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County of Santa Clara
C2310201
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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF SANTA CLARA

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13 **THE PEOPLE OF THE STATE OF CALIFORNIA,**

14 Plaintiff,

15 v.

16 **ARASH MALIAN PADIDAR,**

17 Defendant.
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Case No. **C2310201**

FELONY COMPLAINT

PFN No. EHE802

AMP WARR

AG DOCKET No: SF2022304863

21 The People of the State of California hereby allege that in the County of Santa Clara, State
22 of California, and elsewhere, within the State of California, before the making of this criminal
23 complaint, the above-named defendant, ARASH MALIAN PADIDAR (DOB [REDACTED]),
24 committed the following different criminal offenses all connected together in their commission,
25 and being two or more different offenses of the same class of crimes or offenses, under separate
26 counts:

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ORIGINAL

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COUNT 1
Health & Safety Code § 11153(a), Felony
Issuing a Prescription for a Controlled Substance Without a Legitimate Medical Purpose
16 months, 2 years, or 3 years

On or about, and between, November 1, 2018 and July 25, 2019, in the County of Santa Clara, defendant ARASH MALIAN PADIDAR, did knowingly and unlawfully issue prescriptions for controlled substances to M.G.C., to wit, HYDROCODONE (Norco), without a legitimate medical purpose and outside the usual course of professional practice and treatment, in violation of Health & Safety Code section 11153, subdivision (a), a felony.

COUNT 2
Health & Safety Code § 11173(a), Felony
Obtaining Controlled Substances by Fraud and Deceit
16 months, 2 years, or 3 years

On or about, and between, November 1, 2018 and July 25, 2019, in the County of Santa Clara, defendant ARASH MALIAN PADIDAR, did unlawfully obtain and attempt to obtain a controlled substance, to wit HYDROCODONE (Norco), which is a narcotic drug classified in Schedule II, and did procure and attempt to procure the administration of and prescription for said controlled substance by fraud, deceit, misrepresentation and subterfuge and by concealment of a material fact, in violation of Health & Safety Code section 11173(a), a felony; to wit, acts involving MGC.

COUNT 3
Health & Safety Code § 11153(a), Felony
Issuing a Prescription for a Controlled Substance Without a Legitimate Medical Purpose
16 months, 2 years, or 3 years

On or about, and between, January 16, 2020 and May 27, 2020, in the County of Santa Clara, defendant ARASH MALIAN PADIDAR, did knowingly and unlawfully issue prescriptions

1 for controlled substances to I.M.S, to wit, HYDROCODONE (Norco), without a legitimate medical
2 purpose and outside the usual course of professional practice and treatment, in violation of Health
3 & Safety Code section 11153, subdivision (a), a felony.

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6 **COUNT 4**

7 **Health & Safety Code § 11173(a), Felony**
8 **Obtaining Controlled Substances by Fraud and Deceit**
9 **16 months, 2 years, or 3 years**

10 On or about, and between, January 16, 2020 and May 27, 2020, in the County of Santa
11 Clara, defendant ARASH MALIAN PADIDAR, did unlawfully obtain and attempt to obtain a
12 controlled substance, to wit HYDROCODONE (Norco), which is a narcotic drug classified in
13 Schedule II, and did procure and attempt to procure the administration of and prescription for said
14 controlled substance by fraud, deceit, misrepresentation and subterfuge and by concealment of a
15 material fact, in violation of Health & Safety Code section 11173(a), a felony; to wit, acts involving
16 I.M.S.

17 **COUNT 5** *RL*

18 **Health & Safety Code § 11368(a), Felony**
19 **Forging and Issuing a Prescription**
20 **16 months, 2, or 3 years**

21 On or about and between January 23, 2018 and October 2, 2020, in the County of Santa
22 Clara, the defendant ARASH MALIAN PADIDAR, did unlawfully forge, alter, and issue a
23 prescription bearing a forged and fictitious signature for a narcotic drug, to wit,
24 HYDROCODONE (Norco), in violation of section 11368, ~~subdivision (a)~~ of the Health and
25 Safety Code, a felony. *RL*

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COUNT 6
Penal Code § 530.5(a), Felony
Unlawful Use of Personal Identifying Information
16 months, 2, or 3 years

On or about and between January 23, 2018 and October 2, 2020, in the County of Santa Clara, the defendant ARASH MALIAN PADIDAR, did willfully and unlawfully obtain personal identifying information of DR. P [REDACTED] C [REDACTED] and used that information for an unlawful purpose and to obtain, and attempt to obtain credit, goods, services, real property, and medical information without the consent of DR. P [REDACTED] C [REDACTED] in violation of section 530.5, subdivision (a) of the Penal Code, a felony.

