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7	BEFORE THE DEPARTMENT OF CANNABIS CONTROL
8	OF THE STATE OF CALIFORNIA
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10	In the Matter of Accusation Against:) CASE NO. DCC23-0005069-COMP
11	AGRONOMIC INVESTMENTS, INC., dba ORDER ADOPTING STIPULATED SETTLEMENT AND DISCIPLINARY
12	OWNER 1625 Del Paso Boulevard
13	Sacramento, CA 95815-3014
14	License No. C9-0000544-LIC
15	Respondent.
16)
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18	Pursuant to Government Code section 11415.60, and Corporations Code 313, the
19	Department of Cannabis Control ("Department") hereby adopts the attached Stipulated
20	Settlement of Accusation and Disciplinary Order as its Final Decision in this matter. Pursuant
21	to this Final Decision, it is ordered that:
22	1. Respondent's appeal of Citation No. DCC23-0005069-COMP and request
23	for administrative hearing are deemed withdrawn, and any further appeals are waived.
24	2. Respondent's Cannabis Retail Non-Storefront (Delivery) License No. C9-0000544-
25	LIC shall be subject to a revocation that is stayed pending compliance with the provisions of this
26	disciplinary order.
27	3. Respondent shall pay an administrative fine in the amount of one thousand dollars
28	1 of 3
	ORDER ADOPTING STIPULATED SETTLEMENT AND DISCIPLINARY ORDER AS FINAL DECISION Case No. DCC23-0005069-COMP; Agronomic Investments, Inc.

comply with the terms of this Order and will result in enforcement of the Order in the Superior

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1	Court.
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3	This Order shall become effective on December 6, 2024.
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5	IT IS SO ORDERED, December 6, 2024.
6	
7	all James
8	Douglas Smurr
9	Assistant General Counsel Office of the General Counsel
10	FOR THE DEPARTMENT OF CANNABIS CONTROL
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1	ROB BONTA		
2	Attorney General of California HARINDER KAPUR Senior Assistant Attorney General State Bar No. 198769 600 West Broadway, Suite 1800 San Diego, CA 92101		
3			
4			
5	Telephone: (619) 738 9407 E-mail: Harinder.Kapur@doj.ca.gov		
6	Attorneys for Complainant		
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9	BEFOR		
10	DEPARTMENT OF CANNABIS CONTROL STATE OF CALIFORNIA		
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12		1	
13	In the Matter of the Accusation Against:	Case No. DCC23-0005069-COMP	
14	AGRONOMIC INVESTMENTS, INC., DBA LAH DI DAH DI	STIPULATED SETTLEMENT AND DISCIPLINARY ORDER	
15	1625 Del Paso Blvd Sacramento, CA 95815-3014		
16	Cannabis Retailer Nonstorefront (Delivery)		
17	License No. C9-0000544-LIC		
18	Respondent.		
19			
20		EED by and between the parties to the above-	
21	entitled proceedings that the following matters are true:		
22	PART		
23		Deputy Director of the Compliance Division of	
24	the Department of Cannabis Control (Department	,	
25	in his official capacity but has since left the Depa		
26	Director of the Compliance Division of the Depar	•	
27	and is represented in this matter by Rob Bonta, A		
28	Harinder Kapur, Senior Assistant Attorney Gener	al.	
		1	

- Respondent Agronomic Investments, Inc., dba Lah Di Dah Di (Respondent) is represented in this proceeding by attorney Melissa Sanchez, whose address is: 1017 I Street, Sacramento, CA 95814.
- 3. On or about April 14, 2022, the Department issued Cannabis Retailer Non-Storefront (Delivery) License No. C9-0000544-LIC (License) to Agronomic Investments, Inc., dba Lah Di Dah Di (Respondent). The License was in full force and effect at all times relevant to the charges brought in Accusation No. DCC23-0005069-COMP, and will expire on April 14, 2025, unless renewed.

JURISDICTION

- 4. Accusation No. DCC23-0005069-COMPwas filed before the Department and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on January 10, 2024.
- 5. Respondent timely filed its Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. DCC23-0005069-COMPis attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

- 6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. DCC23-0005069-COMP. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.
- 7. Respondent is fully aware of its legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against them; the right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 9. Respondent admits the truth of each and every charge and allegation in Accusation No. DCC23-0005069-COMP.
- 10. Respondent agrees that its Cannabis Retailer Non-Storefront License is subject to discipline and agrees to be bound by the Department's imposition of discipline as set forth in the Order below.

CONTINGENCY

- 11. This stipulation shall be subject to approval by the Department. Respondent understands and agrees that counsel for Complainant and the staff of the Department may communicate directly with the Department regarding this stipulation and settlement, without notice to or participation by Respondent or its counsel. By signing the stipulation, Respondent understands and agrees that they may not withdraw its agreement or seek to rescind the stipulation prior to the time the Department considers and acts upon it. If the Department fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Department shall not be disqualified from further action by having considered this matter.
- 12. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.
- 13. In consideration of the foregoing admissions and stipulations, the parties agree that the Department may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

 Respondent's appeal of Accusation No. DCC23-0005069-COMP and request for administrative hearing is deemed withdrawn and any further appeal is waived.

