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

In the Matter of the Accusation Against:
VARDUI ROSE PNDLYAN
711 E. Acacia # F
Glendale, CA 91205
Pharmacy Technician License No. TCH 6073
Respondent.

Case No. 5208

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about December 21, 2015, Complainant Virginia K. Herold, in her official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer Affairs, filed Accusation No. 5208 against Vardui Rose Pndlyan (Respondent) before the Board of Pharmacy. (Accusation attached as Exhibit A.)

2. On or about March 23, 1993, the Board of Pharmacy (Board) issued Pharmacy Technician License No. TCH 6073 to Respondent. The Pharmacy Technician License was in full force and effect at all times relevant to the charges brought in Accusation No. 5208 and will expire on September 30, 2016, unless renewed. Pursuant to Business and Professions Code section 4300.1, any lapse in licensure due to expiration or otherwise would not deprive the Board of its authority to institute or continue this disciplinary proceeding.

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1 3. On or about January 5, 2016, Respondent was served by Certified and First Class
2 Mail copies of Accusation No. 5208; a Statement to Respondent; a Notice of Defense; a Request
3 for Discovery; and Discovery Statutes (Government Code sections 11507.5, 11507.6, and
4 11507.7), at Respondent's address of record which, pursuant to Business and Professions Code
5 section 4100, is required to be reported and maintained with the Board. Respondent's address of
6 record was and is 711 E. Acacia # F, Glendale, CA 91205.

7 4. Service of the Accusation was effective as a matter of law under the provisions of
8 Government Code section 11505, subdivision (c) and Business and Professions Code section 124.

9 5. Government Code section 11506(c) states, in pertinent part:

10 (c) The respondent shall be entitled to a hearing on the merits if the respondent
11 files a notice of defense . . . and the notice shall be deemed a specific denial of all
12 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
13 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
14 discretion may nevertheless grant a hearing.

15 6. Respondent failed to file a Notice of Defense within 15 days after service upon her of
16 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 5208.

17 7. California Government Code section 11520(a) states, in pertinent part:

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

22 8. Pursuant to its authority under Government Code section 11520, the Board finds
23 Respondent is in default. The Board will take action without further hearing and, based on the
24 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
25 taking official notice of all the investigatory reports, exhibits and statements contained therein on
26 file at the Board's offices regarding the allegations contained in Accusation No. 5208, finds that
27 the charges and allegations in Accusation No. 5208, are separately and severally, found to be true
28 and correct by clear and convincing evidence.

 9. Taking official notice of its own internal records, pursuant to Business and
Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
and Enforcement in this case are \$2,170.50 as of September 19, 2016.

DETERMINATION OF ISSUES

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2 1. Based on the foregoing findings of fact, Respondent Vardui Rose Pndlyan has
3 subjected her Pharmacy Technician License No. TCH 6073 to discipline.

4 2. The agency has jurisdiction to adjudicate this case by default.

5 3. The Board of Pharmacy is authorized to revoke Respondent's Pharmacy Technician
6 License based upon the following violations alleged in the Accusation which are supported by the
7 evidence contained in the Default Decision Evidence Packet in this case.:

8 a. In violation of Business and Professions Code section(s) 4301(l) and/or 490, by
9 reference to California Code of Regulations, title 16, section 1770, Respondent was convicted of
10 substantially related crime(s), in that on or about October 23, 2014, in *People of the State of New*
11 *York v. Garegin Spartalyan, et al.*, Case No. 00202-2014 in the Supreme Court of the State of
12 New York, New York County, Respondent was convicted of violating New York Penal Law
13 section 470.05, subdivision (2) (Attempted Money Laundering in the Fourth Degree).

14 b. In violation of Business and Professions Code section 4301, with regard to the
15 conduct leading to the conviction above, Respondent engaged in unprofessional conduct.

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ORDER

IT IS SO ORDERED that Pharmacy Technician License No. TCH 6073, heretofore issued to Respondent Vardui Rose Pndlyan, is revoked.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective at 5:00 p.m. on November 14, 2016.

It is so ORDERED on October 14, 2016.

BOARD OF PHARMACY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA



By _____

Amy Gutierrez, Pharm.D.
Board President

41599294.DOC; DOJ Matter ID:SF2014408600
Attachment: Exhibit A: Accusation

Exhibit A

Accusation

(VARDUI ROSE PNDLYAN)

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2 LINDA K. SCHNEIDER
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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. 5208

11 **VARDOI ROSE PNDLYAN**
12 **711 E. Acacia # F**
13 **Glendale, CA 91205**

A C C U S A T I O N

14 **Pharmacy Technician License No. TCH 6073**

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 March 23, 1993, the Board of Pharmacy issued Pharmacy Technician
21 License Number TCH 6073 to Vardui Rose Pndlyan (Respondent). The Pharmacy Technician
22 License was in full force and effect at all times relevant to the charges brought herein and will
23 expire on September 30, 2016, unless renewed.

24 **JURISDICTION**

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

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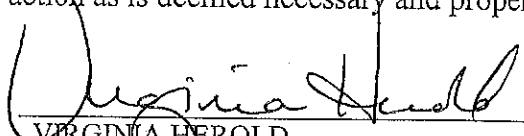
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PRAYER

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

1. Revoking or suspending Pharmacy Technician License Number TCH 6073, issued to Vardui Rose Pndlyan (Respondent);
2. Ordering Respondent to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as is deemed necessary and proper.

DATED: 12/21/15



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

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