

1 **BEFORE THE CANNABIS COMPLIANCE BOARD**  
2 **STATE OF NEVADA**

3 STATE OF NEVADA, CANNABIS  
4 COMPLIANCE BOARD,

Case No. 2022-104

5 Petitioner,

6 vs.

7 TRYKE COMPANIES SO NV, LLC  
8 (C031, RC031),



9 Respondent.

10 **COMPLAINT FOR DISCIPLINARY ACTION**

11 The Cannabis Compliance Board of the State of Nevada (the "CCB"), by and through  
12 its counsel, Aaron D. Ford, Attorney General of the State of Nevada, and L. Kristopher  
13 Rath, Esq., Senior Deputy Attorney General, having a reasonable basis to believe that  
14 Respondent Tryke Companies SO NV, LLC, under license identification numbers C031  
15 and RC031 ("TRYKE C031" or "Respondent") has violated provisions of Chapters 678A  
16 through 678D of the Nevada Revised Statutes ("NRS"), and the Nevada Cannabis  
17 Compliance Regulations ("NCCR"), hereby issues its Complaint, stating the CCB's charges  
18 and allegations as follows:  
19

20 **JURISDICTION**

21 1. During all relevant times mentioned in this Complaint, TRYKE C031 held,  
22 and currently holds, the following relevant licenses:

23 ID	Licenses	Last Issued / Renewed	Address
24 C031	Medical Cultivation 25 89742177109335581723	6/3/2022	
26 RC031	Adult-use Cultivation 27 29717689414536890016	6/19/2022	

28 2. During all relevant times mentioned in this Complaint, TRYKE C031 is and  
was registered as a domestic limited liability company in the State of Nevada. The Nevada

1 Secretary of State lists Seacoast Investments Fund II, LLC, as the Managing Member.  
2 Brett Scolari is listed as the Point of Contact for TRYKE C031 with the CCB.

3 3. As TRYKE C031 holds its relevant licenses with the CCB, it is subject to NRS  
4 Title 56 and the NCCR for the violations asserted herein. Therefore, TRYKE C031 is  
5 subject to the jurisdiction of the CCB and subject to discipline pursuant to NRS 678A  
6 through 678D and the relevant provisions of the NCCR.

7 4. Pursuant to NRS 678A.500 and 678A.510(1), the CCB's Executive Director  
8 has transmitted the details of the suspected violations of TRYKE C031 to the Attorney  
9 General and the Attorney General has conducted an investigation of the suspected  
10 violations to determine whether they warrant proceedings for disciplinary action. The  
11 Attorney General has recommended to the Executive Director that further proceedings are  
12 warranted, as set forth in this CCB Complaint. The Executive Director has transmitted  
13 this recommendation and information to the CCB. Pursuant to NRS 678A.510(2)(b), the  
14 CCB has voted to proceed with appropriate disciplinary action under NRS 678A.520  
15 through 678A.600. Pursuant to NRS 678A.520(1), the CCB's Executive Director has  
16 authorized service of this Complaint upon Respondent.

#### 17 **FACTUAL ALLEGATIONS**

18 5. CCB incorporates all prior Paragraphs as though fully set forth herein.

19 6. On or about June 16, 2022, the CCB's staff conducted an investigation  
20 (Investigation No. C031-06) of the TRYKE C031 medical and adult-use cultivation facility  
21 (the "Facility") located at [REDACTED] Nevada. This investigation  
22 was initiated due to allegations that the Facility was in possession of cannabis seeds from  
23 unauthorized sources. The CCB agents conducting this investigation were Keoki Allen,  
24 Meiny Trisno and Marvin Taylor (the "CCB Agents").