COUNT 7
Penal Code § 182(a)(1), Felony
Conspiracy to Commit a Crime (HS 11173)
16 months, 2, or 3 years

On or about and between October 1, 2018 and October 15, 2020, in the County of Santa Clara, the defendant ARASH MALIAN PADIDAR, did unlawfully conspire together and with another person and persons whose identities are known and unknown to commit the crime of Obtaining Controlled Substances by Fraud or Deceit, in violation of Section 11173(a) of the Health & Safety Code, a felony; that pursuant to and for the purpose of carrying out the objectives and purposes of the aforesaid conspiracy, the said conspirators committed the following overt act and acts at and in the County of Santa Clara:

Overt Act #1

On or about and between March 21, 2019 and March 16, 2020, defendant ARASH MALIAN PADIDAR wrote 11 prescriptions to A [REDACTED] E [REDACTED] for NORCO 10/325 mg, quantity 100 tabs.

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Overt Act #2

On or about and between March 21, 2019 and March 16, 2020, prescriptions for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg were filled and sold at the Walgreens Pharmacy located at 1660 Winchester Blvd. in Campbell, CA, in the name of A■■■■E■■■■.

Overt Act #3

On or about and between March 21, 2019 and October 7, 2020, the defendant, ARASH MALIAN PADIDAR created and maintained a note on his iPhone, documenting the prescriptions Padidar wrote to A■■■■E■■■■.

Overt Act #4

On or about April 15, 2020, the defendant, ARASH MALIAN PADIDAR, wrote a prescription to A■■■■E■■■■ for NORCO 10/325 mg.

Overt Act #5

On or about April 15, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 8) was filled at the Walgreens Pharmacy located at 1660 Winchester Blvd. in Campbell, CA, in the name of A■■■■E■■■■. The prescription was sold on April 17, 2020.

Overt Act #6

On or about and between April 16, 2020 and April 17, 2020, text messages were exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "■■■■■■■■■■" where Padidar and E■■■■ discuss a plan to meet up so that

1 Etemadi can give the pills to Padidar. E [REDACTED] also tells Padidar that "they only filled the
2 prescription for 8. You forgot to right the quantity on it like I said".
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4 **Overt Act #7**

5 On or about April 17, 2020, defendant ARASH MALIAN PADIDAR wrote a prescription
6 to A [REDACTED] [REDACTED] for NORCO 10/325 mg, for 92 pills.
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8 **Overt Act #8**

9 On or about April 17, 2020, text messages were exchanged between the cell phone of
10 ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "A [REDACTED] E [REDACTED]" where
11 Padidar and E [REDACTED] make a plan to meet so Padidar can "drop the envelope" with the written
12 prescription.
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15 **Overt Act #9**

16 On or about April 17, 2020, a prescription for Norco (hydrocodone bitartrate
17 acetaminophen) 10/325 mg (92 pills) was filled and sold at the Walgreens Pharmacy located at
18 1660 Winchester Blvd. in Campbell, CA, in the name of A [REDACTED] E [REDACTED]
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21 **Overt Act #10**

22 On or about April 17, 2020, text messages were exchanged between the cell phone of
23 ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "A [REDACTED] E [REDACTED]" where
24 Padidar and E [REDACTED] discuss and make a plan to meet up at the Walgreens that night so Padidar
25 can get the prescription medication from E [REDACTED]
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Overt Act #11

On or about and between April 14, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the April 14 and April 17 prescriptions to A [REDACTED] E [REDACTED]

Overt Act #12

On or about May 17, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to A [REDACTED] E [REDACTED] for NORCO 10/325 mg, for 100 pills.

Overt Act #13

On or about May 17, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Walgreens Pharmacy located at 1660 Winchester Blvd. in Campbell, CA, in the name of A [REDACTED] E [REDACTED]

Overt Act #14

On or about and between May 14, 2020 and May 18, 2020, text messages were exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "A [REDACTED] E [REDACTED]" where Padidar and E [REDACTED] discuss a plan to meet up for "baba ticket". They discuss that E [REDACTED] will drop off the "ticket" or prescription on May 17th and then they make a plan to meet up to exchange the medication on May 18th.

