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7		RE THE
8		CANNABIS CONTROL OF CALIFORNIA
9		
10	In the Matter of the Proceeding for)	CASE NO. DCC24-00001-CON
11	Condemnation of Embargoed Cannabis) Product(s) Against:	OAH No. 2024100825
12	ALL IN ALLIANCE INC.; BRYAN	FINAL DECISION AND ORDER
13	MANGANG, OWNER 8131 37th Ave	
14		
15	Cultivation - Specialty Indoor License No:) CCL18-0001069	
16	Respondent.	
17))	
18	Pursuant to Government Code section	11415.60, the attached Stipulated Settlement
19	and Condemnation Order is hereby adopted by t	the Department of Cannabis Control as its Final
20	Decision in this matter.	
21	This Final Decision and Order shall beco	ome effective on December 27, 2024.
22	IT IS SO ORDERED, December 27, 202	24.
23		Q &
24	Durch	hum
25		General Counsel
26	FOR THE	the General Counsel DEPARTMENT OF
27		SIS CONTROL
28	1	of 1
	Case No	FINAL DECISION AND ORDER D. CASE NO. DCC24-00001-CON; All In Alliance, Inc.

1 2 3 4	ROB BONTA Attorney General of California HARINDER K. KAPUR Senior Assistant Attorney General State Bar No. 198769 600 West Broadway, Suite 1800 San Diego, CA 92101 P.O. Box 85266		
5	San Diego, CA 92186-5266 Telephone: (619) 738-9407		
6 7	Facsimile: (619) 645-2061 E-mail: Harinder.Kapur@doj.ca.gov Attorneys for Complainant		
8	Thomeys for Complaintain		
9	BEFORE THE		
10	DEPARTMENT OF CANNABIS CONTROL STATE OF CALIFORNIA		
11		1	
12	In the Matter of the Proceeding for Condemnation of Embargoed Cannabis	Case No. DCC24-00001-CON	
13	Product(s) Against:	OAH No. 2024100825	
14 15	ALL IN ALLIANCE INC.; BRYAN MANGANG, OWNER 8131 37th Ave	STIPULATED SETTLEMENT AND CONDEMNATION ORDER	
16	Sacramento, CA 95824		
17	Cultivation - Specialty Indoor License No. CCL18-0001069		
18	Respondent.		
19]	
20	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-		
21	entitled proceedings that the following matters are	e true:	
22	PARTIES		
23	1. Jeff Merriman (Complainant) was the Deputy Director of the Compliance Division of		
24	the Department of Cannabis Control (Department). He brought the above-referenced action		
25	solely in his official capacity but has since left the Department. Evelyn Schaeffer is now the		
26	Deputy Director of the Compliance Division of the Department and now the Complainant in her		
27	official capacity in this matter, and is represented	official capacity in this matter, and is represented in this matter by Rob Bonta, Attorney General	
28	of the State of California, by Harinder Kapur, Ser	nior Assistant Attorney General.	
		1	
		STIPULATED SETTLEMENT (DCC24-00001-CON)	

