

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

**In the Matter of the First Amended Accusation Against:**

**LMD HOLDINGS, LTD dba HAWTHORNE PROFESSIONAL  
PHARMACY; JANICE M. KNIGHT-COOPER, CHIEF EXECUTIVE  
OFFICER, PRESIDENT, SECRETARY, AND TREASURER/CHIEF  
FINANCIAL OFFICER; CATHERINE BERG, VICE PRESIDENT,  
SHAREHOLDER, SECRETARY, AND  
TREASURER/CHIEF FINANCIAL OFFICER,**

**Pharmacy Permit No. PHY 38184;**

**and**

**JANICE MARIA KNIGHT-COOPER,**

**Pharmacist License No. RPH 40781,**

**Respondents**

**Agency Case No. 6700**

**OAH No. 2020020661**

## 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 at 5:00 p.m. on December 9, 2020.

It is so ORDERED on November 9, 2020.

BOARD OF PHARMACY  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Greg M. Lippe", written in a cursive style.

By

Greg Lippe  
Board President

1 XAVIER BECERRA  
Attorney General of California  
2 MARC D. GREENBAUM  
Supervising Deputy Attorney General  
3 MICHAEL BROWN  
Deputy Attorney General  
4 State Bar No. 231237  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
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7 *Attorneys for Complainant*

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

12 In the Matter of the First Amended Accusation  
Against:

13 **LMD HOLDINGS, LTD DBA**  
14 **HAWTHORNE PROFESSIONAL**  
15 **PHARMACY; JANICE M. KNIGHT-**  
16 **COOPER, Chief Executive Officer,**  
17 **President, Secretary, and Treasurer/Chief**  
18 **Financial Officer; CATHERINE BERG,**  
19 **Vice President, Shareholder, Secretary, and**  
20 **Treasurer/Chief Financial Officer**  
4477 West 118th Street, Ste. 100  
Hawthorne, CA 90250

21 Pharmacy Permit No. PHY 38184,

22 **and**

23 **JANICE MARIA KNIGHT-COOPER**  
6705 S. Garth Ave.  
Los Angeles, CA 90056

24 Pharmacist License No. RPH 40781

25 Respondent.

Case No. 6700

OAH No. 2020020661

**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER AS TO**  
**RESPONDENT JANICE MARIA**  
**KNIGHT-COOPER**

**STIPULATED SURRENDER OF**  
**LICENSE AS TO RESPONDENT LMD**  
**HOLDINGS, LTD DBA HAWTHORNE**  
**PROFESSIONAL PHARMACY**

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

1 **PARTIES**

2 1. Anne Sodergren (Complainant) is the Executive Officer of the Board of Pharmacy  
3 (Board). She brought this action solely in her official capacity and is represented in this matter by  
4 Xavier Becerra, Attorney General of the State of California, by Michael Brown, Deputy Attorney  
5 General.

6 2. LMD Holdings, LTD to do business as Hawthorne Professional Pharmacy  
7 (Respondent Hawthorne) and Janice Maria Knight-Cooper (Respondent Knight-Cooper) are  
8 represented in this proceeding by attorney Luis Andre P. Vizcocho, Esq., whose address is:  
9 California Pharmacy Lawyers, 55 Cetus 1st Floor, Irvine, CA 92618.

10 3. On or about October 1, 2001, the Board of Pharmacy (Board) issued Pharmacy  
11 Permit Number PHY 38184 Respondent Hawthorne. Respondent Knight-Cooper is and has been  
12 the Chief Executive Officer, President, Secretary and Treasurer/Chief Financial Officer since  
13 October 1, 2001. Respondent Knight-Cooper is and has been the Pharmacist-in-Charge since  
14 April 1, 2000. Catherine Berg is and has been the Vice President, 40% Shareholder, Secretary  
15 and Treasurer/Chief Financial Officer since July 19, 2007. The Pharmacy Permit was in full  
16 force and effect at all times relevant to the charges brought in First Amended Accusation No.  
17 6700 and will expire on September 1, 2021, unless renewed.

18 4. On or about March 18, 1987, the Board issued Pharmacist License Number RPH  
19 40781 to Respondent Knight-Cooper. The Pharmacist License was in full force and effect at all  
20 times relevant to the charges brought in First Amended Accusation No. 6700 and will expire on  
21 September 30, 2020, unless renewed.

22 **JURISDICTION**

23 5. First Amended Accusation No. 6700 was filed before the Board, and is currently  
24 pending against Respondents Hawthorne and Knight-Cooper. The First Amended Accusation  
25 and all other statutorily required documents were properly served on Respondents on August 6,  
26 2020. Respondents timely filed their Notice of Defense contesting the First Amended  
27 Accusation. A copy of First Amended Accusation No. 6700 is attached as Exhibit A and  
28 incorporated by reference.

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**CONTINGENCY**

13. This stipulation shall be subject to approval by the Board. Respondents Hawthorne and Knight-Cooper understand and agree that counsel for Complainant and the staff of the Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondents or their counsel. By signing the stipulation, Respondents understand and agree that they may not withdraw their agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation, this agreement shall be of no force or effect, except for this paragraph it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

14. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this agreement, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

15. This stipulation is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This stipulation may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

16. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

**DISCIPLINARY ORDER**

**AS TO RESPONDENT HAWTHORNE**

IT IS HEREBY ORDERED that Pharmacy Permit No. PHY 38184, issued to Respondent Hawthorne, is surrendered and accepted by the Board and is effective 120 days from the date of this decision.

1. Respondent Hawthorne shall lose all rights and privileges as a Pharmacy in California as of the effective date of this decision.

2. The surrender of Respondent Hawthorne's license and the acceptance of the surrendered license shall constitute the imposition of discipline against Respondent Hawthorne. This decision constitutes a record of discipline and shall become part of Respondent Hawthorne's license history with the Board.

3. Respondent Hawthorne may only seek a new or reinstated license from the Board by way of a new application for licensure. Respondent Pharmacy is not eligible to petition for reinstatement of licensure.

4. Respondent Hawthorne may not reapply for any license from the Board for three (3) years from the effective date of this decision.

5. Respondent Hawthorne stipulates that should it apply for any license from the Board on or after the effective date of this decision, all allegations set forth in First Amended Accusation No. 6700 shall be deemed true, correct, and admitted by Respondent Hawthorne when the Board determines whether to grant or deny the application. Respondent Hawthorne shall satisfy all requirements applicable to that license as of the date the application is submitted to the Board.

6. Respondent Hawthorne is required to report this surrender as disciplinary action.

#### **AS TO RESPONDENT KNIGHT-COOPER**

IT IS HEREBY ORDERED that Pharmacist License No. RPH 40781 issued to Respondent Janice Maria Knight-Cooper is revoked. However, the revocation is stayed and Respondent is placed on probation for four (4) years on the following terms and conditions:

**1. Obey All Laws**

Respondent Knight-Cooper shall obey all state and federal laws and regulations.

Respondent Knight-Cooper 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, no contest, or similar, in any state or federal criminal proceeding to any criminal complaint, information or indictment

- a conviction of any crime
- the filing of a disciplinary pleading, issuance of a citation, or initiation of another administrative action filed by any state or federal agency which involves respondent's 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 Knight-Cooper 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 Knight-Cooper 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.

## **4. Cooperate with Board Staff**

Respondent Knight-Cooper shall timely cooperate with the board's inspection program and with the board's monitoring and investigation of Respondent's compliance with the terms and conditions of her probation, including but not limited to: timely responses to requests for information by board staff; timely compliance with directives from board staff regarding



1 requirements of any term or condition of probation; and timely completion of documentation  
2 pertaining to a term or condition of probation. Failure to timely cooperate shall be considered a  
3 violation of probation.

4 **5. Continuing Education**

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

7 **6. Reporting of Employment and Notice to Employers**

8 During the period of probation, Respondent Knight-Cooper shall notify all present and  
9 prospective employers of the decision in case number 6700 and the terms, conditions and  
10 restrictions imposed on Respondent by the decision, as follows

11 Within thirty (30) days of the effective date of this decision, and within ten (10) days of  
12 undertaking any new employment, Respondent Knight-Cooper shall report to the board in writing  
13 the name, physical address, and mailing address of each of her employer(s), and the name(s) and  
14 telephone number(s) of all of her direct supervisor(s), as well as any pharmacist(s)-in-charge,  
15 designated representative(s)-in-charge, responsible manager, or other compliance supervisor(s)  
16 and the work schedule, if known. Respondent shall also include the reason(s) for leaving the  
17 prior employment. Respondent shall sign and return to the board a written consent authorizing  
18 the board or its designee to communicate with all of Respondent's employer(s) and supervisor(s),  
19 and authorizing those employer(s) or supervisor(s) to communicate with the board or its designee,  
20 concerning respondent's work status, performance, and monitoring. Failure to comply with the  
21 requirements or deadlines of this condition shall be considered a violation of probation.