Overt Act #15

On or about and between May 17, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the May 17th

1 prescription to A [REDACTED] E [REDACTED]

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3 **Overt Act #16**

4 On or about June 16, 2020, the defendant ARASH MALIAN PADIDAR, wrote a
5 prescription to A [REDACTED] E [REDACTED] for NORCO 10/325 mg, for 100 pills.
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8 **Overt Act #17**

9 On or about June 18, 2020, a prescription for Norco (hydrocodone bitartrate-
10 acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Walgreens Pharmacy located
11 at 1660 Winchester Blvd. in Campbell, CA, in the name of A [REDACTED] E [REDACTED]
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14 **Overt Act #18**

15 On or about and between June 17, 2020 and June 18, 2020, text messages were exchanged
16 between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed
17 as "A [REDACTED] E [REDACTED]" where Padidar asks E [REDACTED] to get the prescription. Then Padidar and
18 E [REDACTED] make a plan to meet up on June 18th for Padidar to get the medication from E [REDACTED]
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21 **Overt Act #19**

22 On or about and between June 16, 2020 and October 7, 2020, the defendant ARASH
23 MALIAN PADIDAR made and maintained a note on his iPhone documenting the June 16th
24 prescription to A [REDACTED] E [REDACTED]
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27 **Overt Act #20**

28 On or about July 18, 2020, the defendant ARASH MALIAN PADIDAR, wrote a

1 prescription to A [REDACTED] E [REDACTED] for NORCO 10/325 mg, for 100 pills.

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3 **Overt Act #21**

4 On or about July 22, 2020, text messages were exchanged between the cell phone of
5 ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "A [REDACTED] E [REDACTED]" where
6 Padidar asks E [REDACTED] "When do you get tickets" "for Baba?". E [REDACTED] responds "I'll drop it off
7 today and bring it tomorrow for my appointment".
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10 **Overt Act #22**

11 On or about July 22, 2020, a prescription for Norco (hydrocodone bitartrate-
12 acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Walgreens Pharmacy located
13 at 1660 Winchester Blvd. in Campbell, CA, in the name of A [REDACTED] E [REDACTED].
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16 **Overt Act #23**

17 On or about July 23, 2020, A [REDACTED] E [REDACTED] went to Minimally Invasive Surgical Solutions
18 (MISS), Padidar's place of business and provided Padidar the medication.
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21 **Overt Act #24**

22 On or about and between July 22, 2020, and October 7, 2020, the defendant ARASH
23 MALIAN PADIDAR made and maintained a note on his iPhone documenting the July 22nd
24 prescription to A [REDACTED] E [REDACTED].
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27 **Overt Act #25**

28 On or about August 24, 2020, the defendant ARASH MALIAN PADIDAR, wrote a

1 prescription to A [REDACTED] E [REDACTED] for NORCO 10/325 mg, for 100 pills.

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3 **Overt Act #26**

4 On or about August 25, 2020, a prescription for Norco (hydrocodone bitartrate-
5 acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Walgreens Pharmacy located
6 at 1660 Winchester Blvd. in Campbell, CA, in the name of A [REDACTED] E [REDACTED]

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9 **Overt Act #27**

10 On or about and between August 24, 2020 and August 25, 2020, text messages were
11 exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's
12 phone listed as "A [REDACTED] E [REDACTED]". On August 24th, Padidar texts E [REDACTED] to tell him he's having a
13 delivery service drop off the "letter" (written prescription) and asking E [REDACTED] to bring him the
14 "tickets" (medication). On August 25th E [REDACTED] fills the prescription and then he and Padidar
15 send text messages, making arrangements for Padidar to pick up the medication from him that
16 evening.
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19 **Overt Act #28**

20 On or about and between August 25, 2020, and October 7, 2020, the defendant ARASH
21 MALIAN PADIDAR made and maintained a note on his iPhone documenting the August 25th
22 prescription to A [REDACTED] E [REDACTED]

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25 **Overt Act #29**

26 On or about September 23, 2020, the defendant ARASH MALIAN PADIDAR, wrote a
27 prescription to A [REDACTED] E [REDACTED] for NORCO 10/325 mg, for 100 pills.
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Overt Act #30

On or about September 23, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 100) was filled at the Walgreens Pharmacy located at 1660 Winchester Blvd. in Campbell, CA, in the name of A [REDACTED] E [REDACTED]. The prescription was sold on September 24, 2020.

Overt Act #31

On or about and between September 24, 2020 and September 25, 2020, text messages were exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "A [REDACTED] E [REDACTED]" where Padidar and E [REDACTED] have discussions about when they can meet up so that Padidar can get the medication from E [REDACTED]. Eventually, Padidar and E [REDACTED] agree to meet on September 25th by the liquor store next to Yas restaurant on Saratoga Avenue.

