



Department of  
Cannabis Control  
CALIFORNIA

Office of the General Counsel  
2920 Kilgore Road  
Rancho Cordova, CA 95670

April 7, 2025

VIA CERTIFIED MAIL

Celia Kachi  
Owner, Luckys Family, Inc.  
10120 Ashdale Lane  
Santee, CA 92071  
celiaksd@cox.net

Micah Bailey, Esq.  
Purdy & Bailey, LLP  
12520 High Bluff Dr. Suite 220  
San Diego, CA 92130-2062  
mbailey@purdybailey.com

Re: LUCKYS FAMILY, INC, dba LUCKY'S - Case No. DCC23-0005180-COMP  
Order Adopting Stipulated Settlement and Order as Final Decision

Dear Ms. Kachi and Mr. Bailey:

Pursuant to section 11415.60 of the Government Code, attached please find a copy of the Department of Cannabis Control's Order Adopting Stipulated Settlement and Order as the Final Decision in the above-referenced matter involving Luckys Family, Inc., dba Lucky's.

The Department's Order and Final Decision will be effective on May 7, 2025. Pursuant to this Final Decision and its stipulated settlement, Luckys Family, Inc., dba Lucky's, has waived any right to reconsideration or appeal in this matter.

Sincerely,

Douglas Smurr  
Assistant General Counsel  
[info@cannabis.ca.gov](mailto:info@cannabis.ca.gov)  
[www.cannabis.ca.gov](http://www.cannabis.ca.gov)

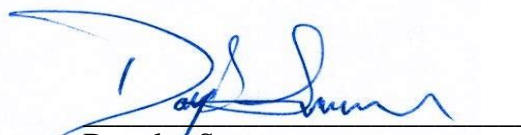
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7 **BEFORE THE**  
8 **DEPARTMENT OF CANNABIS CONTROL**  
9 **OF THE STATE OF CALIFORNIA**

10 In the Matter of Accusation Against: ) CASE NO. DCC23-0005180-COMP  
11 )  
12 )  
12 LUCKYS FAMILY, INC, dba LUCKY'S; )  
Cecilia Kachi, Owner )  
13 6957 University Avenue. ) **FINAL DECISION AND ORDER**  
La Mesa, CA 91942 )  
14 )  
Medical-Use Retail License No. )  
15 C10-0000723-LIC )  
16 )  
Respondent. )  
17 )

18  
19 The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the  
20 Department of Cannabis Control, as its Final Decision in this matter.

21 This Order shall become effective on May 7, 2025.

22 IT IS SO ORDERED, April 7, 2025.

23  
24   
25 \_\_\_\_\_  
26 Douglas Smurr  
27 Assistant General Counsel  
28 FOR THE DEPARTMENT OF  
CANNABIS CONTROL

1 ROB BONTA  
Attorney General of California  
2 GREGORY M. CRIBBS  
Supervising Deputy Attorney General  
3 JUSTIN BULLER  
Deputy Attorney General  
4 State Bar No. 325265  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7909  
Facsimile: (916) 327-8643  
7 E-mail: Justin.Buller@doj.ca.gov  
*Attorneys for Complainant*  
8

9  
10 **BEFORE THE**  
**DEPARTMENT OF CANNABIS CONTROL**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. DCC23-0005180-COMP

13 **LUCKYS FAMILY, INC., dba LUCKY'S**  
14 **Celia Kachi, Owner**  
15 **6957 University Avenue**  
**La Mesa, CA 91942**

**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

16 **Medicinal Use Retail License**  
17 **Number C10-0000723-LIC**

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 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 solely  
25 in his official capacity but has since left the Department. Evelyn Schaeffer is now the Deputy  
26 Director of the Compliance Division of the Department and now the Complainant in her official  
27 capacity in this matter, and is represented in this matter by Rob Bonta, Attorney General of the  
28 State of California, by Justin T. Buller, Deputy Attorney General.

2. Respondent Luckys Family, Inc., dba Lucky's; Celia Kachi, Owner (Respondent) is represented in this proceeding by attorney Micah Bailey, whose address is: 12520 High Bluff Drive, Suite 220, San Diego, California 92130. Respondent is acting in this proceeding through Celia Kachi, Owner, who has been designated and authorized by Luckys Family, Inc., dba Lucky's, to enter into this agreement on behalf of the Respondent (Authorized Representative).