25 7. During the course of Investigation No. C031-06, the CCB agents found that  
26 the Facility had purchased 63 packages of cannabis seeds from online cannabis seed banks  
27 during at least the time period from October 2020 to July 2021, despite the fact there are  
28 no cannabis seed banks located in Nevada or holding Nevada issued cannabis  
establishment licenses. Specifically, the following 63 packages of cannabis Tryke C031  
improperly acquired and held in inventory were as follows:

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	Seeds' Identifiers	# of Seeds
1	Purple Alien - Purple Kush Female Short x Alien White Fire Male - Tall	6
2	Golden Grapes - Sour Grapes x Chem / Sour Male - F4 - IBL	10
3	Golden Grapes - Sour Grapes Female x Sour Cream Male - F4 - IBL	10
4	Lemon Larry x Gorilla Glue # 4	21
5	Purple Alien - Purple Kush Short Female x Alien Fire White Male Tall - F1	10
6	Fire Grapes - White Fire Male Tall	50
7	Purple Kush - Purple Kush Tall Male x Purple Kush Short Female - F75	10
8	DNA Genetics - Double Alien 18 (Feminised)	5
9	Royal Creeme Cracker	6
10	Expert Seeds	8
11	Einstein's Pipe	13
12	Gamma Berry - Bruce Banner # 5 x Strawberry Diesel	2
13	Franco's Lemon Cheese	5
14	Skunk House - Modified Banana - Dirty Buntz - Runtz x Modified Banana	7
15	Skunk House - Modified Banana - Gello Banana - Gello x Modified Banana	7
16	Skunk House - Modified Banana - Tropical Infusion - Trop Cookies x Modified Banana	8
17	Skunk House - Modified Banana - Filthy Animal - 09 Animal Cookies x Modified Banana	8
18	Funk-fetti - Wedding Cake x Modified Banana	7
19	Las Vegas Sour Bubba - SinCitySeeds	4
20	Sour ThanoS - Sour Diesel x (Zkittlez x Bitch Slap)	6
21	Pakalolo Seed - Wahine Ilikea	3
22	Chem 91 SH VA	6
23	Reserva Privada - Purple Wreck - Fem	1
24	SinCitySeeds - Banana OG x Blue Power x Ice Cream Banana	15
25	SinCity Seeds - Luxor - Triangle Kush x SinMint Cookies	4

1	26	Sour Grape - BOG Grape Punch x BOG Sour Bubble	9
2	27	Balkh - Afghan Selection	7
3	28	Banana Krumble	5
4	29	ExoticGenetix - Slippery Susan	5
5	30	Freebies Orangina	1
6	31	Banana Loaf - The Plug	6
7	32	Strawberry Ice - The Bulldog Seeds	5
8	33	BCBD - BC Hash Plant	6
9	34	ExoticGenetix - Dole Whip	6
10	35	Chem Lem - Dark Horse Genetics	5
11	36	Skywalker Haze - Feminized Seeds / Classics	10
12	37	Lazar 115 - Dark Horse Genetics	6
13	38	Purp Skurp - Archive Seed Bank	12
14	39	Triangle Kush F1 - Triangle Kush x Pakistani Chitral Kush	2
15	40	Sweet Pink - Second Generation Genetics	5
16	41	Recoil - 4516 x BlowBack	6
17	42	Tahoe Genetix - Grape Pie x Dosi Dos	5
18	43	ExoticGenetix - The Labyrinth	6
19	44	BlueBerry F5	8
20	45	Green Team Genetics - F2 cherry pie (clone only) X i95 - Hemp Seeds	5
21	46	DJ Short Seeds - Velvet Krush	5
22	47	Plumberry Kush - Purple Unicorn x DJ Short F4 Blueberry	8
23	48	Tristar Pebbles - Sodium Sunburn - Triangle Kush x Stardawg - Green Team Cooki Pebbles	10
24	49	EnvyGenetics - Sunset Slurrbert - Slurricane x CaliSunset	10
25	50	Jupiter OG Kush	3
26	51	GhostBreath - ThugPug Genetics	4
27	52	BC Cheese - BCBD - R-12	6

