

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

3 STATE OF NEVADA, CANNABIS  
4 COMPLIANCE BOARD,

5 Petitioner,

Case No. 2023-014

6 vs.

7 MICHAEL QUATTLEBAUM,

8 Respondent.

9 **COMPLAINT FOR DISCIPLINARY ACTION**

10 The Cannabis Compliance Board of the State of Nevada (the "CCB"), by and through  
11 counsel Aaron D. Ford, Attorney General of the State of Nevada, and Emily N. Bordelove,  
12 Esq., Senior Deputy Attorney General, having a reasonable basis to believe that MICHAEL  
13 QUATTLEBAUM<sup>1</sup> ("QUATTLEBAUM" or "Respondent") has violated provisions of  
14 Chapters, 678A through 678D of the Nevada Revised Statutes ("NRS"), and the Nevada  
15 Cannabis Compliance Regulations ("NCCR"), hereby issues its Complaint, stating the  
16 CCB's charges and allegations as follows:

17 **JURISDICTION**

18 1. QUATTLEBAUM currently holds the following cannabis establishment agent  
19 registration cards issued by the CCB:

20 ID No.	Cannabis Establishment Type	Application Date	Expiration Date
21 [REDACTED]	Cultivation	May 18, 2022	May 22, 2024

22 2. As set forth below, the events at issue in this CCB Complaint occurred after July  
23 1, 2020. QUATTLEBAUM applied for QUATTLEBAUM's [REDACTED] Agent Card on May  
24 18, 2022, and the CCB issued the agent card to QUATTLEBAUM. Therefore,  
25 QUATTLEBAUM is subject to the jurisdiction of the CCB and subject to discipline  
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27 <sup>1</sup> Respondent first name was spelled as "Micheal" in his May 18, 2022, Cultivation Card application, which  
28 is how it is spelled on the [REDACTED] Agent Card, however the name listed in the government identification  
portion of the application confirms the spelling as "Michael."

1 pursuant to NRS 678A through 678D and the relevant provisions of the NCCR.

2 3. Pursuant to NRS 678A.500 and 678A.510(1), the CCB's Executive Director has  
3 transmitted the details of the suspected violations of QUATTLEBAUM to the Attorney  
4 General, and the Attorney General conducted an investigation of the suspected violations  
5 to determine whether they warrant proceedings for disciplinary action. The Attorney  
6 General has recommended to the Executive Director that further proceedings are  
7 warranted, as set forth in this CCB Complaint. The CCB has authorized proceeding with  
8 disciplinary action against QUATTLEBAUM, pursuant to NRS 678A.510(2)(b). Pursuant  
9 to NRS 678A.520(1), the CCB's Executive Director has authorized service of this Complaint  
10 upon QUATTLEBAUM.

### 11 FACTUAL ALLEGATIONS

12 4. The CCB incorporates all prior paragraphs as though fully set forth herein.

13 5. On December 7, 2022, cannabis cultivation and production licensee Helping Hands  
14 Wellness Center Inc. employed QUATTLEBAUM as its cultivation manager at its facility  
15 located at [REDACTED] (the "Facility").

16 6. On or about December 7, 2022, Board Agents Christine Shoemaker, Bruce Nisberg,  
17 & Bradly Haynes conducted a routine inspection of the Facility. On or about December 8,  
18 2022, Board Agents Jordan Galloway, Meiny Trisno, & Marvin Taylor conducted a routine  
19 audit at the Facility.<sup>2</sup>

20 7. As part of their investigation and audit, Board Agents requested the Facility  
21 provide surveillance video from December 7, 2022. The Facility provided a series of .mp4  
22 files of surveillance videos from December 7, 2022 ("Surveillance Videos").

23 8. Board Agents' investigation and audit of the Surveillance Videos showed  
24 QUATTLEBAUM, after learning that Board Agents were approaching the Facility, quickly  
25 dumping out the liquid contents of a spray canister into a Facility's sink and hiding a plastic  
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27 \_\_\_\_\_  
28 <sup>2</sup> The results of the December 7, 2022, investigation & December 8, 2022, audit formed, in part, the basis for the Emergency Order of Summary Suspension of Helping Hands Inc., CCB Case No. 2023-005.

1 container in personnel lockers before he personally allowed Board Agents to enter the  
2 Facility.

3 9. During Board Agents' investigation and audit of the Surveillance Videos,  
4 QUATTLEBAUM can be heard on the Surveillance Videos verbally encouraging a female  
5 Facility employee lacking the appropriate cannabis agent registration card to leave the  
6 Facility before Board Agents saw her on the Facility's premises.