Overt Act #32

On or about September 25, 2020, ARASH MALIAN PADIDAR and A [REDACTED] E [REDACTED] met up for E [REDACTED] to provide the medication to Padidar.

- Padidar and E [REDACTED] each drove separately, in their own vehicles, and met up near the liquor store next to Yas restaurant on Saratoga Avenue.
- Padidar got out of the driver's seat of his Tesla, removed a box from the trunk, and then proceeded to get into the passenger seat of E [REDACTED]'s Mercedes.
- After one minute, Padidar exited E [REDACTED]'s Mercedes, walked over and placed something in the trunk of his Tesla, got back into the driver's seat and drove away.

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Overt Act #33

On or about and between September 24, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the September 24th prescription to A [REDACTED] E [REDACTED].

Overt Act #34

On or about and between October 15, 2018 and June 30, 2020, defendant ARASH MALIAN PADIDAR wrote 22 prescriptions to E [REDACTED] R [REDACTED] (or E [REDACTED] R [REDACTED]) for NORCO 10/325 mg, quantity 100.

Overt Act #35

On or about and between October 15, 2018 and June 30, 2020, prescriptions for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg were filled and sold at the Walgreens Pharmacy, Savco Pharmacy and Bascom Pharmacy in San Jose, California, in the name of E [REDACTED] R [REDACTED].

Overt Act #36

On or about and between October 17, 2018 and October 7, 2020, the defendant, ARASH MALIAN PADIDAR created and maintained a note on his iPhone documenting the prescriptions Padidar wrote to E [REDACTED] R [REDACTED].

Overt Act #37

On or about July 16, 2020, the defendant ARASH MALIAN PADIDAR, wrote a

1 prescription to E [REDACTED] R [REDACTED] for NORCO 10/325 mg, for 100 pills.
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3 **Overt Act #38**

4 On or about July 16, 2020, a prescription for Norco (hydrocodone bitartrate-
5 acetaminophen) 325/10 mg (quantity 100) was filled and sold at the SavCo Pharmacy located at
6 455 O'Connor Drive in San Jose, CA, in the name of E [REDACTED] R [REDACTED]
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8 **Overt Act #39**

9 On or about July 16, 2020, E [REDACTED] R [REDACTED] dropped off the Norco prescription for
10 Padidar. On the same date, text messages were exchanged between the cell phone of ARASH
11 MALIAN PADIDAR, and a contact in Padidar's phone listed as "E [REDACTED]-Janitor" where E [REDACTED]
12 R [REDACTED] texts Padidar "Hello I leave the medicine in the second drawer" and Padidar responds "Kk
13 thx".
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17 **Overt Act #40**

18 On or about and between July 16, 2020 and October 7, 2020, the defendant ARASH
19 MALIAN PADIDAR made and maintained a note on his iPhone documenting the July 16th
20 prescription to he wrote to E [REDACTED] R [REDACTED]
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22 **Overt Act #41**

23 On or about August 15, 2020, the defendant ARASH MALIAN PADIDAR, wrote a
24 prescription to E [REDACTED] R [REDACTED] for NORCO 10/325 mg, for 100 pills.
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Overt Act #42

On or about August 15, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Walgreens Pharmacy located at 1399 W. San Carlos in San Jose, CA, in the name of E [REDACTED] R [REDACTED]

Overt Act #43

On or about August 17, 2020, E [REDACTED] R [REDACTED] dropped off the Norco prescription to give to Padidar. On the same date, text messages were exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "E [REDACTED]-Janitor" where E [REDACTED] R [REDACTED] texts Padidar "Good Morning I leave the tickets in the second drawer" and Padidar responds "Ok ok Thx".

Overt Act #44

On or about and between August 15, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the August 15th prescription he wrote to E [REDACTED] R [REDACTED]

Overt Act #45

On or about September 14, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to E [REDACTED] R [REDACTED] for NORCO 10/325 mg, for 100 pills.