1	2. Respondent All In Alliance Inc. (Respondent) is represented in this proceeding by
2	attorney Ariana Van Alstine, Esq., whose address is: 1610 R Street, Suite 300, Sacramento, CA
3	95811. Respondent is acting in this proceeding through Bryan Mangang, Owner, who has been
4	designated and authorized by All In Alliance, Inc. to enter into this agreement on behalf of the
5	Respondent (hereafter "Authorized Representative").
6	3. On or about July 1, 2019, the Department issued Cultivation - Specialty Indoor
7	License No. CCL18-0001069 to Respondent. The Cultivation – Specialty Indoor License was in
8	full force and effect at all times relevant to the charges brought in Condemnation Action No.
9	DCC24-00001-CON, and will expire on July 1, 2025, unless renewed.
10	JURISDICTION
11	4. Condemnation Action No. DCC24-00001-CON was filed before the Department and
12	is currently pending against Respondent. The Condemnation Action and all other statutorily
13	required documents were properly served on Respondent on May 13, 2024. Respondent timely
14	filed its Notice of Defense contesting the Condemnation Action.
15	5. A true and correct copy of Condemnation Action No. DCC24-00001-CON is attached
16	as Exhibit A and incorporated herein by reference.
17	ADVISEMENT AND WAIVERS
18	6. Respondent and its current owners of record and members have carefully read, fully
19	discussed with counsel, and fully understand the charges and allegations in Condemnation Action
20	No. DCC24-00001-CON. Respondent and its current owners of record and members have also
21	carefully read, fully discussed with counsel, and understand the effects of this Stipulated
22	Settlement and Condemnation Order.
23	7. Respondent and its current owners of record and members have are fully aware of
24	their legal rights in this matter, including the right to a hearing on the charges and allegations in
25	the Condemnation Action; the right to confront and cross-examine the witnesses against them; the
26	right to present evidence and to testify on its own behalf; the right to the issuance of subpoenas to
27	compel the attendance of witnesses and the production of documents; the right to reconsideration
28	
	2
	STIPULATED SETTLEMENT (DCC24-00001-CON)

1	and court review of an adverse decision; and all other rights accorded by the California
2	Administrative Procedure Act and other applicable laws.
3	8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
4	every right set forth above.
5	<u>CULPABILITY</u>
6	9. Respondent understands and agrees that the findings in Condemnation Action
7	No. DCC24-00001-CON, if proven at a hearing, constitute cause for this action against
8	Respondent.
9	10. For the purpose of resolving the Condemnation Action without the expense and
10	uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could
11	establish a factual basis for the findings in the Condemnation Action, and that Respondent hereby
12	gives up its right to contest those findings.
13	11. Respondent agrees that the cannabis identified in the Condemnation Action is subject
14	to condemnation and agrees to be bound by the Department's determination and requirement to
15	destroy the cannabis as set forth in the Order below.
16	<u>CONTINGENCY</u>
17	12. This stipulation shall be subject to approval by the Department. Respondent
18	understands and agrees that counsel for Complainant and the staff of the Department may
19	communicate directly with the Department regarding this stipulation and settlement, without
20	notice to or participation by Respondent or its counsel. By signing the stipulation, Respondent
21	understands and agrees that it may not withdraw its agreement or seek to rescind the stipulation
22	prior to the time the Department considers and acts upon it. If the Department fails to adopt this
23	stipulation as its Decision and Order, the Stipulated Settlement and Condemnation Order shall be
24	of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
25	between the parties, and the Department shall not be disqualified from further action by having
26	considered this matter.
27	///
28	///

1	13. The parties understand and agree that Portable Document Format (PDF) and facsimile
2	copies of this Stipulated Settlement and Condemnation Order, including PDF and facsimile
3	signatures thereto, shall have the same force and effect as the originals.
4	14. This Stipulated Settlement and Condemnation Order may be signed in any number of
5	counterparts, each of which is an original and all of which taken together form one single
6	document.
7	15. This Stipulated Settlement and Condemnation Order is intended by the parties to be
8	an integrated writing representing the complete, final, and exclusive embodiment of their
9	agreement. It supersedes any and all prior or contemporaneous agreements, understandings,
10	discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and
11	Condemnation Order may not be altered, amended, modified, supplemented, or otherwise
12	changed except by a writing executed by an authorized representative of each of the parties.
13	16. In consideration of the foregoing admissions and stipulations, the parties agree that
14	the Department may, without further notice or formal proceeding, issue and enter the following
15	Condemnation Order:
16	CONDEMNATION ORDER
17	1. <u>WITHDRAWAL OF APPEAL</u> : Respondent's appeal of Condemnation
18	No. DCC24-00001-CON and request for administrative hearing is deemed withdrawn and any
19	further appeal is waived.
20	2. <u>DESTRUCTION AND DISPOSAL OF EMBARGOED CANNABIS:</u>
21	Within fifteen (15) days of the effective date of the Decision and Order, Respondent shall
22	destroy and dispose of the listed cannabis products detailed below in a manner, time and location
23	mutually agreed upon between the Respondent and the Department. The Department will provide
24	Respondent with three (3) dates within the fifteen (15) day period upon which the Department's
25	Designee will be available to observe and document the destruction and disposal.
26	a. Ninety-five (95) pounds of cannabis trim located in Room 1 of the premises;
27 28	 b. Eight (8) pounds of cannabis flower located in Room 1 of the premises; c. Five hundred and ninety-eight (598) pounds of additional cannabis trim located in Room 2 of the premises; and,
	4
	STIPULATED SETTLEMENT (DCC24-00001-CON)

