

**STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
CANNABIS REGULATORY AGENCY<sup>1</sup>**

**In the Matter of**

**Amazing Budz, LLC**

**AU-ER No. 000350**

**License No. AU-R-000225**

**CMP Nos. 21-000757 & 21-000810**

**ENF Nos. 21-00277 & 21-00278**

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

**CONSENT ORDER**

On February 14, 2022, the Cannabis Regulatory Agency (CRA) issued a formal complaint against the adult-use marijuana retailer license (no. AU-R-000225) of Amazing Budz, LLC (Respondent) under the Michigan Regulation and Taxation of Marihuana Act (MRTMA), MCL 333.27951 *et seq.*, and administrative rules promulgated thereunder. The complaint alleged Respondent violated Mich Admin Code, R 420.212(1), R 420.502(3), R 420.502(4), R 420.505(1), and R 420.506(3)<sup>2</sup>.

The executive director or designee reviewed the stipulation contained in this document and agrees the public interest is best served by resolution of the complaint. Therefore, the executive director or designee finds that the allegations contained in the complaint are true and that Respondent violated Mich Admin Code, R 420.212(1), R 420.502(3), R 420.502(4), R 420.505(1), and R 420.506(3).

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<sup>1</sup> The Marijuana Regulatory Agency was renamed the Cannabis Regulatory Agency under Executive Reorganization Order No. 2022-1, effective April 13, 2022. MCL 333.27002(1)(a).

<sup>2</sup> The administrative rules cited throughout this consent order and stipulation refer to the CRA's administrative rules filed with the Secretary of State on June 22, 2020, which were in effect at all times relevant to the conduct at issue in the formal complaint.

Accordingly, for these violations, IT IS ORDERED:

1. Respondent must pay a fine in the amount of four thousand dollars (\$4,000.00). This fine shall be paid within 60 days of the effective date of this order by check, money order, or online through Accela Citizen Access (ACA). CRA guidance on how to make compliance payments online is available under “Tips for Licensees” at [www.michigan.gov/cra/bulletins](http://www.michigan.gov/cra/bulletins). Checks or money orders shall be made payable to the State of Michigan with “ENF Nos. 21-00277 & 21-00278” and “License No. AU-R-000225” clearly displayed on the check or money order and mailed to: Department of Licensing and Regulatory Affairs, Cannabis Regulatory Agency, P.O. Box 30205, Lansing, Michigan 48909.
2. If Respondent fails to timely comply with the terms of this order, Respondent’s license shall be suspended until compliance is demonstrated.
3. Unless otherwise specified in this order, Respondent shall direct any communications to the CRA that are required by the terms of this order to [CRA-CSS@michigan.gov](mailto:CRA-CSS@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 may be subject to additional fines and/or other sanctions.

This order shall be effective 30 days after the date signed by the CRA’s executive director or designee, as set forth below.

CANNABIS REGULATORY AGENCY

Signed on: 10/30/23

By: **Brian Hanna**  
Executive Director Brian Hanna  
or Designee  
Cannabis Regulatory Agency

Digitally signed by: Brian Hanna  
DN: CN = Brian Hanna email = hannab@michigan.  
gov C = US O = CRA OU = CRA  
Date: 2023.10.30 15:27:00 -04'00'

## 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 CRA 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) This consent order and stipulation is part of a comprehensive resolution of the CRA's formal complaints against Amazing Budz, LLC's adult-use marijuana retailer and medical marijuana provisioning center licenses under ENF Nos. 21-00140, 21-00277, 21-00278, and 22-00252.
  - b) Respondent states that it has learned from this situation, completed a thorough review of the applicable statutes and administrative rules in light of this matter, and required its appropriate staff to participate in additional training to avoid future recurrences. Respondent submitted certificates showing that two employees passed the Michigan Metrc Industry Test.
  - c) Respondent was cooperative and wishes to resolve the allegations without the need for and expense of an administrative hearing.
4. The CRA's operations director or designee must approve this proposed agreement before it is forwarded to the CRA's executive director or 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

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

AGREED TO BY:

**Desmond Mitchell** Digitally signed by Desmond Mitchell  
Date: 2023.10.24 13:26:53 -04'00'

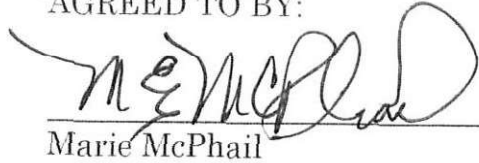
Desmond Mitchell  
Operations Director  
Cannabis Regulatory Agency