3. On or about June 5, 2020, the Department issued Cannabis - Retailer License Number C10-0000723-LIC to Respondent. The Cannabis - Retailer License was in full force and effect at all times relevant to the charges brought in Accusation No. DCC23-0005180-COMP, and will expire on June 5, 2025, unless renewed.

### **JURISDICTION**

4. Accusation No. DCC23-0005180-COMP was filed before the Department and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on March 7, 2024. Respondent timely filed its Notice of Defense contesting the Accusation.

5. A true and correct copy of Accusation No. DCC23-0005180-COMP is attached as Exhibit A and incorporated herein by reference.

### **ADVISEMENT AND WAIVERS**

6. Respondent and its current owners of record and members have carefully read, fully discussed with counsel, and fully understand the charges and allegations in Accusation No. DCC23-0005180-COMP. Respondent and its current owners of record and members have also carefully read, fully discussed with counsel, and understand the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent and its current owners of record and members are fully aware of their legal rights in this matter, including the right to a hearing on the charges and allegations in Accusation No. DCC23-0005180-COMP; 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;

1 the right to reconsideration and court review of an adverse decision; and all other rights accorded  
2 by the California 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 **CULPABILITY**

6 9. Respondent admits the truth of each and every charge and allegation in Accusation  
7 No. DCC23-0005180-COMP.

8 10. Respondent agrees that its Cannabis - Retailer License Number  
9 C10-0000723-LIC is subject to discipline and agrees to be bound by the Department's imposition  
10 of discipline as set forth in the Order below.

### 11 **CONTINGENCY**

12 11. This stipulation shall be subject to approval by the Department. Respondent  
13 understands and agrees that counsel for Complainant and the staff of the Department may  
14 communicate directly with the Department regarding this stipulation and settlement, without  
15 notice to or participation by Respondent or its counsel. By signing the stipulation, Respondent  
16 understands and agrees that it may not withdraw its agreement or seek to rescind the stipulation  
17 prior to the time the Department considers and acts upon it. If the Department fails to adopt this  
18 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of  
19 no force or effect, except for this paragraph, it shall be inadmissible in any legal action between  
20 the parties, and the Department shall not be disqualified from further action by having considered  
21 this matter.

22 12. The parties understand and agree that Portable Document Format (PDF) and facsimile  
23 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile  
24 signatures thereto, shall have the same force and effect as the originals.

25 13. This Stipulated Settlement and Disciplinary Order may be signed in any number of  
26 counterparts, each of which is an original and all of which taken together form one single  
27 document.  
28





1 P.O. Box 419106  
2 Ranch Cordova, CA 95741-9106

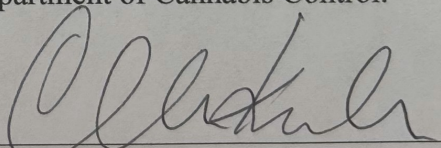
3 By FedEx or UPS:  
4 Department of Cannabis Control  
5 Attn: Cashiers  
6 2920 Kilgore Road  
7 Rancho Cordova, CA 95670-9106

8 6. Failure to complete the payments or comply with the terms of this Order shall result  
9 in further disciplinary action or non-renewal of Respondent's Cannabis - Retailer License No.  
10 C10-0000723-LIC and denial of any other license sought, as the Department deems appropriate.  
11 Additionally, failure to complete the payment shall result in Respondent's immediate obligation  
12 and responsibility to pay the full amount of the Department's costs of investigation and  
13 enforcement pursuant to Business and Professions Code section 26031 and California Code of  
14 Regulations, title 4, section 17813, in the amount of \$13,926.75, less any partial payments  
15 received prior to the failure to complete payments or comply with the terms of this Order and will  
16 result in enforcement of the Order in the Superior Court.

17 ACCEPTANCE

18 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully  
19 discussed it with my attorney, Micah Bailey. I understand the stipulation and the effect it will  
20 have on my Cannabis - Retailer License No. C10-0000723-LIC. I enter into this Stipulated  
21 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be  
22 bound by the Decision and Order of the Department of Cannabis Control.