1	d. Forty-nine (49) immature cannabis plants located at the premises.
2	
3	3. <u>PAYMENT OF COSTS:</u> Respondent shall pay costs in the amount of seven-
4	thousand dollars (\$7,000.00) payable in seven (7) monthly installments of one-thousand dollars
5	(\$1,000) each. The first payment of one-thousand dollars (\$1,000) shall be made within fifteen
6	(15) days of the effective date of the Decision and Order, with six (6) payments of one-thousand
7	dollars (\$1,000) each made on or before the 15 th of each following month for six (6) successive
8	months.
9	4. The above referenced payments, in the form of cashier's check, money order,
10	personal or business check, shall be remitted by either of the following methods: (1) the
11	Department of Cannabis Control's cash payment procedures; or, (2) mailed to:
12	By U.S. Postal Service:
13	Department of Cannabis Control Attn: Cashiers
14	P.O. Box 419106 Ranch Cordova, CA 95741-9106
15	
16	By FedEx or UPS: Department of Cannabis Control
17	Attn: Cashiers 2920 Kilgore Road
18	Rancho Cordova, CA 95670-9106
19	5. Failure to complete the payments or comply with the terms of this Order shall
20	result in further disciplinary action or non-renewal of Respondent's Cultivation - Specialty Indoor
21	License No. CCL18-0001069 and denial of any other license sought, as the Department deems
22	appropriate. Additionally, failure to complete the payment shall result in Respondent's immediate
23	obligation and responsibility to pay the full amount of the Department's costs of investigation and
24	enforcement pursuant to Business and Professions Code section 26031 and California Code of
25	Regulations, title 4, section 17813, in the amount of seven thousand dollars (\$7,000), less any
26	partial payments received prior to the failure to complete payments or comply with the terms of
27	this Order and will result in enforcement of the Order in the Superior Court.
28	///
	5
	STIPULATED SETTLEMENT (DCC24-00001-CON)

1	ACCEPTANCE
2	I have carefully read the above Stipulated Settlement and Condemnation Order and have
3	fully discussed it with my attorney, Ariana Van Alstine. I understand the stipulation and the
4	effect it will have on my Cultivation - Specialty Indoor License. I enter into this Stipulated
5	Settlement and Condemnation Order voluntarily, knowingly, and intelligently, and agree to be
6	bound by the Decision and Order of the Department of Cannabis Control.
7 8	DATED: $\frac{12/23/2024}{2}$
9	BRYAN MANGANG, Owner/Authorized
10	Representative Respondent
11	I have read and fully discussed with Respondent All In Alliance Inc.; Bryan Mangang,
12	Owner the terms and conditions and other matters contained in the above Stipulated Settlement
13	and Condemnation Order. I approve its form and content.
14	DATED: 12/26/2024 Aviana Van Alstine
15	DATED: 12/26/2024 ARIANA VAN ALSTINE
16	Attorney for Respondent
17	
18	ENDORSEMENT
19	The foregoing Stipulated Settlement and Condemnation Order is hereby respectfully
20	submitted for consideration by the Department of Cannabis Control.
21	DATED: Respectfully submitted,
22	ROB BONTA
23	Attorney General of California
24	
25	HARINDER K. KAPUR Senior Assistant Attorney General
26	Attorneys for Complainant
27	SD2024801591 84884652.docx
28	
	6 STIPULATED SETTLEMENT (DCC24-00001-CON)

