

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS¹
MARIJUANA REGULATORY AGENCY**

In the Matter of

**Green Genie, Inc.
License No. PC-000009**

ENF No. 19-00072 (CMP No. 19-000834)

CONSENT ORDER AND STIPULATION

CONSENT ORDER

On February 21, 2020, the Marijuana Regulatory Agency (MRA) issued a formal complaint against the medical marijuana provisioning center facility license (no. PC-000009) of Green Genie, Inc. (“Respondent”) under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and administrative rules promulgated thereunder. The complaint alleged Respondent violated Mich Admin Code, R 333.373(1)(k)(i), (ii), and (iii).

The executive director reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the complaint. Therefore, the executive director finds that the allegations contained in the complaint are true and that Respondent violated Mich Admin Code, R 333.373(1)(k)(i), (ii), and (iii).

¹ Executive Reorganization Order 2019-2 created the Marijuana Regulatory Agency (MRA) as a Type I agency within the Department of Licensing and Regulatory Affairs (LARA). MCL 333.27001(1)(a), (d). The MRA exercises its statutory powers, duties, and functions independent of LARA’s direction. MCL 16.103.

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of four thousand and 00/100 dollars (\$4,000.00). This fine shall be paid within 30 days of the effective date of this order by check or money order made payable to the State of Michigan with enforcement number "19-00072" clearly displayed on the check or money order. Respondent shall mail the fine to Department of Licensing and Regulatory Affairs, Marijuana Regulatory Agency, P.O. Box. 30205, Lansing, Michigan 48909, or Respondent may pay online through the Accela Citizen Access Portal (<https://aca3.accela.com/MIMM>).
2. If Respondent fails to timely pay the fine, Respondent's license shall be suspended until payment is received.
3. Unless otherwise specified in this order, Respondent shall direct any communications to the MRA that are required by the terms of this order to MRA-LegalHearings@michigan.gov.
4. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.
5. If Respondent violates any term or condition set forth in this order, Respondent will be subject to fines and/or other sanctions under section 407(1) of the MMFLA, MCL 333.27407(1), and Mich Admin Code, R 333.219.

This order shall be effective on the date signed by the MRA's executive director or his designee, as set forth below.

Signed on: 5/26/2020

MARIJUANA REGULATORY AGENCY

By:

Andrew Brisbo	<small>Digitally signed by: Andrew Brisbo DN: CN = Andrew Brisbo email = brisboa@michigan.gov C = US O = MRA Date: 2020.05.26 16:27:55 -04'00'</small>
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Andrew Brisbo, Executive Director
Marijuana Regulatory Agency

STIPULATION

The parties stipulate to the following:

1. The facts alleged in the complaint are true and constitute a violation of the rules promulgated under the MMFLA.

2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MMFLA, rules promulgated thereunder, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, to require the MRA to prove the charges set forth in the complaint by presentation of evidence and legal authority and to present a defense to the charges.

3. The parties considered the following in reaching this agreement:

- a) Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.

4. The MRA's Enforcement Division director or her designee must approve this proposed agreement before it is forwarded to the MRA's executive director or his designee for review and issuance of the above consent order. The parties reserve the right to proceed to an administrative hearing without prejudice to either party, should the MRA's Enforcement Division director, executive director, or their designees reject the proposed consent order.

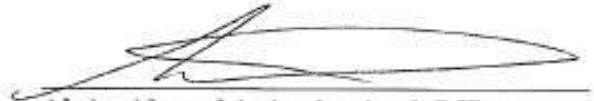
By signing this stipulation, the parties confirm that they have read, understand, and agree with the terms of the consent order.

AGREED TO BY:

kalek@michigan.gov Digitally signed by: kalek@michigan.gov
DN: CN = kalek@michigan.gov
Date: 2020.05.26 12:43:06 -04'00'


Kavita Kale
Enforcement Division Director
Marijuana Regulatory Agency
Dated: 05/26/2020

AGREED TO BY:


Alvin Alosachi, Authorized Officer
On behalf of Respondent
Green Genie, Inc.
Dated: 05-21-2020

/s/ Erika N. Marzorati

Erika N. Marzorati (P78100)
Risa Hunt-Scully (P58239)
Assistant Attorneys General
Attorneys for Complainant
Dated: 5/26/20


Michael F. Wais (P45482)
Attorney for Respondent

Dated: 5/22/20

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MARIJUANA REGULATORY AGENCY

In the Matter of

Green Genie, Inc
ERG No. 000122
License No. PC-000009
ENF No. 19-00072

CMP No.:19-000834

FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against Green Genie, Inc. (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MMFLA and the administrative rules promulgated thereunder, take disciplinary action to prevent such violations, and impose fines and other sanctions against applicants and licensees that violate the MMFLA or rules.
2. Section 402(12) of the MMFLA provides that the expiration of a license does not terminate the MRA’s authority to impose sanctions on the license.
3. Section 206(c) of the MMFLA provides that the administrative rules must ensure the health, safety, and security of the public and integrity of the marijuana facility operations.
4. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marijuana facility operations.