1	53	Limonene Queen - Chernobyl x DJ Short F4 Blueberry	12
2	54	LifeSaver - My 1st Truly Medical Strain - BOG Bubble X Jacks Cleaner X Blueberry	8
3	55	SourPez - Regular - laplatalabs.com	2
4	56	Purple Apricot - Purple Punch X Legend Orange Apricot F2 - Compound Genetics Seed Bank	3
5	57	Symbiotic Genetics - Mimosa - Clementine x Purple Punch F2	10
6	58	Rozay - Hand Grenade	10
7	59	Secret Society Seed Co - Canis Majoris - Star Killer x I95 StarDawg	7
8	60	Disco Jelly - Monkey Disco X Apricot Jelly - Taurus Genetics	15
9	61	Relentless Genetics - Cold Smoke	5
10	62	ExoticGenetix - Citrus Berry	6
11	63	ExoticGenetix - Meltdown	6

8. Of the 63 packages of cannabis seeds set forth in Paragraph 7, above, TRYKE C031 was unable to provide acquisition documentation for the following 25 seed acquisitions:

	Seeds' Identifiers	# of Seeds
17	1 Lemon Larry x Gorilla Glue # 4	21
18	2 Fire Grapes - White Fire Male Tall	50
19	3 DNA Genetics - Double Alien 18 (Feminised)	5
20	4 Sweet Pink - Second Generation Genetics	5
21	5 Tahoe Genetix - Grape Pie x Dosi Dos	5
22	6 The Labyrinth - ExoticGenetix	6
23	7 BlueBerry F5	8
24	8 Velvet Kush - DJ Short Seeds	5
25	9 GhostBreath - ThugPug Genetics	4
26	10 LifeSaver - My 1st Truly Medical Strain - BOG Bubble X Jacks Cleaner X Blueberry	8
27	11 SourPez - Regular - laplatalabs.com	2

1	12	Meltdown - ExoticGenetix	6
2	13	Purple Alien - Purple Kush Female Short x Alien White Fire Male - Tall - F1 High THC - Regular Seeds	6
3	14	Golden Grapes - Sour Grapes x Chem / Sour Male - F4 - IBL - Regular Seeds	10
4	15	Golden Grapes - Sour Grapes Female x Sour Cream Male - F4 - IBL - Regular Seeds	10
5	16	Purple Alien - Purple Kush Short Female x Alien Fire White Male Tall - F1	10
6	17	Purple Kush - Purple Kush Tall Male x Purple Kush Short Female - F75 - Regular Seeds - IBL	10
7	18	Gamma Berry - Bruce Banner # 5 x Strawberry Diesel	2
8	19	Reserva Privada - Purple Wreck - Fem	1
9	20	Sour Grape - BOG Grape Punch x BOG Sour Bubble	9
10	21	Triangle Kush F1 - Triangle Kush x Pakistani Chitral Kush	2
11	22	Recoil - 4516 x BlowBack	6
12	23	Purple Apricot - Purple Punch X Legend Orange Apricot F2 - Compound Genetics Seed Bank	3
13	24	Symbiotic Genetics - Mimosa - Clementine x Purple Punch F2	10
14	25	Citrus Berry - ExoticGenetix	6

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17 9. The CCB Agents conducted further research on the origins of the 25 items  
18 listed in Paragraph 8, above, and found that the following items listed in Paragraph 8 above  
19 did not originate within the State of Nevada:

20	Seeds Identifier	Origin
21	DNA Genetics - Double Alien 18 (Feminised)	Netherlands
22	ExoticGenetix - The Labyrinth	Washington
23	ExoticGenetix - Meltdown	Washington
24	ExoticGenetix - Dole Whip	Washington
25	ExoticGenetix - Citrus Berry	Washington
26	DJ Short Seeds - Velvet Krush	Oregon
27	SourPez - Regular - laplatalabs.com	Colorado
28	ThugPug Genetics - GhostBreath	Michigan

