

ADMINISTRATIVE POLICY & PROCESS DIVISION
January 25, 2018

STIPULATED SETTLEMENT AGREEMENTS FOR MARIJUANA VIOLATION CASES

1. Hotbox Farms, LLC
Steven Meland, Member
Jeremy Breton, Member
dba **HOTBOX FARMS (Retailer)**
120 E Washington St
Huntington, OR 97907

OAR 845-025-8520(5) – Licensee or Licensee’s employees, agents, servants, or representatives permitted the use or consumption of marijuana in or on the licensed premises or in surrounding areas under the control of the Licensee, except as permitted under OAR 845-025-1230(6)(b) (April 20, 2017).

(1st Level Category III)

Note: Licensee was charged with this violation by Notice dated October 18, 2017. The proposed sanction was a 12-day suspension or a \$1,980 civil penalty. Licensee requested a hearing and now wishes to withdraw that request to enter into this settlement agreement.

AGGRAVATION

Licensee Steven Meland was personally involved in the violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice. This was Licensee’s first Category III violation within two years. Any subsequent Category III violation within the same two years will be charged at the second level.
2. Commission staff originally proposed for this violation the standard sanction of a 10-day suspension or a civil penalty of \$1,650.00. Staff added two days of aggravation because Licensee Steven Meland was personally involved in the violation. The total proposed sanction was a 12-day suspension or a \$1,980.00 civil penalty.
3. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$1,485.00 civil penalty before 5:00 PM on February 15, 2018 **OR** serve a nine-day suspension beginning at 7:00 AM on February 20, 2018 and ending at 7:00 AM on March 1, 2018.
6. Licensee withdraws the request for a hearing.
7. If Licensee’s interest in the license expires or is transferred before the Commission issues a final order on the allegation(s), Licensee agrees to accept a Letter of Reprimand for the violation(s). This reprimand will become a permanent part of Licensee’s Commission file and may be considered in any future application for any license by Licensee.
8. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2018 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee’s hearing rights, if any, will be restored. If the agreement is accepted and approved in its entirety by the Commission, Licensee waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183) and to judicial review, or to otherwise challenge this agreement and the final order.

2. Dreamfield Transfer Services, Inc.
Charles Weller, President/Dir/Stkhldr
Nicholas Erler, Treasurer/Dir/Stkhldr
dba **DREAMFIELD TRANSFER SERVICES**
(Wholesaler) (10039397D78)

OAR 845-025-3500(2) – Licensee or its employees, agents or representatives operated other than as its license permits by selling, delivering, transferring, transporting, purchasing, or receiving marijuana items other than as provided in OAR 845-025-3500(1), when it sold, delivered, transferred or transported cannabinoid extracts to a Producer licensee under manifests ##132978 and 198679 (April 20, 2017).

(1st Level Category I)

Note: Licensee was charged with this violation by Notice dated December 5, 2017. The proposed sanction was Cancellation. Licensee requested a hearing and now wishes to withdraw that request to enter into this settlement agreement.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice. This was Licensee's first Category I violation within two years. Any subsequent Category I violation within two years will be charged at the second level.
2. Commission staff originally proposed for this violation the standard sanction of license cancellation.
3. The Commission will reduce the sanction to a 30-day license suspension or payment of a \$4,950.00 civil penalty.
4. Licensee will pay a \$4,950.00 civil penalty before 5:00 PM on February 15, 2018 or serve a 30-day suspension beginning at 7:00 AM on February 20, 2018 and ending at 7:00 AM on March 22, 2018.
5. Licensee withdraws the request for a hearing.
6. If a licensee's interest in the license expires or is transferred before the Commission issues a final order on this allegation, the licensee agrees to accept a Letter of Reprimand for this violation. This letter of reprimand will become a permanent part of the licensee's Commission file and may be considered in any future application for any license by the licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2018 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights, if any, will be restored. If the agreement is accepted and approved in its entirety by the Commission, Licensee waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183) and to judicial review, or to otherwise challenge this agreement and the final order.

3. Dawn Sayles
dba **TMW FARMS**
(Producer) (10017353A90)

OAR 845-025-2020(2) – Licensee or its employees, agents or representatives operated other than as its license permits by selling, delivering, transporting, purchasing, or receiving marijuana items other than as provided in OAR 845-025-2020(1), when it sold, delivered, transported, purchased or received cannabinoid extracts under manifests ##131205, 132978, 146003, 170208, 187803, 193752, 198679 (April 17, 2017, April 18, 2017, May 2, 2017, May 25, 2017, June 11, 2017, June 16, 2017, and June 23, 2017).

(1st Level Category I)

Note: Licensee was charged with this violation by Notice dated December 5, 2017. The proposed sanction was Cancellation. Licensee requested a hearing and now wishes to withdraw that request to enter into this settlement agreement.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice. This was Licensee's first Category I violation within two years. Any subsequent Category I violation within two years will be charged at the second level.
2. Commission staff originally proposed for this violation the standard sanction of license cancellation.
3. The Commission will reduce the standard sanction to a requirement that, within 30 days from the date of this order, Licensee must destroy the following marijuana items:
 - a. METRC Package #1A401030000A5A2000000016 – Gelato Nug Run/Live Resin – Extracts – 1,352.0 grams;
 - b. METRC Package #1A4010300007DCA000000406 – Gelato Nug Run/Live Resin – Extracts – 16.1 grams;
 - c. METRC Package #1A4010300007DCA000000396 - Gelato Nug Run/Live Resin – Extracts – 2,214.0 grams; and
 - d. METRC Package #1A4010300007DCA000000397 - Gelato Nug Run/Live Resin – Extracts – 56.0 grams.
4. Destruction by the Licensee under this order must:
 - a. Be carried out in full compliance with OAR 845-025-7750; and
 - b. Be coordinated with the schedule of an OLCC Inspector, witnessed by and carried out to the satisfaction of the Inspector; and
 - c. Be carried out on camera so that a video of the destruction is preserved for at least one year thereafter, and made available to the OLCC on request.
5. Licensee withdraws the request for a hearing.

6. If a licensee's interest in the license expires or is transferred before the Commission issues a final order on this allegation, the licensee agrees to carry out the destruction under this agreement, and to accept a Letter of Reprimand for this violation. This letter of reprimand will become a permanent part of the licensee's Commission file and may be considered in any future application for any license by the licensee.
7. This agreement is conditioned upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2018 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights, if any, will be restored. If the agreement is accepted and approved in its entirety by the Commission, Licensee waives any and all rights to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183) and to judicial review, or to otherwise challenge this agreement and the final order.