

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

3
4 STATE OF NEVADA, CANNABIS
COMPLIANCE BOARD,

Case No. 2022-119

5 Petitioner,

6 vs.

7 GREEN CROSS NEVADA, LLC,



8 Respondent.
9

10 **COMPLAINT FOR DISCIPLINARY ACTION**

11 The Cannabis Compliance Board of the State of Nevada (the "CCB"), by and through
12 counsel, Aaron D. Ford, Attorney General of the State of Nevada, Ashley A. Balducci, Senior
13 Deputy Attorney General, and L. Kristopher Rath, Senior Deputy Attorney General having
14 a reasonable basis to believe that Respondent GREEN CROSS NEVADA LLC ("GCN" or
15 "Respondent") has violated provisions of Chapters 678A through 678D of the Nevada
16 Revised Statutes ("NRS"), and the Nevada Cannabis Compliance Regulations ("NCCR"),
17 hereby issues its Complaint, stating the CCB's charges and allegations as follows:
18

19 **JURISDICTION**

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

22 ID	License	Last Issued / Renewed	Address
23 P019	Medical Cannabis Production Facility 42243169362679005796	7/1/2022	
25 RP019	Adult-use Cannabis Production Facility 52244773367066952130	7/1/2022	

26
27 2. During all relevant times mentioned in this Complaint, GCN is and was
28 registered as a Domestic Limited-Liability Company in the State of Nevada. The Nevada

1 Secretary of State lists Sullivan Park Capital, LLC, as the managing member of GCN.
2 Sullivan Park Capital, LLC, is and was registered as a Domestic Limited-Liability
3 Company in the State of Nevada. The managing member of Sullivan Park Capital, LLC, is
4 Kamaldeep Thindal. The point of contact with the CCB for GCN is Kamaldeep Thindal.

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

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

19 **FACTUAL ALLEGATIONS**

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

21 **Routine Audit on September 29, 2021**

22 6. On or about September 29, 2021, Board Agents conducted a routine audit of
23 the GCN Facility. The Board Agent for this audit was Dawn Boyter (the "Board Agent").

24 7. During the course of this audit, the Board Agent found two packages short
25 from that reported in Metrc, the state's seed-to-sale tracking system, as follows:

26 ///

27 ///

28 ///

Tag	Item	Category	Metric No.	Physical Count	Variance
1A4040300001E17000010769	Popcorn - JK	Small/Popcorn Buds	299	250	-.49
1A40403000021FE000009169	(Cannera) Agent Orange Crumble (BULK)	Solvent Based Concentrate	1202.85	1157	-45.85

The Board Agent also discovered that GNC reported cannabis as waste in Metric that were not listed on GNC's waste log as shown below in References 1-5.

Reference 1

Just Edibles Sour Belts Hybrid 20pk - 100mg THC	Infused Edible	-3 ea Waste	End of lot	9/1/2021
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Reference 2

Just Edibles Sour Long Belt Hybrid - Quad Dro - 10serv - 100mg THC Total	Infused Edible	-4 ea Waste	End of lot	9/1/2021 4/8/2021
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Reference 3

Just Edibles Sour Belts Hybrid 20pk - 100mg THC	Infused Edible	-4 ea Waste	End of lot	9/1/2021 4/30/2021
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Reference 4

Just Edibles Sour Long Belt Hybrid - Quad Dro - 10serv - 100mg THC Total	Infused Edible	-10 ea Waste	Units failed quality check	9/3/2021 7/21/2021
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Reference 5



Packages Adjustments (by Facility)

From 9/1/2021 To 10/2/2021

Package	Item	Item Category	Quantity	Reason	Note	Adj. Date	Pack Date	Total Records: 50	User
Just Edibles Sour Belts Hybrid 20pk - 100mg THC	Infused Edible	-3 ea	Entry Error	Miscount upon package creation	9/29/2021	9/16/2021			
Just Edibles Sour Long Belt Hybrid - Quad Dro - 10serv - 100mg THC	Infused Edible	-4 ea	Entry Error	Miscount upon package creation	9/29/2021	9/16/2021			

10/2/2021 3:03:58 PM 07:00

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7-16-21	7 AM	JESUB	2577	554601	1V	COL	BDT		BS	
9-16-21	9:30 AM	JESUB	5974	2602A	16V	MISPRINT QC FAIL D/U	BDT		BS	

These constitute violations of NCCR 6.080.

8. The Board Agent further discovered that GCN's quarterly monthly activity reports for October, November, and December of 2020 did not match the amounts reported in Metric and GCN's tax returns as shown below in Reference 6.

