to the arresting detectives that she was still under the
11 influence of that controlled substance at the time of her arrest while on duty as a pharmacist.
12 Respondent was arrested on September 18, 2001, for possession of illegal drug paraphernalia and
13 for the use of illegal drugs.

14 SECOND CAUSE FOR DISCIPLINE

15 (Unprofessional Conduct – Possession of an Illegal Device)

16 14. Respondent is subject to disciplinary action under Business and
17 Professions Code sections 4300, 4301, subdivisions (a), (j), and (o), for violating Health and
18 Safety Code section 11364, as more fully set forth below:

19 A. On or about September 18, 2001, Respondent, by her own admission,
20 possessed and used illegal paraphernalia to smoke and ingest the controlled substance
21 methamphetamine.

22 B. On or about December 12, 2001, Respondent was found guilty of violating
23 Health and Safety Code section 11364 (possession of illegal paraphernalia), a misdemeanor, in
24 the Superior Court of California, County of San Bernardino, Victorville Judicial District, under
25 Case No. MVI031140, entitled *People v. Jennifer Leigh Addington*. The Court granted
26 Respondent diversion for a period of 18 months.

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1 PRAYER

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

4 1. Revoking or suspending Pharmacist License No. RPH 49947, issued to
5 Jennifer Leigh Addington;

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

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

10
11 DATED: 1/14/04

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14 P. F. Harris
15 PATRICIA F. HARRIS
16 Executive Officer
17 Board of Pharmacy
18 Department of Consumer Affairs
19 State of California

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Complainant

DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL

(Separate Mailings)

In the Matter of the Accusation Against: JENNIFER LEIGH ADDINGTON
Agency Case No. 2606

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.

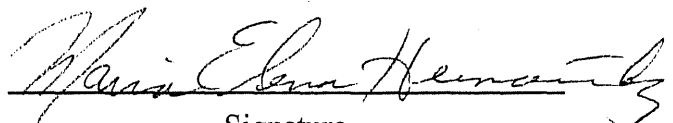
On January 22, 2004, I served the attached **Accusation, Statement to Respondent, Notice of Defense (2 copies), Request for Discovery and Discovery Statutes** by placing a true copy thereof enclosed in a sealed envelope as certified mail with postage thereon fully prepaid and return receipt requested, and another true copy of the **Accusation, Statement to Respondent, Notice of Defense (2 copies), Request for Discovery and Discovery Statutes** was enclosed in a second sealed envelope as first class mail with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 300 So. Spring St., Los Angeles, CA 90013, addressed as follows:

JENNIFER LEIGH ADDINGTON
17 Apollo Road
Tiburon, CA 94920

Kim deLong, Enforcement Technician
Board of Pharmacy
400 R Street, Suite 4070
Sacramento, CA 95814-6200

Certified mail number
7001 0360 0003 6749 1296

the laws of the State of California the foregoing is true
executed on January 22, 2004, at Los Angeles,


Signature

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+ 4

7001 0360 0003 6749 1296

Addington: Accusation
Packet

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JENNIFER LEIGH ADDINGTON
17 Apollo Road
Tiburon, CA 94920

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

Agent
 Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

7001 0360 0003 6749 1296

1 HASSARD BONNINGTON LLP
DEXTER B. LOUIE, ESQ., State Bar No. 105991
2 Two Embarcadero Center, Suite 1800
San Francisco, California 94111-3993
3 Telephone: (415) 288-9800
Fax: (415) 288-9801

4 Attorneys for Respondent
5 JENNIFER LEIGH ADDINGTON

6
7 BEFORE THE BOARD OF PHARMACY
8 DEPARTMENT OF CONSUMER AFFAIRS
9 STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:
11 JENNIFER LEIGH ADDINGTON
12 Respondent.

Case No. 2606

**DECLARATION OF JEFFREY
ADDINGTON**

13
14 I, Jeffrey Addington, declare:

15 1. I currently reside in Sausalito, California and am employed as a chef in
16 San Francisco, California. I am over the age of 21 and am familiar with and can
17 competently testify to the matters stated herein.

18 2. I have known Jennifer Addington since early 1998. We were married in
19 March of 1999. We have been separated for over one year.

20 3. In September 2001, we were living in Apple Valley, California. I had
21 previously been stationed at Fort Irwin, California while I was enlisted in the Army. I
22 was discharged from the Army on December 14, 2000. In September 2001, I was
23 employed as a chef in Victorville, California.

24 4. I was present at home, on September 18, 2001, when the Sherriff's
25 Department of the County of San Bernadino appeared at my home and presented a
26 search warrant for the premises. They searched the house prior to my wife's arrival
27 at home. I am aware that they located a pipe which they described in their Sheriff's

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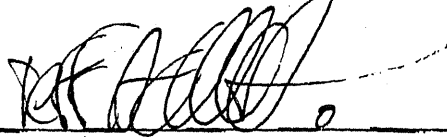
1 report as drug paraphernalia. The pipe was not found where the sheriff indicated, i.e.
2 in her personal dresser drawers. The pipe did not belong to Jennifer Addington.

3 5. During all of the time that I have known Jennifer Addington, I have not
4 known her to use illicit drugs, including speed, methamphetamine, or any similar
5 substances.