22 Within thirty (30) days of the effective date of this decision, and within fifteen (15) days of  
23 Respondent Knight-Cooper undertaking any new employment, Respondent shall cause (a) her  
24 direct supervisor, (b) her pharmacist-in-charge, designated representative-in-charge, responsible  
25 manager, or other compliance supervisor, and (c) the owner or owner representative of her  
26 employer, to report to the Board in writing acknowledging that the listed individual(s) has/have  
27 read the decision in case number 6700, and the terms and conditions imposed thereby. If one  
28 person serves in more than one role described in (a), (b), or (c), the acknowledgment shall so

1 state. It shall be Respondent's responsibility to ensure that these acknowledgment(s) are timely  
2 submitted to the Board. In the event of a change in the person(s) serving the role(s) described in  
3 (a), (b), or (c) during the term of probation, Respondent shall cause the person(s) taking over the  
4 role(s) to report to the Board in writing within fifteen (15) days of the change acknowledging that  
5 he or she has read the decision in case number 6700, and the terms and conditions imposed  
6 thereby.

7 If Respondent Knight-Cooper works for or is employed by or through an employment  
8 service, Respondent must notify the person(s) described in (a), (b), and (c) above at every entity  
9 licensed by the Board of the decision in case number 6700, and the terms and conditions imposed  
10 thereby in advance of Respondent commencing work at such licensed entity. A record of this  
11 notification must be provided to the Board upon request.

12 Furthermore, within thirty (30) days of the effective date of this decision, and within fifteen  
13 (15) days of Respondent Knight-Cooper undertaking any new employment by or through an  
14 employment service, Respondent Knight-Cooper shall cause the person(s) described in (a), (b),  
15 and (c) above at the employment service to report to the Board in writing acknowledging that he  
16 or she has read the decision in case number, and the terms and conditions imposed thereby. It  
17 shall be Respondent's responsibility to ensure that these acknowledgment(s) are timely submitted  
18 to the Board.

19 Failure to timely notify present or prospective employer(s) or failure to cause the identified  
20 person(s) with that/those employer(s) to submit timely written acknowledgments to the Board  
21 shall be considered a violation of probation.

22 "Employment" within the meaning of this provision includes any full-time, part-time,  
23 temporary, relief, or employment/management service position as a Pharmacist, or any position  
24 for which a Pharmacist is a requirement or criterion for employment, whether the Respondent  
25 Knight-Cooper is an employee, independent contractor or volunteer.

26 **7. Notification of Change(s) in Name, Address(es), or Phone Number(s)**

27 Respondent Knight-Cooper shall further notify the Board in writing within ten (10) days of  
28 any change in name, residence address, mailing address, e-mail address or phone number.

1 Failure to timely notify the Board of any change in employer, name, address, or phone  
2 number shall be considered a violation of probation.

3 **8. Restrictions on Supervision and Oversight of Licensed Facilities**

4 During the period of probation, Respondent Knight-Cooper shall not supervise any intern  
5 pharmacist, be the pharmacist-in-charge, designated representative-in-charge, responsible  
6 manager or other compliance supervisor of any entity licensed by the Board, nor serve as a  
7 consultant. Assumption of any such unauthorized supervision responsibilities shall be considered  
8 a violation of probation. Respondent Knight-Cooper may remain PIC at Hawthorne Professional  
9 Pharmacy until it's closed or sold.

10 **9. Reimbursement of Board Costs**

11 As a condition precedent to successful completion of probation, Respondent Knight-Cooper  
12 shall pay to the Board its costs of investigation and prosecution in the amount of \$ 19,413.00.  
13 Respondent shall make said payments in thirty-six (36) equal monthly payments of \$539.25, due  
14 on the 1st of each month during the three year of probation.

15 There shall be no deviation from this schedule absent prior written approval by the board or  
16 its designee. Failure to pay costs by the deadline(s) as directed shall be considered a violation of  
17 probation.

18 Respondent shall be permitted to pay these costs in a payment plan approved by the board  
19 or its designee, so long as full payment is completed no later than one (1) year prior to the end  
20 date of probation.

21 **10. Probation Monitoring Costs**

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

26 **11. Status of License**

27 Respondent Knight-Cooper shall, at all times while on probation, maintain an active,  
28 current Pharmacist License with the Board, including any period during which suspension or

1 probation is tolled. Failure to maintain an active, current Pharmacist License shall be considered  
2 a violation of probation.

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

#### 7 **12. License Surrender While on Probation**

8 Following the effective date of this decision, should Respondent Knight-Cooper cease  
9 practice due to retirement or health, or be otherwise unable to satisfy the terms and conditions of  
10 probation, Respondent may relinquish her license, including any indicia of licensure issued by the  
11 Board, along with a request to surrender the license. The Board or its designee shall have the  
12 discretion whether to accept the surrender or take any other action it deems appropriate and  
13 reasonable. Upon formal acceptance of the surrender of the license, Respondent will no longer be  
14 subject to the terms and conditions of probation. This surrender constitutes a record of discipline  
15 and shall become a part of Respondent's license history with the Board.

16 Upon acceptance of the surrender, Respondent Knight-Cooper shall relinquish her pocket  
17 and/or wall license, including any indicia of licensure not previously provided to the Board within  
18 ten (10) days of notification by the Board that the surrender is accepted if not already provided.  
19 Respondent may not reapply for any license from the Board for three (3) years from the effective  
20 date of the surrender. Respondent shall meet all requirements applicable to the license sought as  
21 of the date the application for that license is submitted to the Board, including any outstanding  
22 costs.

#### 23 **13. Practice Requirement – Extension of Probation**

24 Except during periods of suspension, Respondent Knight-Cooper shall, at all times while on  
25 probation, be employed as a Pharmacist in California for a minimum of 60 hours per calendar  
26 month. Any month during which this minimum is not met shall extend the period of probation by  
27 one month. During any such period of insufficient employment, Respondent must nonetheless  
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1 comply with all terms and conditions of probation, unless Respondent receives a waiver in  
2 writing from the Board or its designee.

3 If Respondent Knight-Cooper does not practice as a Pharmacist in California for the  
4 minimum number of hours in any calendar month, for any reason (including vacation),  
5 Respondent shall notify the Board in writing within ten (10) days of the conclusion of that  
6 calendar month. This notification shall include at least: the date(s), location(s), and hours of last  
7 practice; the reason(s) for the interruption or reduction in practice; and the anticipated date(s) on  
8 which Respondent will resume practice at the required level. Respondent shall further notify the  
9 Board in writing within ten (10) days following the next calendar month during which  
10 Respondent practices as a Pharmacist in California for the minimum of hours. Any failure to  
11 timely provide such notification(s) shall be considered a violation of probation.

12 It is a violation of probation for Respondent Knight-Cooper's probation to be extended  
13 pursuant to the provisions of this condition for a total period, counting consecutive and non-  
14 consecutive months, exceeding thirty-six (36) months. The Board or its designee may post a  
15 notice of the extended probation period on its website.

#### 16 **14. Violation of Probation**

17 If Respondent Knight-Cooper has not complied with any term or condition of probation, the  
18 Board shall have continuing jurisdiction over Respondent, and the Board shall provide notice to  
19 Respondent that probation shall automatically be extended, until all terms and conditions have  
20 been satisfied or the Board has taken other action as deemed appropriate to treat the failure to  
21 comply as a violation of probation, to terminate probation, and to impose the penalty that was  
22 stayed. The Board or its designee may post a notice of the extended probation period on its  
23 website.

24 If Respondent Knight-Cooper 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 or an accusation is filed  
27 against Respondent during probation, or the preparation of an accusation or petition to revoke  
28 probation is requested from the Office of the Attorney General, the Board shall have continuing

jurisdiction and the period of probation shall be automatically extended until the petition to revoke probation or accusation is heard and decided.

**15. Completion of Probation**

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

**16. Ethics Course**

Within sixty (60) calendar days of the effective date of this decision, Respondent Knight-Cooper shall enroll in a course in ethics, at Respondent's expense, approved in advance by the Board or its designee that complies with California Code of Regulations, title 16, section 1773.5. Respondent shall provide proof of enrollment upon request. Within five (5) days of completion, Respondent shall submit a copy of the certificate of completion to the Board or its designee. Failure to timely enroll in an approved ethics course, to initiate the course during the first year of probation, to successfully complete it before the end of the second year of probation, or to timely submit proof of completion to the Board or its designee, shall be considered a violation of probation.

