

STATE OF MICHIGAN  
DEPARTMENT OF REGULATORY AFFAIRS<sup>1</sup>  
MARIJUANA REGULATORY AGENCY

In the Matter of

3843 Euclid, LLC  
AU-ER No.: 000213  
License No.: AU-G-C-000115  
ENF No.: 20-00106

CMP No.: 20-000889

/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On October 21, 2020, the Marijuana Regulatory Agency (MRA) issued a formal complaint against the adult-use marijuana grower class C establishment license (AU-G-C-000115) of 3843 Euclid, LLC (“Respondent”) under the Michigan Regulation and Taxation of Marihuana Act (MRMTA), 2018 IL 1, *et seq.*, and the administrative rules promulgated thereunder. The formal complaint alleged Respondent violated the Mich Admin Code, R 420.602(1), 420.303(2), and 420.303(3).

The executive director reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the formal complaint. Therefore, the executive director finds that the allegations contained in the formal complaint are true and that Respondent violated Mich Admin Code, R 420.602(1), 420.303(2), and 420.303(3)

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of Fifteen Thousand and 00/100 dollars (\$15,000.00). This fine shall be paid within 180 days of the effective date of this order by check or money order made payable to the State of Michigan with enforcement number “20-00106” clearly displayed on the check or money order. Respondent shall mail the fine to Department of Licensing and Regulatory Affairs, Marijuana Regulatory Agency, PO BOX 30205, Lansing, Michigan 48909.
2. If Respondent fails to timely pay the fine, Respondent’s license shall be suspended until payment is received.

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<sup>1</sup> 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.

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](mailto: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 7(1)(c) of the MRTMA, MCL 333.27957, and Mich Admin Code, R 420.806.
6. Upon timely payment of the fine by Respondent, the matters set forth in the formal complaint shall be deemed resolved and closed subject to this Consent Order.

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

MARIJUANA REGULATORY AGENCY

Signed on: 4/9/2021

By: **Andrew  
Brisbo**  
Digitally signed by: Andrew Brisbo  
DN: CN = Andrew Brisbo email =  
brisboa@michigan.gov C = US O =  
Marijuana Regulatory Agency OU =  
Executive Director  
Date: 2021.04.09 15:37:41 -04'00'

Andrew Brisbo, Executive Director  
Marijuana Regulatory Agency

## STIPULATION

The parties stipulate to the following:

1. The facts alleged in the formal complaint are true and constitute a violation of the administrative rules promulgated under the MRTMA.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MRTMA, administrative 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 formal 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 provided update standard operating procedures to ensure compliance in the future.
  - b. Respondent states that the marijuana plants did not have the required tags because the plants were in a fragile state due to a watering system malfunction.
  - c. Respondent alleged that within 24 hours of the MRA discovering the violations it had tagged all of the plants compliantly. Photographic images were provided to the MRA.
  - d. The statewide monitoring system (Metrc) provides alternative tagging of plants however, Respondents did not use that alternative method.
  - e. 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 on 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.

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AGREED TO BY:

Julie Kluytman Digitally signed by: Julie Kluytman  
DN: CN = Julie Kluytman email =  
kluytman@michigan.gov C = AD  
Date: 2021.04.09 12:11:31 -04'00'

Julie Kluytman, Director  
Enforcement Division  
Marijuana Regulatory Agency  
Dated: 4/9/2021

AGREED TO BY:



Brandon Dabish, Authorized Officer  
On behalf of Respondent  
3843 Euclid, LLC  
Dated: 4/6/21

*Nicholas Castro*

Nicholas Castro (P 82858)  
Attorney for Respondent  
Dated: 04-06-2021

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MARIJUANA REGULATORY AGENCY

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FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against 3843 Euclid, LLC (“Respondent”) alleging upon information and belief as follows:

1. The Marijuana Regulatory Agency (MRA) is authorized under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), 2018 IL1, *et seq.*, and Executive Reorganization Order No.2019-2, MCL 333.27001, to investigate alleged violations of the MRTMA 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 MRTMA or Administrative Rules.
2. Section 8(1)(d) of the MRTMA provides that the Administrative Rules must ensure the health, safety, and security of the public and integrity of the marihuana establishment operations.
3. Respondent’s conduct as described below is a risk to public health and safety and/or the integrity of marihuana establishment operations.

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## FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

4. Respondent holds an active state license under the MRTMA to operate an adult use grower type c in the state of Michigan.

5. Respondent operated at 1694 Marquette Ave., Bangor Township, MI, 48706 at all times relevant to this complaint.

6. Following an investigation, the MRA determined that Respondent violated the MRTMA and/or Administrative Rules promulgated thereunder as set forth below:

- a. On August 12, 2020, Respondent had four individuals (Marc Longfellow, Jeremy Carrier, Jennifer Shannon, and Nanwa Dabish) present and working at the establishment. They had not performed the required criminal background checks prior to them working at the establishment. Respondent's failure to conduct a criminal history background check on any prospective employee before hiring, record confirmation and make the confirmation available is a violation of Mich Admin Code R 420.602(1).
- b. On August 12, 2020, Respondent had numerous marijuana plants over 8 inches in height or width from the growing or cultivating medium that were not tagged and identified in the statewide monitoring system (METRC) with individual tags. On September 10, 2020, Respondents provided images of the plants in question and agreed to individually tag each of the plants. Respondent's failure to tag each individual plant that is greater than 8 inches in height from the growing or cultivating medium or more than 8 inches in width with an individual plant tag and record the identification information in the statewide monitoring system is a violation of Mich Admin Code R 420.303(2).
- c. Furthermore, based on the above, Respondent's failure to separate the plants as the plants go through different growth stages and ensure that the plant tag is always identified with the plant throughout the growth span so that all plants can be easily

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identified and inspected and ensure that the identification information is recorded in the statewide monitoring system in accordance with the acts, marihuana tracking act, and these rules is a violation of Mich Admin Code R 420.303(3).

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 333.27957 (1)(c) and Mich Admin Code R 420.704(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.

Respondent also has the right to request a compliance conference under Mich Admin Code R 420.704(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 MRTMA 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.

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[www.michigan.gov/MRA](http://www.michigan.gov/MRA)

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

Dated: \_\_\_\_\_ October 20, 2020

**MARIJUANA REGULATORY AGENCY**

By: **Claire Patterson**  
\_\_\_\_\_  
Claire Patterson, Scientific and Legal Section Manager

Digitally signed by: Claire Patterson  
DN: CN = Claire Patterson email =  
PattersonC8@michigan.gov C = US O = MRA OU = LARA  
Date: 2020.10.20 10:21:03 -0400'

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**PROOF OF SERVICE**

I hereby certify that on 10/21/20, I mailed a copy of the Formal Complaint dated 10/20/20 in the above captioned case by certified mail (return receipt requested) to:

3843 Euclid, LLC  
C/O Pollicella & Associates, PLLC  
4312 East Grand River Avenue  
Howell, Michigan 48843

With a copy to:

Jackie Langwith  
[jackie@pollicella.net](mailto:jackie@pollicella.net)

and

Brandon Dabish  
[brandon@medfarms.com](mailto:brandon@medfarms.com)

Jessica S.  
Fox

Digitally signed by Jessica  
S. Fox  
Date: 2020.10.21  
09:26:27 -04'00'

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