6 I declare under penalty of perjury under the laws of the State of California that
7 the foregoing is true and correct.

8 Executed this 15th day of November, 2004, at San Francisco California.

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Jeffrey Addington

1 HASSARD BONNINGTON LLP
DEXTER B. LOUIE, ESQ., State Bar No. 105991
2 Two Embarcadero Center, Suite 1800
San Francisco, California 94111-3993
3 Telephone: (415) 288-9800
Fax: (415) 288-9801

4 Attorneys for Respondent
5 JENNIFER LEIGH ADDINGTON

6
7 BEFORE THE BOARD OF PHARMACY
8 DEPARTMENT OF CONSUMER AFFAIRS
9 STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:
11 JENNIFER LEIGH ADDINGTON
12 Respondent.

Case No. 2606

DECLARATION OF CHRIS GONG

13
14 I, Chris Gong, declare:

15 1. I am a licensed California pharmacist practicing in Walnut Creek,
16 California. I am over the age of 21 and am familiar with and can competently testify
17 to the matters stated herein.

18 2. I am currently Vice-President of Pharmacy Operations for Longs Drug
19 Stores, Inc. I have held that position for the past year. I was previously the Regional
20 Manager for Pharmacy Operations for approximately two years and the Pharmacy
21 Supervisor for Southern California for Longs Drug Stores, Inc. for eighteen years prior
22 to that.

23 3. As Pharmacy Supervisor, I was responsible for overseeing the
24 operations of 35 to 40 Longs pharmacies. In that position, I had direct interaction with
25 pharmacy managers and the pharmacists at the individual stores.

26 4. I have known Jennifer Addington professionally for the last
27 approximately five years. In approximately 1999, she transferred to Longs Pharmacy
28 in Apple Valley, California from Northern California. As part of the transfer process, I

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DECLARATION OF CHRIS GONG

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1 received a report regarding Pharmacist Addington from her Area Manager, Larry
2 Barsamian. She came highly recommended as a pharmacist who was very
3 knowledgeable and competent.

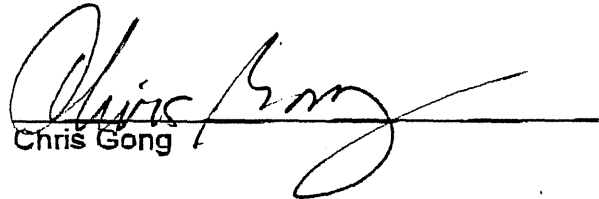
4 5. Pharmacist Addington was a staff pharmacist at Longs Drug Store
5 Pharmacy in Apple Valley, California from 1999 to 2001. During that time, I had the
6 opportunity to observe and speak with her in that role one to two times per quarter. In
7 addition, on at least a quarterly basis, I would discuss Ms. Addington, along with other
8 staff pharmacists, with the Apple Valley Longs Pharmacy Manager.

9 6. All reports I received from the Pharmacy Manager (Ms. Addington's
10 direct supervisor) were positive.

11 7. My impression, from my professional observation and interaction with
12 her, was that she was a very good pharmacist, above average in technical skill and
13 knowledge.

14 I declare under penalty of perjury under the laws of the State of California that
15 the foregoing is true and correct.

16 Executed this 31st day of October, 2004, at Walnut Creek California.

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19 Chris Gong

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DECLARATION OF CHRIS GONG

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2 Two Embarcadero Center, Suite 1800
San Francisco, California 94111-3993
3 Telephone: (415) 288-9800
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4 Attorneys for Respondent
5 JENNIFER LEIGH ADDINGTON

6

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BEFORE THE BOARD OF PHARMACY

8

DEPARTMENT OF CONSUMER AFFAIRS

9

STATE OF CALIFORNIA

10

In the Matter of the Accusation Against:

Case No. 2606

11

JENNIFER LEIGH ADDINGTON

**DECLARATION OF JOHN
GALLEGOS**

12

Respondent.

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I, John Gallegos, declare:

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1. I am a licensed California pharmacist, practicing in Southern California.

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I am over the age of 21 and am familiar with and can competently testify to the matters stated herein.

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2. For the past 13 years, I have been the Operations Vice President for

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Southern California for Cameron and Company. Cameron and Company supplies

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relief pharmacists to pharmacies in Southern California. My responsibilities include

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hiring and firing of pharmacists.

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3. In the fall or winter of 2001, I hired Jennifer Addington as a relief

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pharmacist for Cameron and Company. She worked for Cameron and Company for

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approximately 1 to 1½ years. During that time, she was sent to various pharmacies

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in Southern California in the High Desert, Low Desert and Inland Empire. She

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worked as a relief pharmacist in at least 4 to 5 different chain store pharmacies, as

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well as several hospitals and long-term care pharmacies. I also had occasion to work

1 with her at several pharmacies. I received feedback from many of the pharmacies
2 where she was assigned. Universally, she was found to do an excellent job, was
3 friendly, out-going, personable, and intelligent, and an excellent pharmacist. She was
4 universally liked and was frequently requested by name. She was excellent with
5 customers. There were never any negative comments about her in any manner. This
6 input mirrored my own personal evaluation of her.

7 I declare under penalty of perjury under the laws of the State of California that
8 the foregoing is true and correct.

9 Executed this 12th day of November, 2004, at ANA HOMA, California.

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John Gallegos