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1	\$5,472.00, le	ss any partial payment	es received prior to the failure to complete payments or comply
2	with the term	ns of this Order and wil	ll result in enforcement of the Order in the Superior Court.
3			ACCEPTANCE
4	I have	carefully read the above	ve Stipulated Settlement and Disciplinary Order and have fully
5	discussed it v	with my attorney, Meli	ssa Sanchez. I understand the stipulation and the effect it will
6	have on my (Cannabis Retailer Non-	-Storefront (Delivery) License No. C9-0000544-LIC. I enter
7	into this Stip	ulated Settlement and	Disciplinary Order voluntarily, knowingly, and intelligently,
8	and agree to	be bound by the Decisi	ion and Order of the Department of Cannabis Control.
9		44 / 47 / 2004	Masamitsu Miyagi
10	DATED:	11 / 17 / 2024	
11			AGRONOMIC INVESTMENTS, INC., DBA LAH DI DAH DI
12			Respondent
13	I have	read and fully discusse	ed with Respondent Agronomic Investments, Inc., dba Lah Di
14	Dah Di the te	erms and conditions an	d other matters contained in the above Stipulated Settlement
15	and Disciplinary Order. I approve its form and content.		
16			
17	DATED:	11 / 17 / 2024	MELIGGA GANGHEZ
18			MELISSA SANCHEZ Attorney for Respondent
19			
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1	1 <u>ENDORSEMENT</u>	
2	The foregoing Stipulated Settlement and Disciplinary	Order is hereby respectfully
3	3 submitted for consideration by the Department of Cannabis	Control.
4		etfully submitted,
5	5 ROB B	-
6	6 Attorn	ey General of California inder Kapur
7 8	HARIN	DER KAPUR
9	9 Attorn	Assistant Attorney General eys for Complainant
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Exhibit A

Accusation No. DCC23-0005069-COM

1	ROB BONTA Attorney General of California	
2	Attorney General of California JOSHUA B. EISENBERG Supervising Deputy Attorney General	
3	ETHAN A. TURNER Deputy Attorney General	
4	State Bar No. 294891 1300 I STREET, SUITE 125	
5	P.O. Box 944255 Sacramento, CA 94244-2550	
6	Telephone: (916) 210-7909 Facsimile: (916) 327-2319	
7	Attorneys for Complainant	
8	BEFOR DEPARTMENT OF CA	
9	OF THE STATE O	
10		
11	In the Matter of the Accusation Against:	Case No. DCC23-0005069-COMP OAH Case No.
12	AGRONOMIC INVESTMENTS, INC., dba Lah Di Dah Di	OAH Case No.
13	Masamitsu Miyagi, Owner	
14	1625 Del Paso Boulevard Sacramento, CA 95815-3014	ACCUSATION
15	License Number C9-0000544-LIC	ACCUSATION
16	Respondent.	
17		
18	D A D Z	
19	PART	<u>HES</u>
20	Jeff Merriman (Complainant) brings t	his Accusation solely in his official capacity as
21	the Deputy Director of the Compliance Division of the Department of Cannabis Control	
22	(Department).	
23	2. On or about April 14, 2022, the Depar	rtment issued Retailer Non-Storefront
24	(Delivery) License Number C9-0000544-LIC to Agronomic Investments, Inc., dba Lah Di Dah	
25	Di (Respondent) with Masamitsu Miyagi as Owner. On or about April 14, 2023, the Retailer	
26	Non-Storefront (Delivery) License Number C9-00	000544-LIC was renewed. The Retailer Non-
27	Storefront (Delivery) License was in full force and	d effect at all times relevant to the charges
28	brought herein and will expire on April 14, 2024, unless renewed.	
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3. This Accusation is brought before the Director (Director) for the Department, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 26010 of the Code states:

There is in the Business, Consumer Services, and Housing Agency, the Department of Cannabis Control under the supervision and control of a director. The director shall administer and enforce the provisions of this division related to the department.

5. Section 26010.5, subdivision (d), of the Code states:

The department has the power, duty, purpose, responsibility, and jurisdiction to regulate commercial cannabis activity as provided in this division.

6. Section 26012, subdivision (a), of the Code states:

It being a matter of statewide concern, except as otherwise authorized in this division, the department shall have the sole authority to create, issue, deny, renew, discipline, condition, suspend, or revoke licenses for commercial cannabis activity.

7. Section 26013, subdivision (a), of the Code state:

The department shall make and prescribe reasonable rules and regulations as may be necessary to implement, administer, and enforce its duties under this division in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. . . .

8. Section 26031 of the Code states, in part:

(a) The department may suspend, revoke, place on probation with terms and conditions, or otherwise discipline licenses issued by the department and fine a licensee, after proper notice and hearing to the licensee, except as provided in Section 26031.01, if the licensee is found to have committed any of the acts or omissions constituting grounds for disciplinary action. The disciplinary proceedings under this chapter shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein.