MARIJUANA REGULATORY AGENCY
2407 NORTH GRAND RIVER • P.O. BOX 30205 • LANSING, MICHIGAN 48909
www.michigan.gov/MRA
LARA is an equal opportunity employer/program

FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

5. Respondent holds an active state operating license under the MMFLA to operate a medical marihuana provisioning center in the state of Michigan.

6. Respondent operated at 24600 West McNichols, Detroit, Michigan, at all times relevant to this complaint.

7. Following an investigation, the MRA determined that Respondent violated the MMFLA and/or the administrative rules promulgated thereunder as set forth below:

- a. From December 9, 2019 through January 2, 2020, MRA visited Respondent's facility on several occasions. MRA found that Respondent had sold marijuana product in its inventory identified with statewide monitoring system (METRC) tag no. 1A4050100004011000000074 (Native Made 100mg Fruit Chew), which did not have the following warnings required under Mich Admin Code 333.373 (1)(k)(i), (ii), and (iii):
 - i. "For use by registered qualifying patients only. Keep out of the reach of children."
 - ii. "It is illegal to drive a motor vehicle while under the influence of marihuana."
and
 - iii. "National Poison Control Center 1-800-222-1222."

THEREFORE, based on the above, the MRA gives notice of its intent to impose fines and/or other sanctions against Respondent's license, which may include the suspension, revocation, restriction, and/or refusal to renew Respondent's license.

Under MCL 333.27407(4) and Mich Admin Code, R 333.29494(2), any party aggrieved by an action of the MRA suspending, revoking, restricting, or refusing to renew a license, or imposing a fine, shall be given a hearing upon request. A request for a hearing must be submitted to the MRA in writing within 21 days after service of this complaint. Notice served by certified mail is considered complete on the business day following the date of the mailing.

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Respondent also has the right to request a compliance conference under Mich Admin Code, R 333.294(1). A compliance conference is an informal meeting at which Respondent has the opportunity to discuss the allegations in this complaint and demonstrate compliance under the MMFLA and/or the administrative rules. A compliance conference request must be submitted to the MRA in writing.

Hearing and compliance conference requests must be submitted in writing by one of the following methods.

By Mail: Department of Licensing & Regulatory Affairs
Marijuana Regulatory Agency
P.O. Box 30205
Lansing, Michigan 48909


In Person: Department of Licensing & Regulatory Affairs
Marijuana Regulatory Agency
2407 North Grand River
Lansing, Michigan 48906

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter. The MRA reserves the right to review the formal complaint and amend it should this matter proceed to a contested case hearing.

Questions about this complaint should be directed to the Marijuana Regulatory Agency's legal section at (517) 284-8599 or MRA-LegalHearings@michigan.gov.

Dated: 02/21/2020

MARIJUANA REGULATORY AGENCY

By: 
Kavita Kale, Enforcement Division Director

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In the Matter of

Green Genie, Inc
ERG No. 000122
License No. PC-000009
ENF No. 19-00072

CMP No.:19-000834

PROOF OF SERVICE

I hereby certify that on the date below, I mailed a copy of the Formal Complaint dated February 21, 2020, in the above captioned case by certified mail (return receipt requested) to:

Green Genie, Inc.
24600 West McNichols
Detroit, MI 48219



Abby Rae Brooks
Departmental Technician
Marijuana Regulatory Agency
Department of Licensing & Regulatory
Affairs

In the matter of

Green Genie, Inc.
ERG No. 000122
License No. PC-000009
ENF No. 19-00072

CMP No.:19-000834

PROOF OF SERVICE

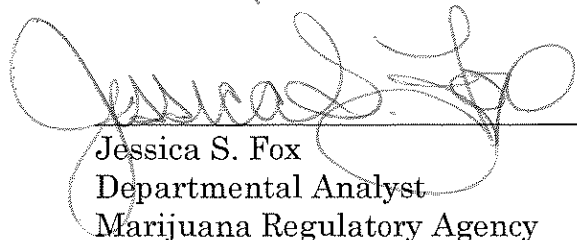
I hereby certify that on the date below, I mailed a copy of the Consent Order and Stipulation dated May 26, 2020 in the above captioned case by certified mail (return receipt requested) to:

Green Genie, Inc.
24600 West McNichols
Detroit, MI 48219

With a copy to:

Michael F. Wais, Esq.
Howard & Howard Attorneys PLLC
450 W. 4th St.
Royal Oak, MI 48067-2557

Mail date: May 27, 2020



Jessica S. Fox
Departmental Analyst
Marijuana Regulatory Agency
Department of Licensing & Regulatory
Affairs