23 DATED: 3/24/25

24   
25 Luckys Family, Inc., dba Lucky's  
26 Celia Kachi, Owner/Authorized Representative  
27 Respondent  
28

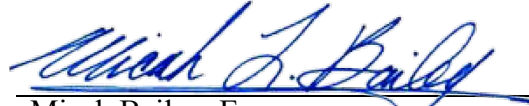
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1 I have fully read and fully discussed with Respondent Luckys Family, Inc., dba Lucky's;  
2 Celia Kachi, Owner the terms and conditions and other matters contained in the above Stipulated  
3 Settlement and Disciplinary Order. I approve its form and content.

4  
5 DATED: 3/24/25

  
6 Micah Bailey, Esq.  
7 Attorney for Respondent

8 **ENDORSEMENT**

9 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully  
10 submitted for consideration by the Department of Cannabis Control.

11 DATED: 3/26/2025

12 Respectfully submitted,

13 ROB BONTA  
14 Attorney General of California  
15 GREGORY M. CRIBBS  
16 Supervising Deputy Attorney General

17 JUSTIN T. BULLER  
18 Deputy Attorney General  
19 Attorneys for Complainant  
20  
21  
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**Exhibit A**

**Accusation No. DCC23-0005180-COMP**

1 ROB BONTA  
Attorney General of California  
2 JOSHUA B. EISENBERG  
Supervising Deputy Attorney General  
3 JUSTIN T. BULLER  
Deputy Attorney General  
4 State Bar No. 325265  
1300 I STREET  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7909  
Facsimile: (916) 327-2319  
7 *Attorneys for Complainant*

8  
9 **BEFORE THE**  
**DEPARTMENT OF CANNABIS CONTROL**  
10 **OF THE STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **LUCKYS FAMILY, INC., dba LUCKY'S**  
13 **Aras Hirmiz, Owner**  
14 **6957 University Avenue**  
**La Mesa, CA 91942**

15 **License Number C10-0000723-LIC**

16 Respondent.

Case No. DCC23-0005180-COMP  
OAH Case No.

**ACCUSATION**

17  
18 **PARTIES**

19 1. Jeff Merriman (Complainant) brings this Accusation solely in his official capacity as  
20 the Deputy Director of the Compliance Division of the Department of Cannabis Control  
21 (Department).

22 2. On or about June 5, 2020, the Department issued Medicinal-Use Retailer License  
23 Number C10-0000723-LIC to Luckys Family, Inc., dba Lucky's (Respondent) with Aras Hirmiz  
24 as Owner. The Medicinal-Use Retailer License Number C10-0000723-LIC was renewed on or  
25 about June 5, 2021 and June 5, 2022, and the Medicinal-Use Retailer License Number C10-  
26 0000723-LIC was issued to Respondent on or about April 13, 2023.

1 The Medicinal-Use Retailer License was in full force and effect at all times relevant to the  
2 charges brought herein and will expire on June 5, 2024, unless renewed.

### 3 **JURISDICTION**

4 3. This Accusation is brought before the Director (Director) for the Department, under  
5 the authority of the following laws. All section references are to the Business and Professions  
6 Code (Code) unless otherwise indicated.

7 4. Section 26010 of the Code states:

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

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

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

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

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

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

18 The department shall make and prescribe reasonable rules and regulations as  
19 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  
20 Division 3 of Title 2 of the Government Code. . . .

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

22 (a) The department may suspend, revoke, place on probation with terms and  
23 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  
24 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  
25 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  
26 shall have all the powers granted therein.

27 ...

28 (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,

1 directors, owners, agents, or employees while acting on behalf of the licensee or  
2 engaged in commercial cannabis activity....

3 9. Section 26034 of the Code states:

4 All accusations against licensees shall be filed by the department within five  
5 years after the performance of the act or omission alleged as the ground for  
6 disciplinary action; provided, however, that the foregoing provision shall not  
7 constitute a defense to an accusation alleging fraud or misrepresentation as a ground  
8 for disciplinary action. The cause for disciplinary action in that case shall not be  
9 deemed to have accrued until discovery, by the department, of the facts constituting  
10 the fraud or misrepresentation, and, in that case, the accusation shall be filed within  
11 five years after that discovery.