7 10. During Board Agents' investigation and audit of the Surveillance Videos,  
8 QUATTLEBAUM can be seen, after allowing Board Agents into the Facility, removing  
9 untagged cannabis plant clones from a Trim room to conceal elsewhere in the Facility  
10 before Board Agents enter that Trim room.

11 11. During Board Agents' follow-up investigations and audits, the Facility stated that  
12 QUATTLEBAUM claimed the cannabis plant clones he removed from the Trim room had  
13 russet mites on them, so he dumped the clones as plant waste material into a trash bag in  
14 front of the attic door to prevent contamination. The Facility noted that QUATTLEBAUM  
15 admittedly did not follow the correct order of the process for waste as he did not weigh and  
16 log the waste prior to putting it in the trash and did not switch the location of the clones in  
17 METRC prior to transferring rooms.

### 18 VIOLATIONS OF LAW

19 12. The CCB incorporates all prior Paragraphs as though fully set forth herein.

20 13. As to QUATTLEBAUM's Agent Card [REDACTED], QUATTLEBAUM violated  
21 NCCR 4.035 (1)(a)(4) by intentionally destroying or concealing evidence. As outlined in  
22 paragraphs 8-10 above, Surveillance Videos showed QUATTLEBAUM quickly dumping out  
23 the liquid contents of a spray canister into a Facility's sink, hiding a plastic container in  
24 personnel lockers, rushing to remove untagged cannabis plant clones from a Trim room and  
25 allegedly throwing them in a trash bag, and encouraging an un-carded Facility employee  
26 to leave the Facility, before he personally allowed Board Agents to enter the Facility. Such  
27 violations, if intentional, constitute at least one (1) Category I violation, allowing for a civil  
28 penalty of \$4,500 and suspension for not more than thirty (30) days or revocation of Agent

1 Card [REDACTED]. NCCR 4.035(2)(a)(1). Alternatively, these violations, if unintentional,  
2 constitute at least one (1) Category II violation under NCCR 4.040(1)(a)(1) which allows for  
3 a civil penalty of \$1,250 and suspension for not more than twenty (20) days of  
4 QUATTLEBAUM's Agent Card [REDACTED]. NCCR 4.040(2)(a)(1).

5 14. As to QUATTLEBAUM's Agent Card [REDACTED], QUATTLEBAUM violated  
6 NCCR 4.050(1)(a)(14) & 10.080 for failing to meet requirements for the disposal of cannabis  
7 waste. As outlined in paragraph 11 above, if QUATTLEBAUM's representations to the  
8 Facility are taken as correct, QUATTLEBAUM did not follow the correct order of the  
9 process for wasting cannabis as he did not weigh and log the waste prior to putting the  
10 cannabis plant clones in the trash and did not switch the location of the clones in METRC  
11 prior to transferring rooms. Such a violation constitutes one (1) Category III violation,  
12 allowing for a civil penalty of \$500. NCCR 4.050 (2)(a)(1).

#### 13 **DISCIPLINE AUTHORIZED**

14 Pursuant to the provisions of NRS 678A.600, NCCR 4.020, 4.030, 4.035 through  
15 4.060, and 5.100, the CCB has the discretion to impose the following disciplinary actions:

- 16 1. Revoke QUATTLEBAUM's Agent Card [REDACTED];
- 17 2. Suspend QUATTLEBAUM's Agent Card [REDACTED];
- 18 3. Impose a civil penalty of not more than \$90,000 for each of QUATTLEBAUM's  
19 violations of NRS Title 56 and the NCCR; and
- 20 4. Take such other disciplinary action as the CCB deems appropriate.

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

#### 22 **RELIEF REQUESTED**

23 Based on the foregoing, counsel for the CCB respectfully requests the CCB impose  
24 the penalty of revocation of QUATTLEBAUM's Agent Card [REDACTED] with no  
25 opportunity to apply for reinstatement of any agent cards issued by the CCB for a period  
26 of nine (9) years and eleven (11) months, pursuant to NCCR 4.030(b) and NCCR 4.100.  
27 Additionally, counsel for the CCB requests the CCB impose civil penalties against  
28 QUATTLEBAUM in the amount of \$6,250.

1 **NOTICE TO RESPONDENT**

2 **PLEASE TAKE NOTICE**, that Respondent has a right to request a hearing on the  
3 charges set forth herein, pursuant to NRS 678A.510 through 678A.590. **Failure to**  
4 **demand a hearing constitutes a waiver of the right to a hearing and to judicial**  
5 **review of any decision or order of the Board, but the Board may order a hearing,**  
6 **even if the Respondent so waives its right. NRS 678A.520(2)(e).**

7 **PLEASE TAKE NOTICE**, you, as the Respondent, **must Answer this Complaint**  
8 **within twenty (20) days after service of this Complaint, unless granted an**  
9 **extension. Pursuant to NRS 678A.520(2), in the Answer Respondent:**

10 (a) Must state in short and plain terms the defenses to each claim asserted.