**17. Remedial Education**

Within sixty (60) days of the effective date of this decision, Respondent Knight-Cooper shall submit to the Board or its designee, for prior approval, an appropriate program of remedial education related to pharmacy law or pharmacy operations. The program of remedial education shall consist of at least 10 hours during each year of probation, which shall be completed by the end of each year of probation at Respondent's own expense. At least 50% of the remedial education must be completed in person or via live webinar. All remedial education shall be in addition to, and shall not be credited toward, continuing education (CE) courses used for license renewal purposes for pharmacists.

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

1           Following the completion of each course, the Board or its designee may require Respondent  
2 Knight-Cooper, at her own expense, to take an approved examination to test Respondent's  
3 knowledge of the course. If Respondent does not achieve a passing score on the examination that  
4 course shall not count towards satisfaction of this term. Respondent shall take another course  
5 approved by the Board in the same subject area.

6           **18. No New Ownership or Management of Licensed Premises**

7           Respondent Knight-Cooper shall not acquire any new ownership, legal or beneficial interest  
8 nor serve as a manager, administrator, member, officer, director, trustee, associate, or partner of  
9 any additional business, firm, partnership, or corporation licensed by the board. If Respondent  
10 currently owns or has any legal or beneficial interest in, or serves as a manager, administrator,  
11 member, officer, director, trustee, associate, or partner of any business, firm, partnership, or  
12 corporation currently or hereinafter licensed by the board, Respondent may continue to serve in  
13 such capacity or hold that interest, but only to the extent of that position or interest as of the  
14 effective date of this decision. Violation of this restriction shall be considered a violation of  
15 probation.

16           **19. Charitable Donation**

17           Within sixty (60 days of the effective date of this decision, Respondent Knight-Cooper shall  
18 submit to the Board or its designee, for prior approval, a charity to donate \$10,000.00.  
19 Respondent shall make \$10,000 charitable donation to be made for purposes of and in the spirit of  
20 Business and Professions Code section 4119.8. Failure to timely submit, commence, or comply  
21 with the program shall be considered a violation of probation.

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**ACCEPTANCE**

I have carefully read the above Stipulated Settlement of License and Disciplinary Order and have fully discussed it with my attorney Luis Andre P. Vizcocho, Esq. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: \_\_\_\_\_  
JANICE MARIA KNIGHT-COOPER  
*Respondent*

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney Luis Andre P. Vizcocho, Esq. I understand the stipulation and the effect it will have on the Pharmacy Permit. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: \_\_\_\_\_  
JANICE M. KNIGHT-COOPER  
Chief Executive Officer  
*Respondent*

I have read and fully discussed with Respondent Hawthorne and Respondent Knight-Cooper the terms and conditions and other matters contained in this agreement. I approve its form and content.

DATED: \_\_\_\_\_  
LUIS ANDRE P. VIZCOCHO, ESQ.  
*Attorney for Respondent*

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1 ACCEPTANCE

2 I have carefully read the above Stipulated Settlement of License and Disciplinary Order and  
3 have fully discussed it with my attorney Luis Andre P. Vizcocho, Esq. I understand the  
4 stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated  
5 Settlement of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree  
6 to be bound by the Decision and Order of the Board of Pharmacy.

7  
8 DATED: 8/11/2020

Janice Maria Knight-Cooper  
JANICE MARIA KNIGHT COOPER  
Respondent

10 I have carefully read the above Stipulated Surrender of License and Order and have fully  
11 discussed it with my attorney Luis Andre P. Vizcocho, Esq. I understand the stipulation and the  
12 effect it will have on the Pharmacy Permit. I enter into this Stipulated Surrender of License and  
13 Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order  
14 of the Board of Pharmacy.

15 DATED: 8/11/2020

Janice M. Knight-Cooper  
JANICE M. KNIGHT-COOPER  
Chief Executive Officer  
Respondent

18 I have read and fully discussed with Respondent Hawthorne and Respondent Knight-  
19 Cooper the terms and conditions and other matters contained in this agreement. I approve its  
20 form and content.

21 DATED: \_\_\_\_\_

22 LUIS ANDRE P. VIZCOCHO, ESQ.  
23 Attorney for Respondent

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ACCEPTANCE

I have carefully read the above Stipulated Settlement of License and Disciplinary Order and have fully discussed it with my attorney Luis Andre P. Vizcocho, Esq. I understand the stipulation and the effect it will have on my Pharmacist License. I enter into this Stipulated Settlement of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: \_\_\_\_\_

JANICE MARIA KNIGHT-COOPER  
*Respondent*


I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney Luis Andre P. Vizcocho, Esq. I understand the stipulation and the effect it will have on the Pharmacy Permit. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Pharmacy.

DATED: \_\_\_\_\_

JANICE M. KNIGHT-COOPER  
Chief Executive Officer  
*Respondent*

I have read and fully discussed with Respondent Hawthorne and Respondent Knight-Cooper the terms and conditions and other matters contained in this agreement. I approve its form and content.

DATED: August 12, 2020

  
\_\_\_\_\_  
LUIS ANDRE P. VIZCOCHO, ESQ.  
*Attorney for Respondent*

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**ENDORSEMENT**

The foregoing settlement is hereby respectfully submitted for consideration by the Board of Pharmacy.

DATED: August \_\_, 2020

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
MARC D. GREENBAUM  
Supervising Deputy Attorney General

\_\_\_\_\_  
MICHAEL BROWN  
Deputy Attorney General  
*Attorneys for Complainant*

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**ENDORSEMENT**

The foregoing settlement is hereby respectfully submitted for consideration by the Board of  
Pharmacy.

DATED: August 13, 2020

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
MARC D. GREENBAUM  
Supervising Deputy Attorney General



MICHAEL BROWN  
Deputy Attorney General  
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**Exhibit A**

**First Amended Accusation No. 6700**

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

12 In the Matter of the First Amended Accusation  
13 Against:

Case No. 6700

14 **LMD HOLDINGS, LTD DBA**  
**HAWTHORNE PROFESSIONAL**  
15 **PHARMACY; JANICE M. KNIGHT-**  
16 **COOPER, Chief Executive Officer,**  
**President, Secretary, and Treasurer/Chief**  
**Financial Officer**

**FIRST AMENDED ACCUSATION**

17 4477 West 118th Street, Ste. 100  
Hawthorne, CA 90250

18 Pharmacy Permit No. PHY 38184,

19 **and**

20 **JANICE MARIA KNIGHT-COOPER**

21 6705 S. Garth Ave.  
Los Angeles, CA 90056

22 Pharmacist License No. RPH 40781

23 Respondent.  
24

25 **PARTIES**

26 1. Anne Sodergren (Complainant) brings this First Amended Accusation solely in her  
27 official capacity as the Executive Officer of the Board of Pharmacy, Department of Consumer  
28 Affairs.

2. On or about October 1, 2001, the Board of Pharmacy (Board) issued Pharmacy Permit Number PHY 38184 to LMD Holdings, LTD to do business as Hawthorne Professional Pharmacy (Respondent Hawthorne). Respondent Janice M. Knight-Cooper (Respondent Knight-Cooper) is and has been the Chief Executive Officer, President, Secretary and Treasurer/Chief Financial Officer since October 1, 2001. Respondent Knight-Cooper is and has been the Pharmacist-in-Charge since April 1, 2000. The Pharmacy Permit was in full force and effect at all times relevant to the charges brought herein and will expire on September 1, 2021, unless renewed.

3. On or about March 18, 1987, the Board issued Pharmacist License Number RPH 40781 to Respondent Knight-Cooper. The Pharmacist License was in full force and effect at all times relevant to the charges brought herein and will expire on September 30, 2020, unless renewed.

### **JURISDICTION**

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

5. Section 118, subdivision (b), of the Code provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

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

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

8. Section 4300.1 of the Code states that the expiration, cancellation, forfeiture, or suspension of a Board-issued license by operation of law or by order or decision of the Board or a court of law, the placement of a license on a retired status, or the voluntary surrender of a license

1 by a licensee shall not deprive the Board of jurisdiction to commence or proceed with any  
2 investigation of, or action or disciplinary proceeding against, the licensee or to render a decision  
3 suspending or revoking the license.