• • •

(c) The department may take disciplinary action against a licensee for any violation of this division when the violation was committed by the licensee's officers, directors, owners, agents, or employees while acting on behalf of the licensee or engaged in commercial cannabis activity....

9. Section 26034 of the Code states: 1 2 All accusations against licensees shall be filed by the department within five years after the performance of the act or omission alleged as the ground for 3 disciplinary action; provided, however, that the foregoing provision shall not constitute a defense to an accusation alleging fraud or misrepresentation as a ground 4 for disciplinary action. The cause for disciplinary action in that case shall not be deemed to have accrued until discovery, by the department, of the facts constituting 5 the fraud or misrepresentation, and, in that case, the accusation shall be filed within five years after that discovery. 6 STATUTORY PROVISIONS 7 8 10. Section 26030 of the Code states: 9 Grounds for disciplinary action include, but are not limited to, all of the following: 10 (a) Failure to comply with the provisions of this division or any rule or 11 regulation adopted pursuant to this division. 12 13 (c) Any other grounds contained in regulations adopted by a licensing authority pursuant to this division. 14 (d) Failure to comply with any state law including, but not limited to, the 15 payment of taxes as required under the Revenue and Taxation Code, except as provided for in this division or other California law.... 16 17 **REGULATORY PROVISIONS** 18 11. Title 4 of the California Code of Regulations, section 15000.5 states: 19 In construing and enforcing the provisions of the Act and the regulations in this division, the act, omission, or failure of an agent, officer, representative, or other 20 person acting for or employed by a licensee, within the scope of their employment or office, shall in every case be deemed the act, omission, or failure of the licensee. 21 22 Title 4 of the California Code of Regulations, section 15048, states, in pertinent part: 23 (a) Each applicant or licensee shall identify an owner of the commercial 24 cannabis business as the track and trace system account manager. A licensee may change the account manager by submitting a written request to the Department. 25 (b) No later than 10 calendar days after license issuance, the designated account 26 manager shall:

(3) Complete the credentialing process to establish a login....

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exceed the reasonable costs of the investigation and enforcement of the case.

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ACCUSATION (DCC23-0005069-COMP)

PRAYER 1 2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Director issue a decision: 3 Revoking or suspending the Retailer Non-Storefront (Delivery) License Number C9-1. 4 5 0000544-LIC, issued to Agronomic Investments, Inc., dba Lah Di Dah Di (Respondent) with Masamitsu Miyagi as Owner; 6 7 2. Ordering Respondent Agronomic Investments, Inc., dba Lah Di Dah Di (Respondent) 8 with Masamitsu Miyagi as Owner. to pay the reasonable costs of the investigation and 9 enforcement of this case, pursuant to Business and Professions Code section 26031.1; and 10 3. Taking such other and further action as deemed necessary and proper. 11 12 Merriman 13 DATED: October 19, 2023 14 Deputy Director, Compliance Division Department of Cannabis Control 15 State of California Complainant 16 17 18 19 20 21 22 23 24 25 26 27 28

PROOF OF SERVICE

Case Name: In the Matter of Accusation Against: AGRONOMIC INVESTMENTS, INC., dba

LAH DI DAH DI

DCC Case No. DCC23-0005069-COMP License Number: C9-0000544-LIC

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Department of Cannabis Control, 2920 Kilgore Road, Rancho Cordova, CA 95670. On December 6, 2024, I served the within documents:

ORDER ADOPTING STIPULATED SETTLEMENT & DISCIPLINARY ORDER AS FINAL DECISION

\boxtimes	VIA ELECTRONIC TRANSMISSION. Pursuant to CCP § 1010.6, I caused the
	document(s) to be sent to the person(s) at the Email address(es) listed below. I did not
	receive, within a reasonable time after the transmission, any electronic message or other
	indication that the transmission was unsuccessful.

\boxtimes	VIA CERTIFIED MAIL by placing the envelope for collection and mailing following
	our ordinary business practices for collecting and transmitting mail through the United
	States Postal Service to the Respondent and Respondent's attorney listed below.

Service via certified mail to be completed upon the following business day.

Melissa Sanchez, Esq. Harvest Law, Inc. 1017 L St., Ste. 275 Sacramento, CA 95814 melissa@harvestlaw.com Masamitsu Miyagi 735 Sunrise Ave., #115 Roseville, CA 95661 masamitsu.miyagi@gmail.com Harinder Kapur (email only) Assistant Attorney General Cannabis Control Section Office of Attorney General Harinder.Kapur@doj.ca.gov

I am familiar with the Department's business practices for collecting and transmitting mail through the United States Postal Service. In accordance with those practices, correspondence placed in the Department's internal mail collection system is, in the ordinary course of business, deposited in the United States Postal Service, with postage paid, on the same day I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California, and the United States of America, that the above is true and correct.

Executed on December 6, 2024, at Rancho Cordova, California.

Lillian Quynn