### 12 **STATUTORY PROVISIONS**

13 10. Section 26030 of the Code states:

14 Grounds for disciplinary action include, but are not limited to, all of the  
15 following:

16 (a) Failure to comply with the provisions of this division or any rule or  
17 regulation adopted pursuant to this division.

18 ...

19 (c) Any other grounds contained in regulations adopted by a licensing authority  
20 pursuant to this division.

21 (d) Failure to comply with any state law including, but not limited to, the  
22 payment of taxes as required under the Revenue and Taxation Code, except as  
23 provided for in this division or other California law....

### 24 **REGULATORY PROVISIONS**

25 11. Title 4 of the California Code of Regulations, section 15000.5 states:

26 In construing and enforcing the provisions of the Act and the regulations in this  
27 division, the act, omission, or failure of an agent, officer, representative, or other  
28 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.

12. Title 4 of the California Code of Regulations, section 15048, states, in pertinent  
part:

(a) Each applicant or licensee shall identify an owner of the commercial  
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.

(b) No later than 10 calendar days after license issuance, the designated account  
manager shall:

...

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

13. Title 4 of the California Code of Regulations, section 17801 states:

(a) The Department may issue a Notice to Comply to a licensee for violation(s) of the Act or this division discovered during an investigation or audit or observed during an inspection.

(b) The Notice to Comply shall be in writing and describe the nature and facts of each violation, including a reference to the statute or regulation violated, and may indicate the manner in which the licensee must correct the violation(s) to achieve compliance.

(c) The Department may serve the Notice to Comply personally, by email, or by mail to the licensee or an employee, agent, or person delegated by the licensee to accept notice.

(d) The licensee shall sign and return the Notice to Comply and describe how compliance was achieved within 30 calendar days after the date of personal service or the date of emailing or mailing of the notice or a different date specified by the Department. The Department may also require the licensee to provide a plan for review and approval by the Department on a case-by-case basis.

(e) Failure to correct the violation(s) in the Notice to Comply may result in disciplinary action.

14. Title 4 of the California Code of Regulations, section 17809 states:

(a) When an accusation recommending disciplinary action against a licensee has been filed pursuant to Business and Professions Code section 26031, the accusation shall be served on the licensee in accordance with Government Code section 11505.

(b) A hearing shall be conducted in accordance with the provisions of chapter 5 (commencing with section 11500) of part 1 of division 3 of title 2 of the Government Code to determine if cause exists to take action against the licensee. At the hearing, the Department shall have all of the powers granted by the statutes cited above and by the Business and Professions Code.

(c) If a hearing on an accusation against a licensee results in a finding that the licensee has committed any of the acts or omissions constituting grounds for disciplinary action, the Department may order the license revoked, suspended outright for a specified period of time, or suspended on probationary restriction for a specified period of time, including terms and conditions of probation the Department considers appropriate on the basis of its findings, impose a fine, or any combination thereof. The Department may also issue other lawful orders it considers appropriate on the basis of its findings.

### **COST RECOVERY**

15. Section 26031.1 of the Code states that:

(a) Except as otherwise provided by law, in an order issued in resolution of a

disciplinary proceeding before the department, the administrative law judge, upon request, may direct a licensee found to have committed a violation to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

(b) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the department or its designated representative shall be prima facie evidence of reasonable costs of investigation and prosecution of the case. The costs shall include the amount of investigative and enforcement costs up to the date of the hearing, including, but not limited to, charges imposed by the Attorney General.

(c) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested pursuant to subdivision (a). The finding of the administrative law judge with regard to costs shall not be reviewable by the department to increase the cost award. The department may reduce or eliminate the cost award, or remand to the administrative law judge if the proposed decision fails to make a finding on costs requested pursuant to subdivision (a).

(d) If an order for recovery of costs is made and timely payment is not made as directed in the department's decision, the department may enforce the order for repayment in any appropriate court. This right of enforcement shall be in addition to any other rights the department may have as to any licensee to pay costs.

(e) In any action for recovery of costs, proof of the department's decision shall be conclusive proof of the validity of the order of payment and the terms for payment.

(f)(1) Except as provided in paragraph (2), the department shall not renew or reinstate the license of any licensee who has failed to pay all of the costs ordered under this section.