ACCEPTANCE	
I have carefully read the above Stipulated Settlement and Condemnation Order and have	
fully discussed it with my attorney, Ariana Van Alstine. I understand the stipulation and the	
effect it will have on my Cultivation - Specialty Indoor License. I enter into this Stipulated	
Settlement and Condemnation Order voluntarily, knowingly, and intelligently, and agree to be	
bound by the Decision and Order of the Department of Cannabis Control.	
DATED:	
ALL IN ALLIANCE INC.; BRYAN MANGANG, Owner/Authorized	
Representative Respondent	
I have read and fully discussed with Respondent All In Alliance Inc.; Bryan Mangang,	
Owner the terms and conditions and other matters contained in the above Stipulated Settlement	
and Condemnation Order. I approve its form and content.	
DATED: ARIANA VAN ALSTINE	
Attorney for Respondent	
<u>ENDORSEMENT</u>	
The foregoing Stipulated Settlement and Condemnation Order is hereby respectfully	
submitted for consideration by the Department of Cannabis Control.	
DATED: December 26, 2024 Respectfully submitted,	
ROB BONTA	
Attorney General of California	
Harinder Kapur	
HARINDER K. KAPUR Senior Assistant Attorney General	
Attorneys for Complainant	
SD2024801591 84884652.docx	
6 STIPULATED SETTLEMENT (DCC24-00001-CON)	

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Exhibit A

CONDEMNATION ACTION No. DCC24-00001-CON

1	ROB BONTA	
2	Attorney General of California HARINDER K. KAPUR	
3	Senior Assistant Attorney General State Bar No. 198769 (00 West Dress dress, Suite 1800	
4	600 West Broadway, Suite 1800 San Diego, CA 92101 P.O. Box 85266	
5	San Diego, CA 92186-5266	
6	Telephone: (619) 738-9407 Facsimile: (619) 645-2061 Attorneys for Complainant	
7	Anorneys for Complainant	
8	BEFOR	
9	DEPARTMENT OF CANNABIS CONTROL STATE OF CALIFORNIA	
10		
11	In the Matter of the Proceeding for	Case No. DCC24-00001-CON
12	Condemnation of Embargoed Cannabis Product(s) Against:	
13	ALL IN ALLIANCE INC.	Condemnation of Embargoed Cannabis
14	BRYAN MANGANG, OWNER 8131 37th Ave	Product(s)
15	Sacramento, CA 95824	
16	Cultivation - Specialty Indoor License No. CCL18-0001069	
17	Respondent.	
18		
19	PART	
20	1. Jeff Merriman (Complainant) brings this Condemnation Action solely in his official	
21	capacity as the Deputy Director of the Compliance Division of the Department of Cannabis	
22	Control (Department).	
23		nent issued Cultivation - Specialty Indoor
24	License Number CCL18-0001069 to All In Alliance Inc. with Bryan Mangang, Owner	
25	(Respondent). The Cultivation - Specialty Indoor License was in full force and effect at all times	
26	relevant to the charges brought herein and will expire on July 1, 2024, unless renewed.	
27		
28		
		I JGANG, OWNER) CONDEMNATION PROCEEDING

