

**FILED**

OCT 19 2010

**NEW JERSEY BOARD OF  
CHIROPRACTIC EXAMINERS**

PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law 5th Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

By: John D. Hugelmeyer  
Deputy Attorney General  
Tel. (973) 648-3454

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

BRYAN BAJAKIAN, D.C.  
License No. 38MC00262100

TO PRACTICE CHIROPRACTIC  
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER BY DEFAULT  
ON NOTICE OF MOTION FOR  
DEFAULT AND ENTRY OF  
DEFAULT JUDGMENT

This matter was opened to the Board of Chiropractic Examiners upon the filing of a Notice of Motion for Default and entry of Default Judgment against Bryan Bajakian, D.C. (hereinafter referred to as "Respondent") for failure to plead or otherwise defend against the charges and relief requested in the Amended Verified Complaint, and for such other relief as the Board might deem appropriate pursuant to N.J.S.A. 45:1-25. The Notice of Motion with exhibits, including the Amended Verified Complaint, was served upon the Respondent personally on June 4, 2010 at the Visitation Room of Mid State Correctional Facility, Wrightstown, New Jersey. That Notice (incorporated by reference as if fully set forth herein), indicated that should Respondent elect not to appear by person authorized to act in his behalf at the scheduled hearing, or otherwise fail to respond to the charges, the Board may entertain the motion on the documents presented and enter an Order for any or all of the relief requested. Respondent failed to file an Answer to the Amended Verified Complaint or to otherwise respond to the charges.

By letter to the Executive Director of the Board, via email dated September 22, 2010, E. Vicki Arians, Esq. entered her appearance on behalf of Respondent for the limited purpose of requesting an adjournment of the motion for default. On September 23, 2010, the return date of the motion, the Board heard argument from Ms. Arians via telephone for that limited purpose, as she did not represent Respondent on the underlying charges. Ms. Arians argued that the State had not afforded Respondent an adequate opportunity to be heard, because she was unsure that he had been properly served with the Amended Verified Complaint. In addition, Ms. Arians asserted that Respondent did not pose a threat to consumers due to his incarceration. In rejoinder, the Attorney General offered proof of personal service of the moving papers, including the Amended Verified Complaint, upon Respondent more than three and one half months before the return date of the motion.

The Board denied Respondent's belated request for an adjournment and found that Respondent had been adequately served and was in default for failure to answer the complaint. Having reviewed the moving documents, the Board concluded, as alleged in the Amended Verified Complaint, that Respondent had entered a plea of guilty on October 29, 2008 in the Superior Court of New Jersey, Law Division, Criminal Part, Passaic County to Count 1 of Indictment #08-03-00383-I on the charge of luring or enticing a child, in violation of N.J.S.A. 2C:13-6 in the 2<sup>nd</sup> degree; that Respondent had pleaded guilty to Count 8 of that Indictment on the charge of luring or enticing a child, in violation of N.J.S.A. 2C:13-6 in the 2<sup>nd</sup> degree; and that Respondent had pleaded guilty to Count 6 of that Indictment on the charge of possessing assault firearms, in violation of N.J.S.A. 2C:39-5f in the 3<sup>rd</sup> degree.

The Amended Verified Complaint also alleges, and the Board finds, that Respondent engaged in sexual misconduct toward a patient with whom he communicated on the Internet known to him as JennyHar1986; that Respondent attempted to lure children known to him via the Internet as: Yngcuriusgirl15 and CuteNorthernGrl17, to meet with him for purposes of engaging in criminal sexual contact; and that Respondent engaged in conduct of a sexual nature over the Internet that would impair or debauch the morals of six children known to him as: Yngcuriusgirl15, CuteNorthernGrl17, Trishcoming4u, Carolina2blue3, Hollie1025, and KallieBabe50.

In addition, the Board finds, as alleged in the Amended Verified Complaint, that Respondent

maintained in his possession child pornography, and that he repeatedly violated the Interim Consent Order of the Board, dated September 15, 2005, by providing care to patients under the age of eighteen without the presence of a monitor approved by the Board as required.

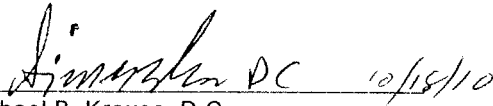
Having concluded that Respondent violated N.J.S.A. 45:1-21(f); that he engaged in professional and sexual misconduct, contrary to N.J.S.A. 45:1-21(e) and (h), and for good cause shown:

IT IS ON THIS 18<sup>th</sup> DAY OF October, 2010

ORDERED as follows:

1. Respondent's license to practice chiropractic in the State of New Jersey be, and hereby is, revoked.
2. Respondent shall pay costs and attorneys fees, pursuant to N.J.S.A. 45:1-25(d) in the total amount of \$41,792.00. Payment shall be by certified check or money order made payable to the State of New Jersey, and shall be sent to: Jonathan Eisenmenger, Executive Director, Board of Chiropractic Examiners at 124 Halsey Street, Sixth Floor, P.O. Box 45004, Newark, New Jersey 07101 within thirty (30) days of receipt of this Order.
3. Failure to remit any and all payments as required by this Order will result in the filing of a Certificate of Debt and may result in further proceedings pursuant to N.J.S.A 45:1-21 as failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF  
CHIROPRACTIC EXAMINERS

  
\_\_\_\_\_  
Michael B. Krouse, D.C.  
Board President