4 9. Section 4307 of the Code states:

5 (a) Any person who has been denied a license or whose license has been  
6 revoked or is under suspension, or who has failed to renew his or her license while  
7 it was under suspension, or who has been a manager, administrator, owner,  
8 member, officer, director, associate, partner, or any other person with management  
9 or control of any partnership, corporation, trust, firm, or association whose  
10 application for a license has been denied or revoked, is under suspension or has  
11 been placed on probation, and while acting as the manager, administrator, owner,  
12 member, officer, director, associate, partner, or any other person with management  
13 or control had knowledge of or knowingly participated in any conduct for which the  
14 license was denied, revoked, suspended, or placed on probation, shall be prohibited  
15 from serving as a manager, administrator, owner, member, officer, director,  
16 associate, partner, or in any other position with management or control of a licensee  
17 as follows:

18 (1) Where a probationary license is issued or where an existing license is  
19 placed on probation, this prohibition shall remain in effect for a period not to  
20 exceed five years.

21 (2) Where the license is denied or revoked, the prohibition shall continue until  
22 the license is issued or reinstated.

23 (b) "Manager, administrator, owner, member, officer, director, associate,  
24 partner, any other person with management or control of a license" as used in  
25 this section and Section 4308, may refer to a pharmacist or to any other person who  
26 serves in such capacity in or for a licensee.

27 (c) The provisions of subdivision (a) may be alleged in any pleading filed  
28 pursuant to Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of  
the Government Code. However, no order may be issued in that case except as to a  
person who is named in the caption, as to whom the pleading alleges the  
applicability of this section, and where the person has been given notice of the  
proceeding as required by Chapter 5 (commencing with Section 11500) of Part 1 of  
Division 3 of the Government Code. The authority to proceed as provided by this  
subdivision shall be in addition to the board's authority to proceed under Section  
4339 or any other provision of law.

### 23 **STATUTORY PROVISIONS**

24 10. Section 4081 of the Code states:

25 (a) All records of manufacture and of sale, acquisition, receipt, shipment, or disposition of  
26 dangerous drugs or dangerous devices shall be at all times during business hours open to  
27 inspection by authorized officers of the law, and shall be preserved for at least three years from  
28 the date of making. A current inventory shall be kept by every manufacturer, wholesaler, third-



1 party logistics provider, pharmacy, veterinary food-animal drug retailer, outsourcing facility,  
2 physician, dentist, podiatrist, veterinarian, laboratory, licensed correctional clinic, as defined in  
3 Section 4187, clinic, hospital, institution, or establishment holding a currently valid and  
4 unrevoked certificate, license, permit, registration, or exemption under Division 2 (commencing  
5 with Section 1200) of the Health and Safety Code or under Part 4 (commencing with Section  
6 16000) of Division 9 of the Welfare and Institutions Code who maintains a stock of dangerous  
7 drugs or dangerous devices.

8 11. Section 4332 of the Code states: "Any person who fails, neglects, or refuses to  
9 maintain the records required by Section 4081 or who, when called upon by an authorized officer  
10 or a member of the board, fails, neglects, or refuses to produce or provide the records within a  
11 reasonable time, or who willfully produces or furnishes records that are false, is guilty of a  
12 misdemeanor."

13 12. Section 4105 of the Code states:

14 (a) All records or other documentation of the acquisition and disposition of dangerous drugs  
15 and dangerous devices by any entity licensed by the board shall be retained on the licensed  
16 premises in a readily retrievable form.

17 ...

18 (d)(1) Any records that are maintained electronically shall be maintained so that the  
19 pharmacist-in-charge, or the pharmacist on duty if the pharmacist-in-charge is not on duty, shall,  
20 at all times during which the licensed premises are open for business, be able to produce a  
21 hardcopy and electronic copy of all records of acquisition or disposition or other drug or  
22 dispensing-related records maintained electronically.

23 13. Section 4169 of the Code states:

24 (a) A person or entity shall not do any of the following:

25 ...

26 (5) Fail to maintain records of the acquisition or disposition of dangerous drugs or  
27 dangerous devices for at least three years.

28 ///

1 (b) Notwithstanding any other law, a violation of this section may subject the person or  
2 entity that has committed the violation to a fine not to exceed the amount specified in Section  
3 125.9 for each occurrence, pursuant to a citation issued by the board.

4 14. California Health and Safety Code section 11205 states:

5 The owner of a pharmacy or any person who purchases a controlled substance upon federal  
6 order forms as required pursuant to the provisions of the Federal "Comprehensive Drug Abuse  
7 Prevention and Control Act of 1970," (P.L. 91-513, 84 Stat. 1236), relating to the importation,  
8 exportation, manufacture, production, compounding, distribution, dispensing, and control of  
9 controlled substances, and who sells controlled substances obtained upon such federal order  
10 forms in response to prescriptions shall maintain and file such prescriptions in a separate file apart  
11 from noncontrolled substances prescriptions. Such files shall be preserved for a period of three  
12 years.

13 15. California Health and Safety Code section 11208 states:

14 In a prosecution under this division, proof that a defendant received or has had in his  
15 possession at any time a greater amount of controlled substances than is accounted for by any  
16 record required by law or that the amount of controlled substances possessed by the defendant is a  
17 lesser amount than is accounted for by any record required by law is prima facie evidence of  
18 guilt.

19 16. California Health and Safety Code section 11153 states, in pertinent part:

20 (a) A prescription for a controlled substance shall only be issued for a legitimate medical  
21 purpose by an individual practitioner acting in the usual course of his or her professional practice.  
22 The responsibility for the proper prescribing and dispensing of controlled substances is upon the  
23 prescribing practitioner, but a corresponding responsibility rests with the pharmacist who fills the  
24 prescription. Except as authorized by this division, the following are not legal prescriptions: (1)  
25 an order purporting to be a prescription which is issued not in the usual course of professional  
26 treatment or in legitimate and authorized research; or (2) an order for an addict or habitual user of  
27 controlled substances, which is issued not in the course of professional treatment or as part of an  
28

1 authorized narcotic treatment program, for the purpose of providing the user with controlled  
2 substances, sufficient to keep him or her comfortable by maintaining customary use.

3 17. Section 4301 of the Code states:

4 The board shall take action against any holder of a license who is guilty of unprofessional  
5 conduct or whose license has been issued by mistake. Unprofessional conduct shall include, but is  
6 not limited to, any of the following:

7 ...

8 (c) Gross negligence.

9 (d) The clearly excessive furnishing of controlled substances in violation of subdivision (a)  
10 of Section 11153 of the Health and Safety Code.

11 ...

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

14 ...

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

19 18. California Business and Professions Code section 4306.5 states:

20 Unprofessional conduct for a pharmacist may include any of the following:

21 (a) Acts or omissions that involve, in whole or in part, the inappropriate exercise of his or  
22 her education, training, or experience as a pharmacist, whether or not the act or omission arises in  
23 the course of the practice of pharmacy or the ownership, management, administration, or  
24 operation of a pharmacy or other entity licensed by the board.

25 (b) Acts or omissions that involve, in whole or in part, the failure to exercise or implement  
26 his or her best professional judgment or corresponding responsibility with regard to the  
27 dispensing or furnishing of controlled substances, dangerous drugs, or dangerous devices, or with  
28 regard to the provision of services.

1 (c) Acts or omissions that involve, in whole or in part, the failure to consult appropriate  
2 patient, prescription, and other records pertaining to the performance of any pharmacy function.

3 (d) Acts or omissions that involve, in whole or in part, the failure to fully maintain and  
4 retain appropriate patient-specific information pertaining to the performance of any pharmacy  
5 function.

6 19. California Health and Safety Code section 11164 states, in pertinent part:

7 Except as provided in Section 11167, no person shall prescribe a controlled substance, nor  
8 shall any person fill, compound, or dispense a prescription for a controlled substance, unless it  
9 complies with the requirements of this section.

10 (a) Each prescription for a controlled substance classified in Schedule II, III, IV, or V,  
11 except as authorized by subdivision (b), shall be made on a controlled substance prescription form  
12 as specified in Section 11162.1...

13 20. California Health and Safety Code section 11162.1 states:

14 (a) The prescription forms for controlled substances shall be printed with the following  
15 features:

16 (1) A latent, repetitive "void" pattern shall be printed across the entire front of the  
17 prescription blank; if a prescription is scanned or photocopied, the word "void" shall appear in a  
18 pattern across the entire front of the prescription.

19 (2) A watermark shall be printed on the backside of the prescription blank; the watermark  
20 shall consist of the words "California Security Prescription."

21 (3) A chemical void protection that prevents alteration by chemical washing.

22 (4) A feature printed in thermochromic ink.