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2 10. Additionally, during the course of Investigation No. C031-06, TRYKE C031,  
3 through its Inventory Control & Compliance Manager, Terrence Whittier (“Mr. Whittier”)  
4 provided false statements to the CCB Agents regarding TRYKE C031’s acquisition of the  
5 cannabis seeds found on site at the Facility. Specifically, Mr. Whittier told CCB Agents<sup>1</sup>  
6 that the Purchasing and Procurement Manager TRYKE C031 employed (the “PPM”), was  
7 the medical patient who acquired and donated the cannabis seeds found at the facility on  
8 or about June 16, 2022<sup>2</sup>. The CCB Agents interviewed the PPM on or about June 30, 2022.  
9 Contrary to Mr. Whittier’s statements to the CCB Agents, the PPM confirmed that she  
10 purchased cannabis seeds on behalf of TRYKE C031 using TRYKE C031’s business funds  
11 via money orders, company debit cards, and/or checks that TRYKE C031 issued. The PPM  
12 never used her own personal funds to purchase said cannabis seeds, so she did not donate  
13 said seeds to TRYKE C031. The PPM further confirmed that her purchases on behalf of  
14 TRYKE C031 were obtained from seed banks and shipped directly to TRYKE C031. The  
15 PPM also stated the cannabis seeds for which there were no acquisition documents were  
16 complimentary seeds from the seed banks due to repeated purchases from them.  
17 Additionally, the PPM did not receive her medical marijuana patient registry card until  
18 January 5, 2021, and had purchased some of the aforementioned seeds prior to that date.

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### VIOLATIONS OF LAW

11. CCB incorporates all prior Paragraphs as though fully set forth herein.

12. As to licenses C031 and RC031, Respondent violated NRS 678C.410(2),  
NCCR 6.080(2), and NCCR 4.035(1)(a)(13) & (15), and NCCR 4.040(1)(a)(10), by purchasing  
cannabis not found in the seed-to-sale tracking system, storing cannabis from an  
unlicensed source, and purchasing cannabis from an unapproved source. Specifically, as  
set forth in Paragraphs 7 through 10, above, Respondent acquired cannabis seeds from seed  
banks outside the State of Nevada that were not licensed by the State of Nevada and held  
said seeds in its inventory. These acts constitute 63 separate Category I violations under

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<sup>1</sup> Via an email on or about June 27, 2022.

<sup>2</sup> NRS 678C.410(2) allows a medical cultivation facility to acquire cannabis from a person who holds a valid registry identification card, though such person must receive no compensation for the cannabis (although a single sale of cannabis plants is allowed to a cultivation facility). NRS 678C.410(2).

1 NCCR 4.035(1)(a)(13) & (15), which carries a civil penalty of \$90,000 and requires  
2 revocation of licenses C031 and RC031. NCCR 4.035(2)(a)(1) & (2). These acts also  
3 constitute 63 separate Category II violations under NCCR 4.040(1)(a)(10), which carries  
4 civil penalties of \$100,000 and requires revocation of licenses C031 and RC031. NCCR  
5 4.040(2)(a). In the alternative, should the CCB find these acts constitute a single Category  
6 I violation and a single Category II violation, then they would carry a civil penalty of  
7 \$115,000 and a suspension of up to 50 days, or revocation, of licenses C031 and RC031.  
8 NCCR 4.035(2)(a)(1) and NCCR 4.040(2)(a)(1).

