

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

In the Matter of

D. Savage, LLC dba Viola Detroit  
ERG No.: 000255  
License No.: GR-C-000455  
ENF No.: 21-00105

CMP No.: 21-000340

\_\_\_\_\_/ CONSENT ORDER AND STIPULATION

CONSENT ORDER

On March 3, 2021, the Marijuana Regulatory Agency (MRA) issued a formal complaint against the medical marijuana class C grow facility license (GR-C-000455) of D. Savage, LLC dba Viola Detroit (“Respondent”) under the Medical Marijuana Facilities Licensing Act (MMFLA), MCL 333.27101 *et seq.*, and the administrative rules promulgated thereunder. The formal complaint alleged Respondent violated Mich Admin Code, R 420.102(9).

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 420.108(4).

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of Two Thousand Five Hundred and 00/100 dollars (\$2,500.00). 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 “21-00105” 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.

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3. The alleged violation of Mich Admin Code, R 420.102(9) is DISMISSED.
4. 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).
5. Respondent shall be responsible for all costs and expenses incurred in complying with the terms and conditions of this consent order.
6. 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 420.806.
7. 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.

Signed on: 8/20/21

By:

MARIJUANA REGULATORY AGENCY

**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: 2021.08.20 07:38:15 -04'00'

Andrew Brisbo, Executive Director  
Marijuana Regulatory Agency

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## 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 MMFLA.
2. Respondent understands and intends that by signing this stipulation, Respondent is waiving the right under the MMFLA, 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 stated that it relied upon the representation from another licensee that the product could be returned due to the potential risk to public health and safety.
  - b. Respondent updated their procedures to include that no return shipments are allowed unless the manifest is rejected at the time of delivery.
  - c. Respondent stated that it sought to investigate every jar of product packaged during the same days as the products that had a confirmed risk to public health and safety, whether any specific risk had been identified or not.
  - d. Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.
  - e. Respondent and the MRA engaged in negotiations of the proposed penalties listed in the Consent Order.
  - f. Respondent has not had any previous disciplinary action issued against it.
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.

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AGREED TO BY:

**Julie  
Kluytman**

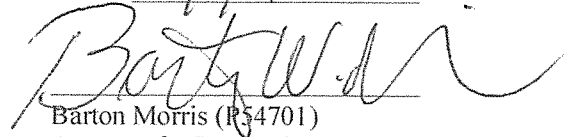
Digitally signed by: Julie Kluytman  
DN: CN = Julie Kluytman email =  
kluytmanj@michigan.gov C = US  
O = Marijuana Regulatory Agency  
Date: 2021.08.19 16:22:07 -04'00'

Julie Kluytman, Director  
Enforcement Division  
Marijuana Regulatory Agency  
Dated: 8/19/21

AGREED TO BY:



Barton Morris, Authorized Officer  
On behalf of Respondent  
D. Savage, LLC  
Dated: 8/19/21



Barton Morris (P54701)  
Attorney for Respondent  
Dated: 8/19/21

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

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FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against D. Savage, LLC dba Viola Detroit (“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 administrative 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.

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FACTUAL ALLEGATIONS AND INTENDED ACTION OF THE MRA

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

6. Respondent operated at 4473 West Jefferson Avenue, Detroit, Michigan, 48209 at all times relevant to this complaint.

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

- a. On October 9, 2020, Respondent received into inventory 2,608 jars of pre-packaged marihuana product from a medical marihuana provisioning center.
- b. The 2,608 jars were from ten different statewide monitoring system (METRC) tags as listed below:
  - I. Triangle Kush - source package #1A4050100007CA0000001344
  - II. Underwag - source package #1A4050100007C9E000001391
  - III. Cornbread - source package #1A4050100007C9F000000245
  - IV. Vader - source package #1A4050100007C9F000000223
  - V. Fatso - source package #1A4050100007C9E000001395
  - VI. GG#4 - source package #1A4050100007C9E000001407
  - VII. Wifi - source package #1A4050100007C9F000000231
  - VIII. Atlantic Kush - source package #1A4050100007C9F000000105
  - IX. Key Lime Pie - source package #1A4050100007C9F000000213
  - X. Chem I-95 - source package #1A4050100007C9E000001426
- c. Respondent's receipt of this product back into its inventory was in violation of Mich Admin Code, R 420.102(9) which only allows a grower to obtain marihuana seeds, tissue cultures, and clones from another grower. A grower is not allowed to obtain any marihuana or marihuana product from a provisioning center.

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 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 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

By Email: [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov)

If Respondent fails to timely respond to this formal complaint, a contested case hearing will be scheduled to resolve this matter.

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

Dated: 3/1/21

**MARIJUANA REGULATORY AGENCY**

By: Claire Patterson  
Claire Patterson, Scientific and Legal Section Manager  
Enforcement Division

Digitally signed by Claire  
Patterson  
Date: 2021.03.01  
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