Overt Act #46

On or about September 14, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 100) was filled and sold at the SavCo Pharmacy located at

1 455 O'Connor Drive in San Jose, CA, in the name of E [REDACTED] R [REDACTED]

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3 **Overt Act #47**

4 On or about and between September 15, 2020 and October 7, 2020, the defendant ARASH
5 MALIAN PADIDAR made and maintained a note on his iPhone documenting the September
6 15th prescription he wrote to E [REDACTED] R [REDACTED].
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9 **Overt Act #48**

10 On or about October 15, 2020, the defendant ARASH MALIAN PADIDAR, wrote a
11 prescription to E [REDACTED] R [REDACTED] for NORCO 10/325 mg, for 100 pills.
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14 **Overt Act #49**

15 On or about October 15, 2020, a prescription for Norco (hydrocodone bitartrate-
16 acetaminophen) 10/325 mg (quantity 100) was filled and sold at the SavCo Pharmacy located at
17 455 O'Connor Drive in San Jose, CA, in the name of E [REDACTED] R [REDACTED].
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20 **Overt Act #50**

21 On or about and between January 1, 2020 and October 7, 2020, the defendant ARASH
22 MALIAN PADIDAR made and maintained a note on his iPhone documenting the October 15th
23 prescription he wrote to E [REDACTED] R [REDACTED].
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26 **Overt Act #51**

27 Between June 30, 2020 and September 27, 2020 ARASH MALIAN PADIDAR and
28 E [REDACTED] R [REDACTED] exchange text messages where Padidar requests R [REDACTED] find and utilize

1 additional people to fill prescriptions. They also make plans to meet up and discuss this in
2 person.

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4 **Overt Act #52**

5 On or about June 29, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to
6 A [REDACTED] A [REDACTED] for NORCO 10/325 mg, for 100 pills.
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9 **Overt Act #53**

10 On or about June 30, 2020, a prescription for Norco (hydrocodone bitartrate-
11 acetaminophen) 10/325 mg (quantity 50) was filled and sold at the Wellness Pharmacy located at
12 14777 Los Gatos Boulevard, Los Gatos, CA, in the name of A [REDACTED] P [REDACTED] A [REDACTED]
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15 **Overt Act #54**

16 On or about June 30, 2020, E [REDACTED] R [REDACTED] dropped off the Norco prescription (written to
17 A [REDACTED] A [REDACTED]) to give to Padidar. On the same date, text messages were exchanged between the
18 cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "E [REDACTED]
19 Janitor" where E [REDACTED] R [REDACTED] texts Padidar after leaving the medication, "I leave the medicine in
20 the second drawer and when you have time can you give a call please thank you".
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23 **Overt Act #55**

24 On or about and between June 30, 2020 and October 7, 2020, the defendant ARASH
25 MALIAN PADIDAR made and maintained a note on his iPhone documenting the June 30th
26 prescription he wrote to A [REDACTED] P [REDACTED].
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Overt Act #56

On or about and between June 30, 2020 and July 9, 2020, text messages were exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "E [REDACTED]-Janitor" where Padidar tells R [REDACTED] that his friend (A [REDACTED] E [REDACTED] A [REDACTED]) only got half of the medication ("tickets"). Padidar asks R [REDACTED] to come by and pick up another written prescription and to "get the rest". Padidar tells R [REDACTED] that "I left in the same place".

Overt Act #57

On or about July 9, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to A [REDACTED] P [REDACTED] A [REDACTED] for NORCO 10/325 mg, for 50 pills.

Overt Act #58

On or about July 10, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 50) was filled and sold at the Savco Pharmacy located at 455 O'Connor Drive, San Jose, CA, in the name of A [REDACTED] P [REDACTED].

Overt Act #59

On or about July 10, 2020, E [REDACTED] R [REDACTED] dropped off the Norco prescription (written to A [REDACTED] A [REDACTED]) to give to Padidar. On the same date, text messages were exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "E [REDACTED]-Janitor" where E [REDACTED] R [REDACTED] texts Padidar after leaving the medication, "Hello I leave the medicine in the second drawer".

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Overt Act #60

On or about July 30, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to A [REDACTED] P [REDACTED] A [REDACTED] for NORCO 10/325 mg, for 100 pills.

Overt Act #61

On or about July 30, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Savco Pharmacy located at 455 O'Connor Drive, San Jose, CA, in the name of A [REDACTED] P [REDACTED]

Overt Act #62

On or about July 30, 2020, E [REDACTED] R [REDACTED] dropped off the Norco prescription (written to A [REDACTED] P [REDACTED] A [REDACTED]) to give to Padidar. On the same date, text messages were exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "E [REDACTED]-Janitor" where E [REDACTED] R [REDACTED] texts Padidar after leaving the medication, "I leave the tickets in the second drawer". Padidar responds "Excellent".