1 *Reference 6*

2

3 Reporting Method	Oct-20	Nov-20	Dec-20	Total
4 Metrc Transfer Reports	\$34,642.41	\$101,271.03	\$117,916.13	\$253,829.57
5 Quarterly Monthly Activity Reports	\$68,700.00	\$ 63,050.00	\$ 60,307.50	\$192,057.50
6 Taxation Tax Returns Data	\$68,700.00	\$ 63,050.00	\$ 60,257.50	\$192,007.50

7

8 These constitute violations of NCCR 6.135 and 6.080.

9 **VIOLATIONS OF LAW**

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

11 10. As to licenses C019 and RC019, Respondent GCN violated NCCR
12 4.050(1)(a)(3), (14), 6.075, and 6.080(7)-(9), (10)(a)-(b), and 10.080(4) by failing to keep any
13 required records, including seed-to-sale tracking requirements and/or failing to meet
14 requirements for the disposal of cannabis waste as set forth in Paragraph 7. This is either
15 a single category III violation, which carries a civil penalty of up to \$10,000 or at least five
16 separate category III violations, which carry a civil penalty of up to \$220,000, a suspension
17 of not more than 90 days, and revocation. NCCR 4.050(2)(a)(1)-(5).

18 11. As to licenses C019 and RC019, Respondent GCN violated NCCR
19 4.060(1)(a)(6)-(7), 6.135, 6.080(8)(c) for failing to properly submit quarterly inventory
20 reports, monthly sales reports, or other reports required by the Board and/or failing to
21 comply with any other requirements not described in another category of violations as set
22 forth in Paragraph 8. This is either a single category V violation, which carries a warning,
23 or at least three separate category V violations, which carry a warning, civil penalties of up
24 to \$7,500 and/or a suspension of not more than 3 days. NCCR 4.060(2)(a)(1)-(3).

25 **DISCIPLINE AUTHORIZED**

26 Pursuant to the provisions of NRS 678A.600, NCCR 4.020, 4.030, 4.035 through
27 4.060, and 5.100, the CCB has the discretion to impose the following disciplinary actions:

- 28
1. Revoke GCN's cultivation licenses;
 2. Suspend GCN's cultivation licenses;

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

5 The Board shall determine the time and place of the hearing as soon as is reasonably
6 practical after receiving the Respondent's answer. The Board may assign a hearing officer
7 to conduct the hearing under NCCR 2.070, 4.095, and 4.110. The Board or its assigned
8 hearing officer shall deliver or send by registered or certified mail a notice of hearing to all
9 parties at least 10 days before the hearing. The hearing must be held within 45 days after
10 receiving the respondent's answer unless an expedited hearing is determined to be
11 appropriate by the Board, in which event the hearing must be held as soon as practicable.
12 NRS 678A.520(4). The Chair of the Board or the assigned hearing officer may grant one or
13 more extensions to the 45-day requirement pursuant to the request of a party or an
14 agreement by both parties.

15 Respondent's Answer and Request for Hearing must be either: mailed via registered
16 mail, return receipt; or emailed to:

17 Tyler Klimas, Executive Director
18 Cannabis Compliance Board
19 700 East Warm Springs Road, Ste. 100
20 Las Vegas, Nevada 89119
21 tklimas@ccb.nv.gov

22 If served by email, Respondent must ensure that it receives an acknowledgement of receipt
23 email from CCB as proof of service. Respondent is also requested to email a copy of its
24 Answer and Request for a Hearing to Senior Deputy Attorneys General list below at
25 abalducci@ag.nv.gov and lrath@ag.nv.gov.

26 As the Respondent, you are specifically informed that you have the right to appear
27 and be heard in your defense, either personally or through your counsel of choice at your
28 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
right to respond and to present relevant evidence and argument on all issues involved. You

1 have the right to call and examine witnesses, introduce exhibits, and cross-examine
2 opposing witnesses on any matter relevant to the issues involved.

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


6 If the Respondent does not wish to dispute the charges and allegations set forth
7 herein, within 30 days of the service of this Complaint, Respondent may pay the civil
8 penalties set forth above in the total amount of \$227,500, and surrender its licenses on
9 notice to:

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

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

16 DATED: November 14, 2022.

17 STATE OF NEVADA, CANNABIS COMPLIANCE BOARD

18 By: 
19 Tyler Klimas, Executive Director
20 Cannabis Compliance Board
21 700 East Warm Springs Road, Ste. 100
22 Las Vegas, Nevada 89119

23 AARON D. FORD
24 Attorney General

25 By: *Ashley A. Balducci*
26 Ashley A. Balducci (Bar No. 12687)
27 Senior Deputy Attorney General
28 L. Kristopher Rath (Bar No. 5749)
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: Kamaldeep Thindal

Address on file with CCB: [REDACTED]

Date of Service: December 29, 2022

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

Executed on December 29, 2022
(date)


(signature)

cc: Kamaldeep Thindal, [REDACTED]
via First Class Mail