9 13. As to licenses C031 and RC031, Respondent violated NCCR 4.035(1)(a)(3) by  
10 making an intentionally false statement to the Board or Board Agents. Specifically, as set  
11 forth in Paragraph 10, above, Respondent's employee and/or agent Terrence Whittier  
12 falsely stated to Board agents that the cannabis seeds obtained from unauthorized sources  
13 were actually donated by a medical patient, Tryke C031's PPM, according to NRS  
14 678C.410(2), when, in fact, the PPM had not donated said seeds, but rather purchased said  
15 seeds with TRYKE C031 funds. Moreover, as detailed above, the PPM was not even a  
16 registered medical patient at the time she purchased some of the seeds. These acts and  
17 omissions constitute a second Category I violation, which carries the requirement of  
18 revocation of licenses C031 and RC031. NCCR 4.035(2)(a)(2). In the alternative, should the  
19 acts and omissions set forth in this Paragraph be found to be unintentional, then they  
20 constitute a Category II violation under NCCR 4.040(1)(a)(1), which would require  
21 revocation of licenses C031 and RC031, due to the multiple Category II violations set forth  
22 in Paragraph 12. NCCR 4.040(2)(a)(3). At the very least, the violations set forth in this  
23 Paragraph would constitute a second Category II violation, which carries a civil penalty of  
24 \$100,000 and a suspension of licenses C031 and RC031 for up to 50 days. NCCR  
25 4.040(2)(a)(3).

26 14. The CCB reserves its rights to pursue any separate disciplinary actions  
27 against the individual agent cards of the employees and/or agents of Respondent who  
28 participated in and/or perpetrated the acts and omissions set forth in this Complaint.



1 **DISCIPLINE AUTHORIZED**

2 Pursuant to the provisions of NRS 678A.600, NCCR 4.020, NCCR 4.030, NCCR 4.035  
3 through 4.060, and NCCR 5.100, the CCB has the discretion to impose the following  
4 disciplinary actions:

- 5 1. Revoke licenses C031 and RC031;
- 6 2. Suspend licenses C031 and RC031;
- 7 3. Impose a civil penalty of not more than \$90,000 for each separate violation of  
8 NRS Title 56 and the NCCR on C031 and RC031; and
- 9 4. Take such other disciplinary action as the CCB deems appropriate.

10 The CCB may order one or any combination of the discipline described above.

11 **RELIEF REQUESTED**

12 Based on the foregoing, counsel for the CCB respectfully requests the CCB impose  
13 the penalty of revocation against licenses C031 and RC031. In addition, counsel for CCB  
14 requests the CCB impose civil penalties against TRYKE C031's licenses C031 and RC031  
15 in the amount of \$190,000.

16 **NOTICE TO RESPONDENT**

17 **PLEASE TAKE NOTICE**, that Respondent has a right to request a hearing on the  
18 charges set forth herein, pursuant to NRS 678A.510 through 678A.590. **Failure to**  
19 **demand a hearing constitutes a waiver of the right to a hearing and to judicial**  
20 **review of any decision or order of the Board, but the Board may order a hearing**  
21 **even if the respondent so waives his or her right.** NRS 678A.520(2)(e).

22 **PLEASE TAKE NOTICE**, you, as the respondent, **must answer this Complaint**  
23 **within 20 days after service of this Complaint**, unless granted an extension. Pursuant  
24 to NRS 678A.520(2), in the answer Respondent:

- 25 (a) Must state in short and plain terms the defenses to each claim asserted.
- 26 (b) Must admit or deny the facts alleged in the complaint.
- 27 (c) Must state which allegations the respondent is without knowledge or information  
28 form a belief as to their truth. Such allegations shall be deemed denied.

1 (d) Must affirmatively set forth any matter which constitutes an avoidance or  
2 affirmative defense.

3 (e) May demand a hearing. **Failure to demand a hearing constitutes a waiver**  
4 **of the right to a hearing and to judicial review of any decision or order of**  
5 **the Board**, but the Board may order a hearing even if the respondent so waives his  
6 or her right.

7 **Failure to answer or to appear at the hearing constitutes an admission by**  
8 **the respondent of all facts alleged in the Complaint. The Board may take action**  
9 **based on such an admission and on other evidence without further notice to the**  
10 **respondent. NRS 678A.520(3).**

11 The Board shall determine the time and place of the hearing as soon as is reasonably  
12 practical after receiving the Respondent's answer. The Board shall deliver or send by  
13 registered or certified mail a notice of hearing to all parties at least 10 days before the  
14 hearing. The hearing must be held within 45 days after receiving the respondent's answer  
15 unless an expedited hearing is determined to be appropriate by the Board, in which event  
16 the hearing must be held as soon as practicable. NRS 678A.520(4).