Overt Act #63

On or about and between July 30, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the July 30th prescription he wrote to A [REDACTED] P [REDACTED]

Overt Act #64

On or about August 27, 2020, text messages were exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "E [REDACTED]-Janitor" where

1 Padidar texted E [REDACTED] R [REDACTED] asking to meet sooner. R [REDACTED] responds "ok text me tomorrow
2 what time and I will tell to my friend".
3

4 **Overt Act #65**

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6 On or about August 28, 2020, the defendant ARASH MALIAN PADIDAR, wrote a
7 prescription to A [REDACTED] P [REDACTED] A [REDACTED] for NORCO 10/325 mg, for 100 pills.
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9 **Overt Act #66**

10 On or about August 28, 2020, a prescription for Norco (hydrocodone bitartrate-
11 acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Saveco Pharmacy located at
12 455 O'Connor Drive, San Jose, CA, in the name of A [REDACTED] P [REDACTED].
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14 **Overt Act #67**

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16 On or about August 28, 2020, text messages were exchanged between the cell phone of
17 ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "E [REDACTED] Janitor" where
18 Padidar texted E [REDACTED] R [REDACTED] making arrangements for what time R [REDACTED] would drop off the
19 medications. Padidar asked R [REDACTED] to come in the early afternoon and stated "if in a meeting put
20 on drawer text me." R [REDACTED] responds "hello my friend leaves work at 3:30 and we will go
21 through the tickets at 3:45 and we will leave in the second drawer".
22

23 **Overt Act #68**

24
25 On or about August 28, 2020, E [REDACTED] R [REDACTED] dropped off the Norco prescription (written
26 to A [REDACTED] P [REDACTED] A [REDACTED]) to give to Padidar. On the same date, R [REDACTED] texts Padidar after leaving
27 the medication, "Hello I leave the tickets in the second drawer". Padidar responds "Thanks".
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Overt Act #69

On or about and between August 28, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the August 28th prescription he wrote to A [REDACTED] P [REDACTED]

Overt Act #70

On or about September 26, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to A [REDACTED] P [REDACTED] A [REDACTED] for NORCO 10/325 mg, for 100 pills.

Overt Act #71

On or about September 26, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325-mg (quantity 50) was filled and sold at the Wellness Pharmacy located at 14777 Los Gatos Boulevard, Los Gatos, CA, in the name of A [REDACTED] P [REDACTED] A [REDACTED]

Overt Act #72

On or about September 27, 2020, E [REDACTED] R [REDACTED] dropped off the Norco prescription (written to A [REDACTED] P [REDACTED] A [REDACTED]) to give to Padidar. On the same date, R [REDACTED] texts Padidar after leaving the medication, "I leave the tickets in the second drawer okay". Padidar responds "Thank you for all your help and sorry you are too fast Thank you".

Overt Act #73

On or about and between September 26, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the September

1 26th prescription he wrote to A [REDACTED] P [REDACTED].
2

3 **Overt Act #74**

4 On or about January 16, 2020, the defendant ARASH MALIAN PADIDAR, wrote a
5 prescription to I [REDACTED] S [REDACTED] for NORCO 10/325 mg, for 100 pills.
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8 **Overt Act #75**

9 On or about January 17, 2020, the defendant, ARASH MALIAN PADIDAR sent I [REDACTED]
10 M [REDACTED] an email with instructions on filling a prescription for pain medication. He
11 stated that the medication was for his dad (Baba) and that he wrote the prescription to her so that
12 she could pick up the medication and use her driver's license. He requested the medication be
13 returned to him "Friday afternoon" and that he left the prescription in an envelope in a sink
14 drawer for her. He instructed her to place the medication in the same drawer and told her to use
15 Savco Pharmacy.
16
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18 **Overt Act #76**

19 On or about January 17, 2020, I [REDACTED] M [REDACTED] sent an email reply to the
20 defendant, ARASH MALIAN PADIDAR, which stated "Will go pickup your Baba's meds
21 today".
22
23

24 **Overt Act #77**

25 On or about January 17, 2020, a prescription for Norco (hydrocodone bitartrate-
26 acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Savco Pharmacy located at
27 455 O'Connor Drive, San Jose, CA, in the name of I [REDACTED] M [REDACTED]
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Overt Act #78

On or about and between January 17, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the January 17th prescription he wrote to "I [REDACTED] M [REDACTED]".

Overt Act #79

On or about February 18, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to I [REDACTED] S [REDACTED] for NORCO 10/325 mg, for 100 pills.