Dated: 10/24/23

*/s/ Adam M. Leyton*

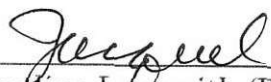
Adam M. Leyton (P80646)  
Risa Hunt-Scully (P58239)  
Assistant Attorneys General  
Attorneys for Cannabis Regulatory Agency  
Dated: 10/23/2023

AGREED TO BY:



Marie McPhail  
Authorized Representative  
On behalf of Respondent  
Amazing Budz, LLC

Dated: 10/18/2023

  
Jacqueline Langwith (P79600)  
Attorney for Respondent

Dated: 10/19/23

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

In the Matter of

Amazing Budz, LLC  
AU-ER No.: 000350  
License No.: AU-R-000225  
ENF Nos.: 21-00277 & 21-00278

CMP Nos.: 21-000757 & 21-000810

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FORMAL COMPLAINT

The Marijuana Regulatory Agency (“Complainant”) files this formal complaint against Amazing Budz, 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 Rule 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 marihuana retailer establishment in the state of Michigan.

5. Respondent operated at 1301 S. Main St., Adrian, Michigan 49221, 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:

ENF 21-00277

- a. On May 21, 2021, statewide monitoring system (METRC) package tag number 1A4050300006EF6000009006 was placed on administrative hold.
- b. Between May 22, 2021 and May 24, 2021, Respondent made six sales after the package was placed on administrative hold in violation of Mich Admin Code, R 420.502(3), which states a marihuana business shall not sell or transfer marihuana product that has been placed on administrative hold, recalled, or ordered to be destroyed.
- c. Respondent sold marijuana product to a customer after the package was placed on administrative hold, which is also a violation of Mich Admin Code, R 420.505(1), which states a marihuana sales location may sell or transfer marihuana or a marihuana product to a marihuana customer if all of the following are met: (a) The marihuana product has not been placed on administrative hold, recalled, or ordered to be destroyed.
- d. Additionally, because sales were made after the package was placed on administrative hold, Respondent did not verify in METRC that the package was placed on administrative hold prior to any sale or transfer,

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in violation of Mich Admin Code, R 420.502(4), which states a marihuana business must verify in the statewide monitoring system, prior to any sale or transfer, that the marijuana product has been placed on administrative hold, recalled, or ordered to be destroyed.

ENF 21-00278

- a. On May 22, 2021, Respondent sold 86 grams (approximately 3.03 ounces) of marijuana flower to a marijuana customer in a single transaction.
- b. During a semi-annual inspection on June 1, 2021, the MRA discovered the transaction in the statewide monitoring system (METRC) under sales receipt #0020253102.
- c. Respondent exceeded its single sale transaction limit in violation of Mich Admin Code, R 420.506(3), which states a marihuana retailer, under the Michigan regulation and taxation of marihuana act, is prohibited from making a sale or transferring marihuana to an adult 21 years of age or older in a single transaction that exceeds 2.5 ounces, except that not more than 15 grams of marihuana may be in the form of marihuana concentrate.
- d. On June 17, 2021, Respondent emailed the MRA regarding the reason for the oversale.
- e. According to Respondent's POS Vendor, Respondent documented the weight for Gello Gelato 7G Prepackaged (METRC package tag # 1A4050300007FBD000007468) incorrectly in METRC as eaches (ea) instead of grams. As a result, the POS system failed to detect the oversale.
- f. Respondent documenting the weight for Gello Gelato 7G Prepackaged incorrectly in METRC as eaches (ea) instead of grams prevented the product from being identified and tracked consistently in METRC in

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violation of Mich Admin code, R 420.212(1), which states, in part, all marihuana products must be identified and tracked consistently in the statewide monitoring system under these rules.

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 Emergency 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

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Lansing, Michigan 48906

By Email: 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's legal section at (517) 284-8599 or [MRA-LegalHearings@michigan.gov](mailto:MRA-LegalHearings@michigan.gov).

Dated: 2/14/22

By: Julie Kluytman  
Julie Kluytman, Director  
Enforcement Division  
Marijuana Regulatory Agency

Digitally signed by: Julie Kluytman  
DN: CN = Julie Kluytman email =  
Kluytmanj@michigan.gov C = US O =  
Marijuana Regulatory Agency  
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