1	JURISDICTION
2	3. This Proceeding for Condemnation is brought before the Office of Administrative
3	Hearings, under the authority of the following laws. All section references are to the Business
4	and Professions Code (Code) unless otherwise indicated.
5	4. Section 26010 of the Code states:
6	There is in the Business, Consumer Services, and Housing Agency, the Department of
7	Cannabis Control under the supervision and control of a director. The director shall administer
8	and enforce the provisions of this division related to the department.
9	5. Section 26010.5, subdivision (d), of the Code states:
10	The department has the power, duty, purpose, responsibility, and jurisdiction to regulate
11	commercial cannabis activity as provided in this division.
12	6. Section 26012, subdivision (a), of the Code states:
13	It being a matter of statewide concern, except as otherwise authorized in this division, the
14	department shall have the sole authority to create, issue, deny, renew, discipline, condition,
15	suspend, or revoke licenses for commercial cannabis activity.
16	7. Section 26013, subdivision (a), of the Code states:
17	The department shall make and prescribe reasonable rules and regulations as may be
18	necessary to implement, administer, and enforce its duties under this division in accordance with
19	Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the
20	Government Code
21	8. Section 26039.3, subdivision (f), of the Code states:
22	The department may condemn cannabis or a cannabis product under the provisions of this
23	section. A proceeding for condemnation shall be subject to appropriate notice to, and the opportunity for a hearing with regard to, the person or licensee affected in accordance with
24	Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code.
25	(1) Upon a finding by the administrative law judge that the cannabis or cannabis product is adulterated or misbranded, or that its sale is otherwise in violation of this
26	division, the administrative law judge may direct the cannabis or cannabis product to be destroyed at the expense of the licensee or product owner and under the supervision of the department. The licensee or of the offected counchis or counchis are duct shall never
27	department. The licensee or owner of the affected cannabis or cannabis product shall pay fees and reasonable costs, including the costs of storage, testing, and supervision, incurred by the department in investigating and prospecting the action taken purposed to this section.
28	by the department in investigating and prosecuting the action taken pursuant to this section.
	2
	(ALL IN ALLIANCE INC.; BRYAN MANGANG, OWNER) CONDEMNATION PROCEEDING

1 2 3	(2) Upon a finding by the administrative law judge that the adulteration or misbranding can be corrected by proper labeling or additional processing of the cannabis or cannabis product and that all provisions of this division can be complied with, the administrative law judge may direct the cannabis or cannabis products to be brought into compliance under the department's supervision
	STATUTODY DOVISIONS
4	STATUTORY PROVISIONS
5	9. Section 26039.1 of the Code states:
6	(a) When the department has evidence that cannabis or a cannabis product is adulterated or misbranded, the department shall notify the licensee. The licensee may conduct a voluntary
7	recall of the affected cannabis or cannabis product and may remediate the cannabis or cannabis product, if approved by the department, or shall destroy the affected cannabis or cannabis product
8	under the supervision of the department.
9 10	(b) The department may issue a mandatory recall order and require the licensee to immediately cease distribution of cannabis or a cannabis product and recall the cannabis or cannabis product if the department determines both of the following:
11	(1) The cultivation, manufacture, distribution, or sale of the cannabis or cannabis product creates or poses an immediate and serious threat to human life or health.
12 13	(2) Other procedures available to the department to remedy or prevent the occurrence of the situation would result in an unreasonable delay.
14	(c) The department shall provide the licensee an opportunity for an informal proceeding
15	on the matter, as determined by the department, within five days, on the actions required by the order and on why the cannabis or cannabis product should not be recalled. Following the
16	proceeding, the order shall be affirmed, modified, or set aside as determined appropriate by the department.
17 18	(d) The department's powers set forth in this section expressly include the power to order movement, segregation, isolation, or destruction of cannabis or cannabis products, as well as the power to hold cannabis or cannabis products in place.
19	(e) If the department determines it is necessary, it may issue the mandatory recall order,
20	may conduct the recall, and may use all appropriate measures to obtain reimbursement from the licensee for any and all costs associated with these orders. All funds obtained by the department
21	from these efforts shall be deposited in the Cannabis Control Fund, and shall be available for use by the department upon appropriation by the Legislature.
22	(f) It is unlawful to move or allow to be moved cannabis or a cannabis product subject to
23	an order issued pursuant to this section unless that person has first obtained written authorization from the department.
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25	///
26	///
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	(ALL IN ALLIANCE INC.; BRYAN MANGANG, OWNER) CONDEMNATION PROCEEDING

10.