23 (5) An area of opaque writing so that the writing disappears if the prescription is lightened.

24 (6) A description of the security features included on each prescription form.

25 (7)(A) Six quantity check off boxes shall be printed on the form so that the prescriber may  
26 indicate the quantity by checking the applicable box where the following quantities shall appear:

27 1-24

28 25-49

1 50-74

2 75-100

3 101-150

4 151 and over.

5 (B) In conjunction with the quantity boxes, a space shall be provided to designate the units  
6 referenced in the quantity boxes when the drug is not in tablet or capsule form.

7 (8) Prescription blanks shall contain a statement printed on the bottom of the prescription  
8 blank that the "Prescription is void if the number of drugs prescribed is not noted."

9 (9) The preprinted name, category of licensure, license number, federal controlled  
10 substance registration number, and address of the prescribing practitioner.

11 (10) Check boxes shall be printed on the form so that the prescriber may indicate the  
12 number of refills ordered.

13 (11) The date of origin of the prescription.

14 (12) A check box indicating the prescriber's order not to substitute.

15 (13) An identifying number assigned to the approved security printer by the Department of  
16 Justice.

17 (14)(A) A check box by the name of each prescriber when a prescription form lists multiple  
18 prescribers.

19 (B) Each prescriber who signs the prescription form shall identify themselves as the  
20 prescriber by checking the box by the prescriber's name.

21 (15) A uniquely serialized number, in a manner prescribed by the Department of Justice in  
22 accordance with Section 11162.2.

23 (b) Each batch of controlled substance prescription forms shall have the lot number printed  
24 on the form and each form within that batch shall be numbered sequentially beginning with the  
25 numeral one.

26 (c)(1) A prescriber designated by a licensed health care facility, a clinic specified in Section  
27 1200, or a clinic specified in subdivision (a) of Section 1206 that has 25 or more physicians or  
28 surgeons may order controlled substance prescription forms for use by prescribers when treating

1 patients in that facility without the information required in paragraph (9) of subdivision (a) or  
2 paragraph (3).

3 (2) Forms ordered pursuant to this subdivision shall have the name, category of licensure,  
4 license number, and federal controlled substance registration number of the designated prescriber  
5 and the name, address, category of licensure, and license number of the licensed health care  
6 facility the clinic specified in Section 1200, or the clinic specified in Section 1206 that has 25 or  
7 more physicians or surgeons preprinted on the form. Licensed health care facilities or clinics  
8 exempt under Section 1206 are not required to preprint the category of licensure and license  
9 number of their facility or clinic.

10 (3) Forms ordered pursuant to this section shall not be valid prescriptions without the name,  
11 category of licensure, license number, and federal controlled substance registration number of the  
12 prescriber on the form.

13 (4)(A) Except as provided in subparagraph (B), the designated prescriber shall maintain a  
14 record of the prescribers to whom the controlled substance prescription forms are issued, that  
15 shall include the name, category of licensure, license number, federal controlled substance  
16 registration number, and quantity of controlled substance prescription forms issued to each  
17 prescriber. The record shall be maintained in the health facility for three years.

18 (B) Forms ordered pursuant to this subdivision that are printed by a computerized  
19 prescription generation system shall not be subject to subparagraph (A) or paragraph (7) of  
20 subdivision (a). Forms printed pursuant to this subdivision that are printed by a computerized  
21 prescription generation system may contain the prescriber's name, category of professional  
22 licensure, license number, federal controlled substance registration number, and the date of the  
23 prescription.

24 (d) Within the next working day following delivery, a security printer shall submit via web-  
25 based application, as specified by the Department of Justice, all of the following information for  
26 all prescription forms delivered:

27 (1) Serial numbers of all prescription forms delivered.

28 ///

(2) All prescriber names and Drug Enforcement Administration Controlled Substance Registration Certificate numbers displayed on the prescription forms.

(3) The delivery shipment recipient names.

(4) The date of delivery.

21. California Health and Safety Code section 11152 states:

No person shall write, issue, fill, compound, or dispense a prescription that does not conform to this division.

### **REGULATORY PROVISIONS**

22. California Code of Regulations, title 16, section 1714, states:

...

(b) Each pharmacy licensed by the board shall maintain its facilities, space, fixtures, and equipment so that drugs are safely and properly prepared, maintained, secured and distributed. The pharmacy shall be of sufficient size and unobstructed area to accommodate the safe practice of pharmacy.

...

(d) Each pharmacist while on duty shall be responsible for the security of the prescription department, including provisions for effective control against theft or diversion of dangerous drugs and devices, and records for such drugs and devices. Possession of a key to the pharmacy where dangerous drugs and controlled substances are stored shall be restricted to a pharmacist.

23. California Code of Regulations, title 16, section 1718, states:

“Current Inventory” as used in Sections 4081 and 4332 of the Business and Professions Code shall be considered to include complete accountability for all dangerous drugs handled by every licensee enumerated in Sections 4081 and 4332.

The controlled substances inventories required by Title 21, CFR, Section 1304 shall be available for inspection upon request for at least 3 years after the date of the inventory.

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///

1       24. Code of Federal Regulations, title 21, section 1305.03, states:

2       Either a DEA Form 222 or its electronic equivalent as set forth in subpart C of this part and  
3 Part 1311 of this chapter is required for each distribution of a Schedule I or II controlled  
4 substance except for the following:

5       (a) Distributions to persons exempted from registration under Part 1301 of this chapter.

6       (b) Exports from the United States that conform with the requirements of the Act.

7       (c) Deliveries to a registered analytical laboratory or its agent approved by DEA.

8       (d) Delivery from a central fill pharmacy, as defined in § 1300.01 of this chapter, to a retail  
9 pharmacy.

10       (e) Deliveries to an authorized DEA registrant by an ultimate user, a long-term care facility  
11 on behalf of an ultimate user who resides or has resided at that facility, or a person authorized to  
12 dispose of the ultimate user decedent's property.

13       (f) Distributions to reverse distributors and distributors by collectors and law enforcement  
14 pursuant to § 1317.55 of this chapter.

15       (g) Deliveries of controlled substances from ultimate users for the purpose of recalls  
16 pursuant to § 1317.85 of this chapter.

17       25. Code of Federal Regulations, title 21, section 1305.06, states:

18       An order for Schedule I and II controlled substances, whether on a DEA Form 222 or an  
19 electronic order, may be filled only by a person registered with DEA as a manufacturer or  
20 distributor of controlled substances listed in Schedule I or II pursuant to section 303 of the Act  
21 (21 U.S.C. 823) or as an importer of such substances pursuant to section 1008 of the Act (21  
22 U.S.C. 958), except for the following:

23       ...

24       (c) A person registered to dispense Schedule II substances may distribute the substances to  
25 another dispenser with either a DEA Form 222 or an electronic order only in the circumstances  
26 described in § 1307.11 of this chapter.

27       ///

28       ///



26. Code of Federal Regulations, title 21, section 1307.11, states:

(a) A practitioner who is registered to dispense a controlled substance may distribute (without being registered to distribute) a quantity of such substance to—

(1) Another practitioner for the purpose of general dispensing by the practitioner to patients, provided that—

...

(iii) If the substance is listed in Schedule I or II, an order form is used as required in part 1305 of this chapter; and

27. California Code of Regulations, title 16, section 1761, states:

(a) No pharmacist shall compound or dispense any prescription which contains any significant error, omission, irregularity, uncertainty, ambiguity or alteration. Upon receipt of any such prescription, the pharmacist shall contact the prescriber to obtain the information needed to validate the prescription.

(b) Even after conferring with the prescriber, a pharmacist shall not compound or dispense a controlled substance prescription where the pharmacist knows or has objective reason to know that said prescription was not issued for a legitimate medical purpose.

## COST RECOVERY

28. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

## DANGEROUS DRUGS / CONTROLLED SUBSTANCES

29. Xanax is the brand name for alprazolam. It is designated as a dangerous drug under California Business and Professions Code section 4022 and is designated as a Schedule IV controlled substance under California Health and Safety Code section 11057(d)(1). It is used to treat anxiety.

30. Norco is the brand name for hydrocodone/acetaminophen (APAP). It is designated as a dangerous drug under California Business and Professions Code section 4022 and is designated

1 as a Schedule II controlled substance under California Health and Safety Code section  
2 11055(b)(1)(I) and Code of Federal Regulations, title 21, section 1308.12(b)(1)(vi). It is used to  
3 treat pain.

4 31. Dolophine is the brand name for methadone. It is designated as a dangerous drug  
5 under California Business and Professions Code section 4022 and is designated as a Schedule IV  
6 controlled substance under California Health and Safety Code section 11055(c)(14). It is used to  
7 treat pain.