Overt Act #80

On or about February 19, 2020, a prescription for Norco (hydrocodone bitartrate- acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Savco Pharmacy located at 455 O'Connor Drive, San Jose, CA, in the name of I [REDACTED] M [REDACTED].

Overt Act #81

On or about and between February 19, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the February 18th prescription he wrote to "I [REDACTED] M [REDACTED]".

Overt Act #82

On or about April 22, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to I [REDACTED] S [REDACTED] for NORCO 10/325 mg, for 100 pills.

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Overt Act #83

On or about April 22, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Savco Pharmacy located at 455 O'Connor Drive, San Jose, CA, in the name of I [REDACTED] M [REDACTED]

Overt Act #84

On or about and between April 22, 2020 and October 7, 2020, the defendant ARASH MALIAN PADIDAR made and maintained a note on his iPhone documenting the April 22nd prescription he wrote to "[REDACTED] M [REDACTED]".

Overt Act #85

On or about May 22, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to I [REDACTED] S [REDACTED] for NORCO 10/325 mg, for 100 pills.

Overt Act #86

On or about May 27, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Savco Pharmacy located at 455 O'Connor Drive, San Jose, CA, in the name of I [REDACTED] M [REDACTED]

Overt Act #87

On or about May 27, 2020, I [REDACTED] M [REDACTED] sent an email to the defendant, ARASH MALIAN PADIDAR, informing him that she got his medicine from Savco and she put it in his room. She also told him "For the future, please I would like not to have my name on the prescription. I don't mind picking it up when it's needed but since it's a controlled medication I

1 prefer not to have under my name.”
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4 **Overt Act #88**

5 On or about and between November 19, 2018 and June 2, 2020, the defendant ARASH
6 MALIAN PADIDAR wrote 17 prescriptions to J [REDACTED] M [REDACTED] for NORCO 10/325 mg, quantity
7 100 tabs.

8 **Overt Act #89**

9 On or about and between November 19, 2018 and June 2, 2020, prescriptions for Norco
10 (hydrocodone bitartrate-acetaminophen) 10/325 mg were filled and sold at the Walgreens
11 Pharmacy located at 2105 Morrill Avenue, and the Bascom Pharmacy located at 105 N. Bascom
12 Avenue in San Jose, CA, in the name of J [REDACTED] M [REDACTED].
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15 **Overt Act #90**

16 On or about and between November 19, 2018 and October 7, 2020, the defendant,
17 ARASH MALIAN PADIDAR created and maintained a note on his iPhone, documenting the
18 prescriptions Padidar wrote to J [REDACTED] M [REDACTED].
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21 **Overt Act #91**

22 On or about June 30, 2020, the defendant ARASH MALIAN PADIDAR, wrote a
23 prescription to J [REDACTED] M [REDACTED] for NORCO 10/325 mg, for 100 pills.
24

25 **Overt Act #92**

26 On or about June 30, 2020, a prescription for Norco (hydrocodone bitartrate-
27 acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Walgreens Pharmacy located
28

1 at 2105 Morrill Avenue, San Jose, CA, in the name of J ■■■ M ■■■
2

3 **Overt Act #93**

4 On or about July 3, 2020, text messages were exchanged between the cell phone of
5 ARASH MALIAN PADIDAR, and a contact in Padidar's phone listed as "J ■■■ M ■■■ aka
6 Princess Ma ■■■" where J ■■■ M ■■■ sent a text message to Padidar asking "Did you find Baba's
7 stuff?". Padidar responds to her "yes thank you".
8

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10 **Overt Act #94**

11 On or about and between June 30, 2020 and October 7, 2020, the defendant, ARASH
12 MALIAN PADIDAR created and maintained a note on his iPhone, documenting the June 30th
13 Norco prescription he wrote to J ■■■ M ■■■
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16 **Overt Act #95**

17 On or about and between August 30, 2020 and August 31, 2020, text messages were
18 exchanged between the cell phone of ARASH MALIAN PADIDAR, and a contact in Padidar's
19 phone listed as "J ■■■ M ■■■ aka Princess Ma ■■■" where J ■■■ M ■■■ and Padidar exchanged
20 text messages regarding M ■■■ obtaining prescription pain medication for Padidar and arranging
21 to get the medication to Padidar. On August 30th, Padidar asks M ■■■ "can you get ticket for baba
22 tomorrow morning?" M ■■■ replies "I can come to work to get the prescription for baba. Tell me
23 what time." On August 31st, M ■■■ asks Padidar "Can I bring u the stuff tomorrow? And you
24 don't owe me money anymore. Thx." Padidar responded saying "See you tomorrow".
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Overt Act #96

On or about August 31, 2020, the defendant ARASH MALIAN PADIDAR, wrote a prescription to J [REDACTED] M [REDACTED] for NORCO 10/325 mg, for 100 pills.