Section 26039.3 of the Code states in pertinent part:

2 If the department finds or has probable cause to believe that cannabis or a cannabis (a) product is adulterated or misbranded within the meaning of this division, or the sale of the 3 cannabis or cannabis product would be in violation of this division, the department shall affix to the cannabis or cannabis product, or component thereof, a tag or other appropriate marking. The 4 department shall give notice that the cannabis or cannabis product is, or is suspected of being, adulterated or misbranded, or the sale of the cannabis or cannabis product would be in violation 5 of this division and has been embargoed and that the cannabis or cannabis product shall not be removed or disposed of by sale or otherwise until permission for removal or disposal is given by 6 the department or a court. 7

- (b)(1) It is unlawful to remove, sell, or dispose of embargoed cannabis or an embargoed 8 cannabis product without written permission of the department or a court. The removal, sale, or disposal of each item of embargoed cannabis or cannabis product without written permission of 9 the department constitutes a violation of this subdivision. A violation of this subdivision is subject to a citation and fine of not more than ten thousand dollars (\$10,000). 10
- Notwithstanding paragraph (1), a licensed cultivator may request permission for the (2) 11 continued cultivation or harvesting of the cannabis subject to embargo. The department may authorize, and may impose conditions on, the continued cultivation or harvesting of the cannabis 12 subject to embargo.
- 13

If the adulteration or misbranding can be corrected by proper labeling or additional (c) 14 processing of the cannabis or cannabis product and all of the provisions of this division can be complied with, the licensee may request that the department remove the tag or other marking to permit correction. If, under the supervision of the department, the adulteration or misbranding has 15 been corrected, the department may remove the tag or other marking. Cannabis and cannabis products found at an unlicensed location, or cultivated, processed, produced, or manufactured at 16 an unlicensed location, or derived from an unlicensed source, cannot be corrected and shall be 17 destroyed.

- If the department finds that cannabis or a cannabis product that is embargoed is not 18 (d) adulterated or misbranded, or that its sale is not otherwise in violation of this division, the 19 department may remove the tag or other marking.
- 20

Section 26039.5 of the Code states: 11.

Cannabis or a cannabis product is misbranded if it is any of the following: (a)

21 22

(1)Cultivated, processed, manufactured, packed, or held in a location not duly licensed as provided in this division.

23

Consists of cannabis or cannabis product that was cultivated, processed, (2)manufactured, packed, or held in a location not duly licensed as provided in this division

- 24
- (3) Its labeling is false or misleading in any particular.
- 25 (4) Its labeling or packaging does not conform to the requirements of Section 26120 or any other labeling or packaging requirement established pursuant to this division. 26

It is unlawful to cultivate, process, manufacture, sell, deliver, hold, or offer for sale 27 (b) cannabis or a cannabis product that is misbranded. 28

1	(c) It is unlawful to misbrand cannabis or a cannabis product.
2	(d) It is unlawful to receive in commerce cannabis or a cannabis product that is misbranded or to distribute, deliver, or offer for delivery any such cannabis or cannabis product.
3	
4	REGULATORY PROVISIONS
5	12. California Code of Regulations, title 4, section 17801.5 states:
6 7	(a) The Department may embargo cannabis or cannabis products to prevent their sale, disposal, or removal from the location when the Department has probable cause to believe the cannabis or cannabis products are adulterated or misbranded or the sale would otherwise be in violation of the Act or this division.
8 9	(b) To embargo cannabis or cannabis products, the Department shall:
10 11	(1) Provide initial notice to the licensee or product owner that the cannabis or cannabis products are subject to embargo and the reason for the embargo. Initial notice may be oral or written and may be provided in person or by telephone, mail, facsimile transmission, email, or other electronic means;
12 13	(2) Affix a tag or marking to the cannabis or cannabis products, or component thereof, subject to embargo; and
13	(3) Provide an inventory of the embargoed items to the licensee or product owner.
15	(c) The Department shall provide a supplemental written notice to the licensee or product owner of the embargoed items that includes the following:
16	(1) The factual and legal bases for the embargo;
17	(2) A description of the cannabis or cannabis products under embargo;
18 19	(3) A request for a written plan to address the items under embargo and the issues(s) that resulted in the embargo;
20	(4) A summary of the proceedings for condemnation in accordance with chapter 5 (commencing with section 11500) of part 1 of division 3 of title 2 of the Government Code;
21	(5) Notification that the embargoed items cannot be removed from embargo, sold, or disposed of without authorization of the Department or a court; and
22	(6) The penalty for violation of the embargo.
23 24	(d) The licensee or product owner may submit a written plan to the Department that describes how the licensee or product owner will address the items under embargo and
25	the issue(s) that resulted in the embargo.
26	(1) If the Department determines that the plan will resolve the issue(s) that resulted in the embargo, and that all of the provisions of the Act and this division can be complied with, the Department will approve the plan and supervise the completion of the plan.
27 28	
	5
	(ALL IN ALLIANCE INC.; BRYAN MANGANG, OWNER) CONDEMNATION PROCEEDING