8 32. Percolone/Roxicodone is the brand name for oxycodone. It is designated as a  
9 dangerous drug under California Business and Professions Code section 4022 and is designated as  
10 a Schedule II controlled substance under California Health and Safety Code section  
11 11055(b)(1)(M). It is used to treat pain.

12 33. Oxycontin is the brand name for oxycodone extended release. It is designated as a  
13 dangerous drug under California Business and Professions Code section 4022 and is designated as  
14 a Schedule II controlled substance under California Health and Safety Code section  
15 11055(b)(1)(M). It is used to treat pain.

16 34. Phenergan with Codeine Syrup is the brand name for promethazine with codeine  
17 syrup. It is designated as a dangerous drug under California Business and Professions Code  
18 section 4022 and is designated as a Schedule V controlled substance under California Health and  
19 Safety Code section 11058(c)(1). It is used to treat coughing.

#### 20 **FIRST CAUSE FOR DISCIPLINE**

21 (Unprofessional Conduct – Failure to Maintain Operational Standards and Security)

22 (Respondent Hawthorne)

23 35. Respondent Hawthorne is subject to disciplinary action under Code section 4301,  
24 subsection (o), in that Respondents violated California Code of Regulations, title 16, section 1714  
25 by failing to maintain its facilities, space, fixtures, and equipment so that drugs are safely and  
26 properly prepared, maintained, secured, and distributed.

27 36. On or about July 16, 2018, a Board inspector inspected Respondent Hawthorne's  
28 pharmacy and reviewed Respondent Hawthorne's acquisition and disposition data for controlled

1 substances dispensed. The inspection and records revealed that the following controlled  
2 substances were missing from Respondent Hawthorne's drug inventory:

3 **December 19, 2016 to August 4, 2018**

4 <b>Drug</b>	<b>Short (-) or Over (+)</b>
Alprazolam 2 mg	-9,411
Promethazine/codeine (ml)	-86,617

5  
6 37. These drugs were not properly secured to prevent theft or loss.

7 **SECOND CAUSE FOR DISCIPLINE**

8 (Unprofessional Conduct - Failure to Maintain Accurate Inventory Records)

9 (Respondent Hawthorne)

10 38. Respondent Hawthorne is subject to disciplinary action under Code section 4301,  
11 subsections (j) and (o), in that Respondents violated California Business and Professions Code  
12 sections 4332, 4081, 4169, 4105 and California Health and Safety Code section 11205.

13 39. On or about July 16, 2018, the Board inspector inspected Respondent Hawthorne's  
14 pharmacy and reviewed Respondent Hawthorne's acquisition and disposition data for controlled  
15 substances dispensed. The inspection and records revealed that the following controlled  
16 substances were missing from Respondent Hawthorne's drug inventory:

17 **December 19, 2016 to August 31, 2018**

18 <b>Drug</b>	<b>Short (-) or Over (+)</b>
Alprazolam 2 mg	-9,411
Promethazine/codeine (ml)	-86,617

19  
20 40. The inspection and records also revealed a greater amount of the following controlled  
21 substances in Respondent Hawthorne's pharmacy than accounted for by the pharmacy records:

22 **December 19, 2016 to March 31, 2018**

23 <b>Drug</b>	<b>Short (-) or Over (+)</b>
Hydrocodone/APAP 10/325 mg	+69
Methadone 10 mg	+60
Oxycodone 30 mg	+162

24  
25 41. Respondents failed to maintain inventory records to account for shortages and  
26 overages of controlled substances.

27 ///

28 ///

### **THIRD CAUSE FOR DISCIPLINE**

(Unprofessional Conduct – Improper Order and Distribution of Controlled Substances)

(Respondent Hawthorne)

42. Respondent Hawthorne is subject to disciplinary action under Code sections 4301, subsections (j) and (o), in that Respondents violated Code of Federal Regulations, title 21, sections 1305.03, 1305.06, and 1307.11.

43. On or about July 16, 2018, the Board inspector reviewed a sample of Respondent Hawthorne's prescription records from November 17, 2017 to July 26, 2018. These records revealed that Respondent Hawthorne's pharmacy and another pharmacy distributed the following Schedule II controlled substances between each location as follows:

#### **To Hawthorne (March 27, 2018 to July 26, 2018)**

<b>Drug</b>	<b>Quantity</b>
Amphetamine salts 10 mg	100
Amphetamine salts 15 mg	400
Amphetamine salts 20 mg	200
Amphetamine salts 5 mg	100
Amphetamine salts ER 10 mg	100
Amphetamine salts ER 20 mg	300
Amphetamine salts ER 30 mg	200
Hydrocodone/APAP 10/325 mg	12771
Hydrocodone/APAP 5/325 mg	450
Hydrocodone/APAP 7.5/325 mg	2000
Hydromorphone 2 mg	105
Hydromorphone 4 mg	100
Hydromorphone 8 mg	200
Methadone 10 mg	100
Methylphenidate ER 36 mg	100
Morphine ER 15 mg	760
Morphine ER 30 mg	710
Oxycodone 15 mg	480
Oxycodone 20 mg	100
Oxycodone 30 mg	3100
Oxycodone 5 mg	200
Oxycodone/APAP 10/325 mg	1000
Oxycodone/APAP 7.5/325 mg	100
Oxycontin 30 mg	200
Oxycontin 80 mg	200
Oxymorphone ER 40 mg	100
Vyvanse 20 mg	100
Vyvanse 40 mg	200
Vyvanse 60 mg	100
Vyvanse 70 mg	300
<b>Total</b>	<b>24,876</b>

From Hawthorne (November 17, 2017 to March 20, 2018)

Drug	Quantity
Hydrocodone/APAP 10/325 mg	2400
Oxycodone 30 mg	500
<b>Total</b>	<b>2,900</b>

44. Respondent Hawthorne received and distributed these Schedule II controlled substances without the completion of a DEA Form 222 or its electronic equivalent.

**FOURTH CAUSE FOR DISCIPLINE**

(Unprofessional Conduct - Dispensing of Drugs with Improper Prescription Forms)

(Respondent Hawthorne)

45. Respondent Hawthorne is subject to disciplinary action under Code section 4301, subsections (j) and (o), in that Respondents violated California Health and Safety Code sections 11164 and 11152.

46. On or about July 16, 2018, the Board inspector reviewed a sample of prescription records from April 13, 2015 to April 13, 2018 and found that Respondents dispensed the following 26 controlled substance prescriptions:

Date	Number	Drug	Prescriber	Quantity
June 15, 2015	964653	Oxycodone 30 mg	Dr. AA	120
June 15, 2015	964654	Oxycodone 30 mg	Dr. AA	120
June 27, 2015	965717	Oxycodone 30 mg	Dr. AA	120
June 27, 2015	965722	Oxycodone 30 mg	Dr. AA	120
July 1, 2015	965972	Oxycodone 30 mg	Dr. AA	120
July 1, 2015	965976	Oxycodone 30 mg	Dr. AA	90
July 8, 2015	966441	Oxycodone 30 mg	Dr. AA	90
July 13, 2015	966669	Oxycodone 30 mg	Dr. AA	120
July 13, 2015	966672	Oxycodone 30 mg	Dr. AA	120
July 24, 2015	967417	Oxycodone 30 mg	Dr. AA	120
July 24, 2015	967424	Oxycodone 30 mg	Dr. AA	120
August 3, 2015	967940	Oxycodone 30 mg	Dr. AA	120
August 3, 2015	967959	Oxycodone 30 mg	Dr. AA	120
March 4, 2016	981323	Oxycodone 30 mg	Dr. BS	120
March 4, 2016	981328	Oxycodone 30 mg	Dr. BS	120
June 21, 2016	987877	Oxycodone 30 mg	Dr. AA	120
August 4, 2016	990253	Oxycodone 30 mg	Dr. AA	120
October 7, 2016	993495	Oxycodone 30 mg	Dr. AA	120
November 8, 2016	995300	Oxycodone 30 mg	Dr. AA	120
December 8, 2016	997070	Oxycodone 30 mg	Dr. AA	120
February 11, 2017	1000560	Oxycodone 30 mg	Dr. RQ	120
March 11, 2017	1002267	Oxycodone 30 mg	Dr. RQ	120
April 11, 2017	1004162	Oxycodone 30 mg	Dr. RQ	120
May 12, 2017	1005812	Oxycodone 30 mg	Dr. RQ	120
June 12, 2017	1007367	Oxycodone 30 mg	Dr. RQ	120

July 12, 2017	1008834	Oxycodone 30 mg	Dr. RQ	120
		<b>TOTAL</b>		3,060

47. Each prescription document was missing at least one of the following features required for controlled substance prescription security forms:

- a. A watermark printed on the backside of the prescription which reads: "California Security Prescription."
- b. An identifying number assigned to the approved security printer by the Department of Justice.
- c. A lot number printed on the form and each form within that batch numbered sequentially.