11 (b) Must admit or deny the facts alleged in the Complaint.

12 (c) Must state which allegations the Respondent is without knowledge or  
13 information to form a belief as to their truth. Such allegations shall be deemed denied.

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

16 (e) May demand a hearing. Failure to demand a hearing constitutes a waiver of the  
17 right to a hearing and to judicial review of any decision or order of the Board, but the Board  
18 may order a hearing even if the Respondent so waives its right.

19 **Failure to Answer or to appear at the hearing constitutes an admission by the**  
20 **Respondent of all facts alleged in the Complaint. The Board may take action**  
21 **based on such an admission and on other evidence without further notice to the**  
22 **Respondent. NRS 678A.520(3).**

23 The Board shall determine the time and place of the hearing as soon as is reasonably  
24 practical after receiving the Respondent's Answer. The Board may assign a hearing officer  
25 to conduct the hearing under NCCR 2.070, 4.095, and 4.110. The Board or its assigned  
26 hearing officer shall deliver or send by registered or certified mail a notice of hearing to all  
27 parties at least ten (10) days before the hearing. The hearing must be held within forty-five  
28 (45) days after receiving Respondent's Answer unless an expedited hearing is determined

1 to be appropriate by the Board, in which event the hearing must be held as soon as  
2 practicable. NRS 678A.520(4). The Chair of the Board or the assigned hearing officer may  
3 grant one or more extensions to the forty-five (45) day requirement pursuant to the request  
4 of a party or an agreement by both parties.

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

7 Tyler Klimas, Executive Director  
8 Cannabis Compliance Board  
9 700 E. Warm Springs Rd, Suite 100  
Las Vegas, NV 89119  
tklimas@ccb.nv.gov

10 If serving its Answer and Request for Hearing via email, Respondent must ensure  
11 that it receives an acknowledgment of receipt email from the CCB as proof of service.  
12 Respondent is also requested to email a copy of its Answer and Request for Hearing to the  
13 Senior Deputy Attorneys General listed below at ebordelove@ag.nv.gov.

14 As the Respondent, you are specifically informed that you have the right to appear  
15 and be heard in your defense, either personally or through your counsel of choice at your  
16 own expense. At the hearing, the CCB has the burden of proving the allegations in the  
17 Complaint. The CCB will call witnesses and present evidence against you. You have the  
18 right to respond and to present relevant evidence and argument on all issues involved. You  
19 have the right to call and examine witnesses, introduce exhibits, and cross-examine  
20 opposing witnesses on any matter relevant to the issues involved.

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

24 If the Respondent does not wish to dispute the charges and allegations set forth  
25 herein, within thirty (30) days of the service of this Complaint<sup>3</sup>, Respondent may pay the  
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28 <sup>3</sup> This 30-day deadline may be extended upon request, at the discretion of the CCB's Chair and or Executive  
Director.

1 civil penalties set forth above in the total amount of \$ 6,250, and/or surrender Agent Card  
2 [REDACTED] to the CCB with the understanding that Respondent cannot apply for  
3 reinstatement of any agent cards, as referenced above, for nine (9) years and eleven (11)  
4 months, and/or apply for a new agent card during that time period, which begins to run on  
5 the date Agent Card [REDACTED] is received by the CCB, pursuant to NCCR 4.030(b) and  
6 NCCR 4.100 on notice to:

7 Tyler Klimas, Executive Director  
8 Cannabis Compliance Board  
9 700 E. Warm Springs Rd, Suite 100  
Las Vegas, NV 89119

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

12 DATED: May 18, 2023.

13 STATE OF NEVADA, CANNABIS COMPLIANCE BOARD

14  
15 By: 

16 Tyler Klimas, Executive Director  
17 Nevada Cannabis Compliance Board  
18 700 E. Warm Springs Rd, Suite 100  
Las Vegas, NV 89119  
(775) 687-6299

19 AARON D. FORD  
20 Attorney General

21 By: 

22 Emily N. Bordelove (Bar No. 13202)  
23 Senior Deputy Attorney General  
24 Attorneys for the Cannabis Compliance Board  
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**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: Michael Quattlebaum

Address on file with CCB: [REDACTED]

Date of Service: May 19, 2023

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

Executed on May 19, 2023  
(date)

  
(signature)

cc: Michael Quattlebaum, [REDACTED]  
via First Class mail



**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: Michael Quattlebaum

Address on file with CCB: [REDACTED]

Date of Service: May 19, 2023

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

Executed on May 19, 2023   
 (date) (signature)

cc: Michael Quattlebaum, [REDACTED]  
via First Class mail

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