1 2 3	(2) If the Department cannot approve the plan, or the Department does not receive a response from the licensee within seven (7) calendar days after providing the notice described in subsection (c), the Department may initiate condemnation proceedings in accordance with Business and Professions Code section 26039.3(f).			
4 5 6 7 8 9 10 11 12 13	 (e) A licensee or product owner or their authorized representative may agree in writing to the voluntary condemnation and destruction of the cannabis and cannabis products subject to embargo. Destruction and disposal of the cannabis or cannabis products shall be at the licensee or product owner's expense and shall be conducted with the approval of and under the supervision of the Department. (f) A licensee or product owner shall not remove the tag or marking from cannabis or cannabis products under embargo. A licensee or product owner shall not undertake corrective action or destruction of the items under embargo unless the Department has provided written approval and removed the embargo tag. (g) A licensee or product owner shall not remove from embargo, sell, or dispose of any cannabis or cannabis products under embargo without written permission of the Department or a court. Each item removed, sold, or disposed of without written permission of the Department or a court constitutes a separate violation of the Act. (h) A licensed cultivator or a microbusiness authorized to engage in cultivation may request permission to continue cultivation or harvesting of cannabis under embargo. The request shall be made to the Department in writing at compliance@cannabis.ca.gov and shall specify the cultivation or harvesting activities in which the licensee requests to engage. The Department may, in its sole discretion, authorize and impose conditions on 			
14 15 16	 the continued cultivation or harvesting of the cannabis under embargo. (i) Cannabis and cannabis products found, cultivated, processed, produced, or manufactured at an unlicensed location, or derived from an unlicensed source, cannot be corrected and shall be destroyed. 			
17	COST RECOVERY			
18	13. Section 26039.3, subdivision (f)(2), of the Code states in pertinent part that the			
19	licensee shall pay fees and reasonable costs, including the costs of storage, testing, and			
20	supervision, incurred by the department in investigating and prosecuting the action.			
21	FACTUAL ALLEGATIONS			
22	14. On or about March 13, 2024, the Department conducted an inspection of			
23	Respondent's licensed premises.			
24	15. During the inspection, Department staff found forty-nine (49) immature plants that			
25	were not tagged with a unique identifier designation (UID). A check of the California Cannabis			
26	Track and Trace (CCTT) system showed that Respondent had reported possessing twenty-seven			
27	(27) immature plants. In addition, Respondent had reported one hundred and thirty-eight (138)			
28	packages of cannabis in CCTT, but none of the packages that Department inspectors located had			
	6			
	(ALL IN ALLIANCE INC.; BRYAN MANGANG, OWNER) CONDEMNATION PROCEEDING			