#### **FIFTH CAUSE FOR DISCIPLINE**

(Unprofessional Conduct – Failure to Fulfill Corresponding Responsibility)

(Respondent Hawthorne)

48. Respondent Hawthorne is subject to disciplinary action under Code section 4301, subsections (c), (d), (j), and (o), in that Respondents violated California Health and Safety Code section 11153 and California Code of Regulations, title 16, section 1761.

49. Opioids are substances that are most often used medically to relieve pain. Tolerance and dependence develop with continuous use, requiring increasing doses and leading to a withdrawal syndrome upon abrupt discontinuation. Because of opioids' reputation for addiction and fatal overdose, they are highly controlled substances. The terms opioid naïve and opioid tolerant are clinically accepted and widely used, especially in the practice of pain management.

50. The U.S. Food and Drug Administration (FDA) definitions for opioid tolerant and opioid naïve are:

- a. Opioid tolerant: patients who are taking, for one week or longer, at least:
  - 60 mg oral morphine/day
  - 30 mg oral oxycodone/day;
  - 8 mg oral hydromorphone/day
  - An equianalgesic dose of any other opioid

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b. Opioid naïve: patients who do not meet the above definition of opioid tolerant, and who have not taken opioid doses at least as much as those listed above for one week or longer.

51. Opioid naïve patients are more susceptible to the effects of opioids, including both pain relief and most adverse effects. If a patient is opioid naïve, safe treatment must go slower with dose escalation and more monitoring of the patient's response. The opioid naïve patient is at greater risk for complications, especially sedation and respiratory depression.

***Prescriptions by Dr. CS***

52. The Board inspector reviewed Respondent Hawthorne's electronic dispensing records from January 1, 2017 to August 4, 2018 and analyzed the payment methods of each prescription, specifically cash:

<b>Drug Class</b>	<b>Number of Prescriptions</b>	<b>Number with Cash Payment</b>	<b>Percentage with Cash Payment</b>
Non-Controlled	57,602	3,239	5.6%
C-II	2,855	266	9.3%
C-III	489	44	9.0%
C-IV	2,626	211	8.0%
C-V	729	40	5.5%
<b>Total</b>	<b>64,301</b>	<b>3,800</b>	

53. Most prescriptions at Respondent Hawthorne's pharmacy were paid with the benefit of insurance, which is expected in this type of pharmacy<sup>1</sup>.

54. The Board inspector then analyzed the prescriptions from a specific prescriber, Dr. CS, and the payment methods by patients:

<b>Prescriber</b>	<b>Number of Prescriptions</b>	<b>Number of Prescriptions for Oxycodone 30 mg</b>	<b>Total Controlled Substance Prescriptions</b>	<b>Number of Controlled Substances with Cash Payment</b>	<b>Percentage of Controlled Substances with Cash Payment</b>
Dr. CS	147	80 (54.4%)	84	57	67.8%

55. This table represents a contrasting percentage of cash payment for controlled substance prescriptions from this prescriber when compared with the overall percentage of

<sup>1</sup> Respondent Hawthorne's pharmacy was and is located on the first floor of a 10-story medical building that contained numerous medical and prescriber offices.

controlled substances dispensed by Respondent Hawthorne and paid with cash. This deviation was a factor of irregularity and a red flag of illegitimacy for this prescriber.

56. Additionally, the number of oxycodone 30 mg prescriptions stands out as unusual. The prescriptions were dispensed to 20 different patients from August 3, 2017 to March 20, 2018. In the usual course of the professional medical practice, it would be expected to see a wider variety of treatments that are tailored to individual patients. There was no adjustment in the prescribing pattern from Dr. CS for age, weight, renal or hepatic function, diagnosis, or other patient-related factors. This type of uniformity of treatment is very irregular and indicative of illegitimacy and abuse.

***Prescriptions by Dr. AA***

57. The Board inspector analyzed the prescriptions from a specific prescriber, Dr. AA. The records revealed that the following prescription forms from Dr. AA lacked the required California security prescription watermark as required by law:

Date	Number	Drug	Prescriber	Quantity
June 15, 2015	964653	Oxycodone 30 mg	Dr. AA	120
June 15, 2015	964654	Oxycodone 30 mg	Dr. AA	120
June 27, 2015	965717	Oxycodone 30 mg	Dr. AA	120
June 27, 2015	965722	Oxycodone 30 mg	Dr. AA	120
July 1, 2015	965972	Oxycodone 30 mg	Dr. AA	120
July 1, 2015	965976	Oxycodone 30 mg	Dr. AA	90
July 8, 2015	966441	Oxycodone 30 mg	Dr. AA	90
July 13, 2015	966669	Oxycodone 30 mg	Dr. AA	120
July 13, 2015	966672	Oxycodone 30 mg	Dr. AA	120
July 24, 2015	967417	Oxycodone 30 mg	Dr. AA	120
July 24, 2015	967424	Oxycodone 30 mg	Dr. AA	120
August 3, 2015	967940	Oxycodone 30 mg	Dr. AA	120
August 3, 2015	967959	Oxycodone 30 mg	Dr. AA	120
June 21, 2016	987877	Oxycodone 30 mg	Dr. AA	120
August 4, 2016	990253	Oxycodone 30 mg	Dr. AA	120
October 7, 2016	993495	Oxycodone 30 mg	Dr. AA	120
November 8, 2016	995300	Oxycodone 30 mg	Dr. AA	120
December 8, 2016	997070	Oxycodone 30 mg	Dr. AA	120

58. The California security prescription watermark on the back of controlled substance prescriptions is one of the hallmark features used to identify valid prescriptions. An irregularity on the face of the prescription document is of the first warning signs of illegitimacy.

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59. Additionally, all the invalid prescription documents were for oxycodone 30 mg, which is the highest immediate release strength available. This uniformity is inconsistent with medically legitimate prescriptions.

***Failure to Fulfill Corresponding Responsibility***

60. On or about July 16, 2018, the Board inspector reviewed a sample of prescription records from April 13, 2015 to April 13, 2018 and found that Respondents dispensed controlled substance prescriptions with irregularities and red flags of abuse without ensuring the prescriptions were issued for a legitimate medical purpose in the usual course of professional practice. Respondents dispensed the following prescriptions, a high starting dose, to opioid naïve patients at doses beyond recommendations and beyond what is seen in the usual course of professional medical practice:

Date	Number	Drug	Prescriber	Quantity
August 4, 2017	1010145	Oxycodone 30 mg	Dr. CS	120
August 15, 2017	1012218	Oxycodone 30 mg	Dr. CS	120
August 18, 2017	1010916	Oxycodone 30 mg	Dr. CS	120
August 18, 2017	1010918	Oxycodone 30 mg	Dr. CS	120
September 29, 2017	1013039	Oxycodone 30 mg	Dr. CS	120
October 2, 2017	1013163	Oxycodone 30 mg	Dr. CS	120
October 3, 2017	1013260	Oxycodone 30 mg	Dr. CS	120
October 3, 2017	1013261	Oxycodone 30 mg	Dr. CS	120
October 7, 2017	1013535	Oxymorphone 40 mg	Dr. CS	120
October 7, 2017	1013540	Oxycodone 30 mg	Dr. CS	120
November 2, 2017	1014908	Oxycodone 30 mg	Dr. CS	120
November 8, 2017	1015212	Oxycodone 30 mg	Dr. CS	120
November 10, 2017	1015315	Oxycodone 30 mg	Dr. CS	120
November 21, 2017	1015817	Oxycodone 30 mg	Dr. CS	120
January 13, 2018	1018459	Oxycodone 30 mg	Dr. CS	120
February 12, 2018	1020212	Oxycodone 30 mg	Dr. CS	90
February 19, 2018	1020649	Oxycodone 30 mg	Dr. CS	120
		<b>Total</b>		<b>2,010</b>

61. Respondents dispensed the following prescriptions pursuant to prescription forms that lacked some required features for controlled substance prescription security forms, including the California security prescription watermark:

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Date	Number	Drug	Quantity
June 15, 2015	964653	Oxycodone 30 mg	120
June 15, 2015	964654	Oxycodone 30 mg	120
June 27, 2015	965717	Oxycodone 30 mg	120
June 27, 2015	965722	Oxycodone 30 mg	120
July 1, 2015	965972	Oxycodone 30 mg	120
July 1, 2015	965976	Oxycodone 30 mg	90
July 8, 2015	966441	Oxycodone 30 mg	90
July 13, 2015	966669	Oxycodone 30 mg	120
July 13, 2015	966672	Oxycodone 30 mg	120
July 24, 2015	967417	Oxycodone 30 mg	120
July 24, 2015	967424	Oxycodone 30 mg	120
August 3, 2015	967940	Oxycodone 30 mg	120
August 3, 2015	967959	Oxycodone 30 mg	120
March 4, 2016	981323	Oxycodone 30 mg	120
March 4, 2016	981328	Oxycodone 30 mg	120
June 21, 2016	987877	Oxycodone 30 mg	120
August 4, 2016	990253	Oxycodone 30 mg	120
October 7, 2016	993495	Oxycodone 30 mg	120
November 8, 2016	995300	Oxycodone 30 mg	120
December 8, 2016	997070	Oxycodone 30 mg	120
February 11, 2017	1000560	Oxycodone 30 mg	120
March 11, 2017	10022267	Oxycodone 30 mg	120
April 11, 2017	1004162	Oxycodone 30 mg	120
May 12, 2017	1005812	Oxycodone 30 mg	120
June 12, 2017	1007367	Oxycodone 30 mg	120
July 12, 2017	1008834	Oxycodone 30 mg	120
		<b>TOTAL</b>	3,060

62. Respondents dispensed controlled substances after ignoring, or not being aware of, objective factors which were irregular from medically legitimate prescriptions.

63. The objective factors of illegitimacy, irregularity, and abuse included but were not limited to:

- a. Near uniformity in prescribing trends of controlled substances by two prescribers;
- b. Unusually high cash payment profiles for patients obtaining controlled substances with red flags of abuse;
- c. Patients, who were opioid naïve, receiving at least twice the recommended dose of oxycodone, without upward titration from a lower dose on at least 17 different occasions;
- d. Controlled substances dispensed pursuant to at least 26 controlled substance prescriptions, all oxycodone 30 mg, without the minimum required security form features; and

1 e. Some patients dispensed the same oxycodone 30 mg controlled substance  
2 prescriptions from the same prescriber on the same day.

3 64. Respondents did not fulfill their corresponding responsibility by repeatedly failing to  
4 resolve irregularities and red flags and by dispensing over 5,000 tablets of Scheduled II controlled  
5 substances pursuant to these prescriptions.

6 **SIXTH CAUSE FOR DISCIPLINE**

7 (Unprofessional Conduct – Failure to Maintain Operational Standards and Security)

8 (Respondent Knight-Cooper)

9 65. Respondent Knight-Cooper is subject to disciplinary action under Code section 4301,  
10 subsection (o), and section 4113, subsection (c), in that Respondents violated California Code of  
11 Regulations, title 16, section 1714 by failing to maintain its facilities, space, fixtures, and  
12 equipment so that drugs are safely and properly prepared, maintained, secured, and distributed.  
13 At all times relevant herein, Respondent Knight-Cooper was the Pharmacist-in-Charge at  
14 Respondent Hawthorne's pharmacy. Paragraphs 35 to 64 are realleged as if set forth fully herein.

15 **SEVENTH CAUSE FOR DISCIPLINE**

16 (Unprofessional Conduct - Failure to Maintain Accurate Inventory Records)

17 (Respondent Knight-Cooper)

18 66. Respondent Knight-Cooper is subject to disciplinary action under Code section 4301,  
19 subsections (j) and (o), in that Respondents violated California Business and Professions Code  
20 sections 4332 4081, 4169, 4105 and California Health and Safety Code section 11205 by failing  
21 to maintain accurate inventory records. At all times relevant herein, Respondent Knight-Cooper  
22 was the Pharmacist-in-Charge at Respondent Hawthorne's pharmacy. Paragraphs 35 to 64 are  
23 realleged as if set forth fully herein.

24 **EIGHTH CAUSE FOR DISCIPLINE**

25 (Unprofessional Conduct – Improper Order and Distribution of Controlled Substances)

26 (Respondent Knight-Cooper)

27 67. Respondent Knight-Cooper is subject to disciplinary action under Code section 4301,  
28 subsections (j) and (o), and section 4113, subsection (c), in that Respondents violated Code of

1 Federal Regulations, title 21, sections 1305.03, 1305.06, and 1307.11 by distributing Schedule II  
2 controlled substances without the completion of a DEA Form 222 or its electronic equivalent. At  
3 all times relevant herein, Respondent Knight-Cooper was the Pharmacist-in-Charge at  
4 Respondent Hawthorne's pharmacy. Paragraphs 35 to 64 are realleged as if set forth fully herein.

5 **NINTH CAUSE FOR DISCIPLINE**

6 (Unprofessional Conduct - Dispensing of Drugs with Improper Prescription Forms)

7 (Respondent Knight-Cooper)

8 68. Respondent Knight-Cooper is subject to disciplinary action under Code section 4301,  
9 subsections (j) and (o), and section 4113, subsection (c), in that Respondents violated California  
10 Health and Safety Code sections 11164 and 11152 by dispensing drugs with prescription forms  
11 that were missing some of the features required for controlled substance prescription security  
12 forms. At all times relevant herein, Respondent Knight-Cooper was the Pharmacist-in-Charge at  
13 Respondent Hawthorne's pharmacy. Paragraphs 35 to 64 are realleged as if set forth fully herein.

14 **TENTH CAUSE FOR DISCIPLINE**

15 (Unprofessional Conduct – Failure to Fulfill Corresponding Responsibility)

16 (Respondent Knight-Cooper)

17 69. Respondent Knight-Cooper is subject to disciplinary action under Code section 4301,  
18 subsections (c), (d), (j), and (o), section 4113, subsection (c), and section 4306.5, subsection (b),  
19 in that Respondents violated California Health and Safety Code section 11153 and California  
20 Code of Regulations, title 16, section 1761 by dispensing controlled substance prescriptions with  
21 irregularities and red flags of abuse without ensuring the prescriptions were issued for a  
22 legitimate medical purpose in the usual course of professional practice. At all times relevant  
23 herein, Respondent Knight-Cooper was the Pharmacist-in-Charge at Respondent Hawthorne's  
24 pharmacy. Paragraphs 35 to 64 are realleged as if set forth fully herein.

25 **OTHER MATTERS**

26 70. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number  
27 PHY 38184 issued to LMD Holdings, LTD, LMD Holdings, LTD shall be prohibited from  
28 serving as a manager, administrator, owner, member, officer, director, associate, or partner of a

licensee for five years if Pharmacy Permit Number PHY 38184 is placed on probation or until Pharmacy Permit Number PHY 38184 is reinstated if it is revoked.

71. Pursuant to Code section 4307, if discipline is imposed on Pharmacy Permit Number PHY 38184 issued to LMD Holdings, LTD while Respondent Knight-Cooper has been an officer and owner and had knowledge of or knowingly participated in any conduct for which the licensee was disciplined, Respondent Knight-Cooper shall be prohibited from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 38184 is placed on probation or until Pharmacy Permit Number PHY 38184 is reinstated if it is revoked.

### **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 Permit Number PHY 38184, issued to LMD Holdings, LTD dba Hawthorne Professional Pharmacy;

2. Revoking or suspending Pharmacist License Number RPH 40781, issued to Janice Maria Knight-Cooper;

3. Prohibiting LMD Holdings, LTD from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 38184 is placed on probation or until Pharmacy Permit Number PHY 38184 is reinstated if Pharmacy Permit Number PHY 38184 issued to LMD Holdings, LTD is revoked;

4. Prohibiting Janice Maria Knight-Cooper from serving as a manager, administrator, owner, member, officer, director, associate, or partner of a licensee for five years if Pharmacy Permit Number PHY 38184 is placed on probation or until Pharmacy Permit Number PHY 38184 is reinstated if Pharmacy Permit Number PHY 38184 issued to LMD Holdings, LTD is revoked;

5. Ordering LMD Holdings, LTD dba Hawthorne Professional Pharmacy and Janice Maria Knight-Cooper to pay the Board of Pharmacy the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,

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6. Taking such other and further action as deemed necessary and proper.

DATED: July 29, 2020

*Anne Sodergren*

ANNE SODERGREN  
Executive Officer  
Board of Pharmacy  
Department of Consumer Affairs  
State of California  
*Complainant*

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