Overt Act #97

On or about August 31, 2020, a prescription for Norco (hydrocodone bitartrate-acetaminophen) 10/325 mg (quantity 100) was filled and sold at the Walgreens Pharmacy located at 2105 Morrill Avenue, San Jose, CA, in the name of J [REDACTED] M [REDACTED].

Overt Act #98

On or about and between August 31, 2020 and October 7, 2020, the defendant, ARASH MALIAN PADIDAR created and maintained a note on his iPhone, documenting the August 31st Norco prescription he wrote to J [REDACTED] M [REDACTED].

SPECIAL ALLEGATION – TOLLING OF STATUTE OF LIMITATIONS

Penal Code Sections 801.5, 803.5 and 803(c)

It is further alleged as to Counts 1 through 7:

1. The offenses are felonies which have a material element of fraud and breach of fiduciary obligation;

The offenses were not discovered until between August 25, 2019 and October 1, 2019;

2. No victim of the offenses and no law enforcement agencies chargeable with the investigation and prosecution of the offenses had actual or constructive knowledge of the offenses prior to August 25, 2019 when it was discovered;

- 1 3. The offenses were discovered when MGC contacted San Jose Police Detective Tony Vera
2 and the U.S. Drug Enforcement Agency (DEA) one to two months after she was fired by
3 Padidar on 7/25/2019. MGC reported what she had witnessed and experienced with
4 Padidar during the time she worked for him from June 2018 until July 25, 2019.
5
- 6 4. The offenses could not have been discovered earlier with reasonable diligence because
7 Padidar and his conspirators used fraudulent means to obtain prescription Norco and
8 concealed that information. Padidar wrote prescriptions for Norco to various individuals
9 who filled the prescriptions at different pharmacies. Padidar used Dr. [REDACTED]'s name
10 and DEA number to write prescriptions to himself, his wife and his father every month.
11 By spreading around the prescriptions in the name of various individuals and even using
12 another doctor's prescribing information, he fraudulently obtained the medication and
13 concealed his activities from law enforcement and Dr. C [REDACTED]
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16 Further, attached and incorporated by reference is an Affidavit in Support of Arrest Warrant
17 and Complaint completed by a sworn peace officer from the California Department of Justice
18 which the complainant believes establishes probable cause for the arrest of defendant ARASH
19 MALIAN PADIDAR, for the above listed crimes. **Wherefore, A WARRANT OF ARREST IS**
20 **REQUESTED.**
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24 I declare under penalty of perjury that the foregoing is true and correct. Executed on

25 August 1, 2023, at Sacramento, California.
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Dated: August 01, 2023

ROB BONTA,
Attorney General of California



AMY BELLAH
Deputy Attorney General
*Attorneys for the People of the State of
California*

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REQUEST FOR DISCOVERY

Pursuant to Penal Code section 1054.5, subdivision (b), the People request from defendant and defense counsel all materials and information required to be disclosed to the prosecution by the defense under the authority of Penal Code section 1054.3, including the following:

1. The names and addresses of persons, other than the defendants, whom the defendants intend to call as witnesses at trial. [Pen. Code § 1054.3, subd. (a)].
2. Any relevant written or recorded statements of persons whom the defendants intend to call as witnesses at trial. [Pen. Code § 1054.3, subd. (a)].
3. Any reports of the statements of persons whom the defendants intend to call as witnesses at trial. [Pen. Code § 1054.3, subd. (a)].
4. Any reports or statements of experts made in connection with the case. [Pen. Code § 1054.3, subd. (a)].
5. Any results of physical or mental examinations, scientific tests, experiments or comparisons which the defendants intend to offer in evidence at the trial. [Pen. Code § 1054.3, subd. (a)].
6. Any real evidence which the defendant intends to offer in evidence at the trial. [Pen. Code § 1054.3, subd. (a)].

This is a continuing request for the above information. If the information becomes available at a future time, the prosecution, by this request, asks that it be immediately disclosed to the prosecution.

THE FOREGOING INSTRUMENT IS
A CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE

AUG 03 2023

Clerk of the Court
SUPERIOR COURT OF SA COUNTY OF SANTA CLARA
BY M. Olaivar DEPUTY



M. OLAIVAR