(2) Notwithstanding paragraph (1), the department may, in its discretion, conditionally renew or reinstate for a maximum of one year the license of any licensee who demonstrates financial hardship and who enters into a formal agreement with the department to reimburse the department within that one-year period for the unpaid costs.

(g) All costs recovered under this section shall be considered a reimbursement for costs incurred and shall be deposited into the Cannabis Control Fund to be available upon appropriation by the Legislature.

(h) Nothing in this section shall preclude the department from including the recovery of the costs of investigation and enforcement of a case in any stipulated settlement.

### **FACTUAL ALLEGATIONS**

16. On or about June 5, 2020, the Department issued Medicinal-Use Retailer License Number C10-0000723-LIC to Luckys Family, Inc., dba Lucky's (Respondent) with Aras Hirmiz as Owner. Respondent was required to identify and designate an owner of its commercial cannabis business as the track and trace system account manager. The designated account



1 manager was required to complete the credentialing process to establish a login within ten (10)  
2 calendar days of the license issue date, or by June 15, 2020.

3 17. On September 2, 2022, a Department representative emailed a California Cannabis  
4 Track and Trace System (CCTT) Reminder to Owner Aras Hirmiz' designated email account. In  
5 that email, Owner Hirmiz was identified as the account manager for Respondent's Medicinal-Use  
6 Retailer License and was given notice to immediately complete the mandatory credentialing  
7 process, complete new user training, and email METRC to request access to the CCTT system.  
8 In the September 2, 2022 email, Owner Hirmiz was notified that engaging in commercial  
9 cannabis activity prior to completing these requirements may result in disciplinary action against  
10 the license.

11 18. On October 25, 2022, Respondent and Owner Hirmiz were served electronically and  
12 via U.S. Certified Mail with a Notice to Comply for failure to complete the credentialing process  
13 to establish a login for the CCTT System.

14 19. As of the date of filing, Respondent has failed to respond to the Department and/or  
15 completed the required credentialing process.

16 **CAUSE FOR DISCIPLINE**

17 (Failure to Complete the Credentialing Process – CCTT System)

18 20. Respondent is subject to disciplinary action under Code section 26030, subdivisions  
19 (a) and (c), in that it failed to comply with the provisions of Title 4 of the California Code of  
20 Regulations, section 15048, subdivision (b)(3), which requires the designated account manager to  
21 complete the credentialing process within ten (10) calendar days after license issuance.  
22 Respondent's noncompliance is more particularly alleged in paragraphs 16 through 19, above,  
23 which are hereby incorporated by reference and realleged as if fully set forth herein.

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28 ///

1 **PRAYER**

2 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
3 and that following the hearing, the Director issue a decision:

4 1. Revoking or suspending the Medicinal-Use Retailer License Number C10-0000723-  
5 LIC to Luckys Family, Inc., dba Lucky's (Respondent) with Aras Hirmiz as Owner;

6 2. Ordering Respondent Luckys Family, Inc., dba Lucky's, with Aras Hirmiz as Owner,  
7 to pay the reasonable costs of the investigation and enforcement of this case, pursuant to Business  
8 and Professions Code section 26031.1; and

9 3. Taking such other and further action as deemed necessary and proper.

10  
11  
12 DATED: October 11, 2023

13 \_\_\_\_\_  
14 JEFF MERRIMAN  
15 Deputy Director, Compliance Division  
16 Department of Cannabis Control  
17 State of California  
18 *Complainant*  
19  
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## PROOF OF SERVICE

Case Name: In the Matter of the Accusation Against: LUCKYS FAMILY, INC, dba LUCKY'S  
DCC Case No. DCC23-0005180-COMP  
License Number: C10-0000723-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 April 7, 2025, 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 individual(s) or entity(ies) listed below.
- ☐ Service via certified mail to be completed upon the following business day.

Micah Bailey, Esq.  
Purdy & Bailey, LLP  
12520 High Bluff Dr., Suite 220  
San Diego, CA 92130-2062  
mbailey@purdybailey.com

Celia Kachi  
Owner, Luckys Family, Inc.  
10120 Ashdale Lane  
Santee, CA 92071  
celiaksd@cox.net

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 April 7, 2025, at Rancho Cordova, California.

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Erroll Abrahamian