17 Respondent's answer and Request for Hearing must be either: mailed via registered  
18 mail, return receipt; or emailed to:

19 Tyler Klimas, Executive Director  
20 Cannabis Compliance Board  
21 700 East Warm Springs Road, Ste. 100  
22 Las Vegas, Nevada 89119  
23 [tklimas@ccb.nv.gov](mailto:tklimas@ccb.nv.gov)

24 If served by email, Respondent must ensure that it receives an acknowledgement of receipt  
25 email from CCB as proof of service. Respondent is also requested to email a copy of its  
26 Answer to the Senior Deputy Attorney General listed below at [lrath@ag.nv.gov](mailto:lrath@ag.nv.gov).

27 As the Respondent, you are specifically informed that you have the right to appear  
28 and be heard in your defense, either personally or through your counsel of choice at your  
own expense. At the hearing, the CCB has the burden of proving the allegations in the  
Complaint. The CCB will call witnesses and present evidence against you. You have the

1 right to respond and to present relevant evidence and argument on all issues involved. You  
2 have the right to call and examine witnesses, introduce exhibits, and cross-examine  
3 opposing witnesses on any matter relevant to the issues involved.

4 You have the right to request that the CCB issue subpoenas to compel witnesses to  
5 testify and/or evidence to be offered on your behalf. In making this request, you may be  
6 required to demonstrate the relevance of the witness's testimony and/or evidence.

7 If the Respondent does not wish to dispute the charges and allegations set forth  
8 herein, within 30 days of the service of this Complaint, Respondent may pay the civil  
9 penalties set forth above in the total amount of \$190,000 and surrender licenses C031 and  
10 RC031 on notice to:

11 Tyler Klimas, Executive Director  
12 Cannabis Compliance Board  
13 700 East Warm Springs Road, Ste. 100  
14 Las Vegas, Nevada 89119


15 YOU ARE HEREBY ORDERED to immediately cease the activity described above  
16 which is a violation of Nevada law.

17 DATED: August 1, 2022.

18 STATE OF NEVADA, CANNABIS COMPLIANCE BOARD

19 By:   
20 Tyler Klimas, Executive Director  
21 700 East Warm Springs Road, Ste. 100  
22 Las Vegas, Nevada 89119  
23 (702) 486-2300

24 AARON D. FORD  
25 Attorney General

26 By:   
27 L. Kristopher Rath (Bar No. 5749)  
28 Senior Deputy Attorney General  
555 E. Washington Ave, Suite 3900  
Las Vegas, Nevada 89101  
(702) 486-3420

Attorneys for the Cannabis Compliance Board

**DECLARATION AND CERTIFICATE OF SERVICE OF  
COMPLAINT FOR DISCIPLINARY ACTION  
(Service via Mail)**

I, Amber Virkler, hereby certify and affirm that:

1. I am over the age of 18 years old.
2. I am a Board Agent of the Cannabis Compliance Board (“CCB”), as defined in NCCR 1.068.
3. Pursuant to NRS 678A.520 and NCCR 4.075, I have served the Respondent herein with the Complaint for Disciplinary Action (“Complaint”) in the above captioned matter as follows:

By placing a true and correct copy of the Complaint to be deposited for mailing in the United States Mail in a sealed envelope via registered or certified mail, prepaid in Las Vegas, Nevada, to Respondent’s point of contact with the CCB under NCCR 2.050 at Respondent’s address on file with the Board as follows:

Name of point of contact served: Brett Scolari

Address on file with CCB: [REDACTED]

Date of Service: August 2, 2022

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 2, 2022  
(date)

  
(signature)

cc: Brett Scolari via email at [REDACTED]