1	UID tags and the packages could not be matched with what Respondent had reported in CCTT.			
2	Respondent's owner was unable to determine which UID tags corresponded with the packages.			
3	16. On March 13, 2024, the Department determined that cannabis located at			
4	Respondent's licensed premises should be placed under embargo for being misbranded because it			
5	came from an unlicensed source. Respondent was notified that the following items were subject			
6	to embargo and could not be removed, sold, or disposed of without Department authorization:			
7	a. Ninety-five (95) pounds of cannabis trim located in Room 1 of the premises;			
8	b. Eight (8) pounds of cannabis flower located in Room 1 of the premises;			
9	c. Five hundred and ninety-eight (598) pounds of additional cannabis trim located			
10	in Room 2 of the premises;			
11	d. Forty-nine (49) immature cannabis plants located at the premises.			
12	17. On or about March 29, 2024, the Department sent Respondent a Supplemental Notice			
13	of Embargo notifying Respondent that the Department had probable cause to believe that the			
14	cannabis that was embargoed consisted of cannabis from an unlicensed source because there was			
15	lack of documentation supporting where the cannabis originated, and therefore the cannabis trim,			
16	flower, and plants were considered to be misbranded. Respondent was directed to submit a			
17	written plan describing how it would address the issues that resulted in the embargo of the			
18	cannabis. Respondent was directed to submit the written plan by April 5, 2024.			
19	18. On April 5, 2024, the Department sent an email to Respondent reminding it to submit			
20	the required written plan, as directed in the March 29, 2024 Supplemental Notice of Embargo, by			
21	the close of business that same day.			
22	19. On April 16, 2024, having received no written plan from Respondent, the Department			
23	sent a Final Notice to Respondent giving it until April 19, 2024, to submit a written plan. As of			
24	the date of filing, no written plan has been received from Respondent.			
25	CAUSE OF ACTION			
26	(Misbranded Cannabis Subject to Condemnation)			
27	20. Respondent failed to provide documentation establishing the origins of the cannabis			
28	in its possession or a written plan for release of the embargoed cannabis pursuant to California			
	7			
	(ALL IN ALLIANCE INC.; BRYAN MANGANG, OWNER) CONDEMNATION PROCEEDING			

1	Code of Regulation, title 4, section 17801.5, as described more fully in paragraphs 14 through 19,					
2	above, therefore the cannabis is misbranded and subject to condemnation.					
3		<u>PRAYER</u>				
4	WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,					
5	and that following the hearing, the Office of Administrative Hearings issue a decision:					
6	1. Ordering the destruction of the cannabis that is subject to embargo by Respondent All					
7	In Alliance Inc. (Respondent) with Bryan Mangang as Owner, under the supervision of the					
8	Department;					
9	2. Ordering Respondent All In Alliance Inc. (Respondent) with Bryan Mangang as					
10	Owner, to pay the reasonable costs of the investigation and enforcement of this case, pursuant to					
11	Business and Professions Code section 26039.3; and					
12	3. Taking such other and further action as deemed necessary and proper.					
13		\bigcirc				
14	DATED: <u>M</u>	ay 13, 2024 JEFF MERRIMAN				
15		Deputy Director of the Compliance Division				
16		Department of Cannabis Control State of California				
17		Complainant				
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		8 (ALL IN ALLIANCE INC.; BRYAN MANGANG, OWNER) CONDEMNATION PROCEEDING				

PROOF OF SERVICE

Case Name: In the Matter of the Proceeding for Condemnation of Embargoed Cannabis Product(s) Against: ALL IN ALLIANCE INC. DCC Case No. DCC24-00001-CON License Number: CCL18-0001069

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 27, 2024, I served the within documents:

FINAL DECISION AND ORDER

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.

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.

Ariana Van Alstine, Esq.	Bryan Mangang	Harinder Kapur (email only)
AAVA Consulting & Legal Services	8131 37th Ave.	Assistant Attorney General
1610 R Street, Suite 300	Sacramento, CA 95824	Cannabis Control Section
Sacramento, CA 95811	Aia.Licensing@gmail.com	Office of Attorney General
Ariana@aavaconsult.com		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 27, 2024, at Rancho Cordova, California.