



Department of
Cannabis Control
CALIFORNIA

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

July 16, 2025

VIA EMAIL ONLY

Philip Fagundes
GBH Madera, LLC
philip@greenbrierhldgs.com

John Cardot, Esq.
Quall Cardot
jcardot@quallcardot.com

Re: GBH Madera, LLC - Case No. C10-24-0000034-APP
Order Adopting Stipulated Settlement and Order as Final Decision

Dear Messrs. Fagundes and Cardot:

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 GBH Madera, LLC.

The Department's Order and Final Decision will be effective on July 21, 2025. Pursuant to this Final Decision and its stipulated settlement, GBH Madera, LLC, has waived any right to reconsideration or appeal in this matter and to receive a copy of the Decision and Order via certified, registered, or first-class mail.

Sincerely,

Douglas Smurr
Assistant General Counsel
info@cannabis.ca.gov
www.cannabis.ca.gov

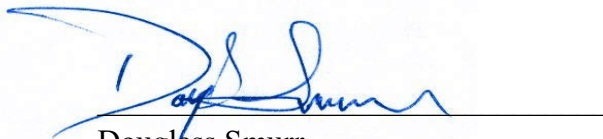
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8 **BEFORE THE**
9 **DEPARTMENT OF CANNABIS CONTROL**
10 **OF THE STATE OF CALIFORNIA**

11 In the Matter of Statement of Issues Against:) CASE NO. C10-24-0000034-APP
12 GBH MADERA, LLC) OAH NO. 2025040134
13 Annual Cannabis Retailer License)
14 Applicant) **ORDER ADOPTING STIPULATED**
15 Respondent.) **SETTLEMENT AND ORDER AS FINAL**
16 **DECISION**

17 Pursuant to Government Code section 11415.60, the Department of Cannabis Control
18 hereby adopts the attached Stipulated Settlement and Order as its Final Decision in this matter.

19 This Order and Final Decision shall become effective on July 21, 2025.

20 IT IS ORDERED, July 16, 2025.

21
22 
23

24 Douglass Smurr
25 Assistant General Counsel
26 FOR THE DEPARTMENT OF CANNABIS CONTROL
27
28

1 ROB BONTA
Attorney General of California
2 GREGORY M. CRIBBS
Supervising Deputy Attorney General
3 MATTHEW S. BEASLEY
Deputy Attorney General
4 State Bar No. 288070
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6705
6 Facsimile: (916) 731-2126
E-mail: Matthew.Beasley@doj.ca.gov
7 *Attorneys for Complainant*

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

12 In the Matter of the Statement of Issues
13 Against:

14 **GBH MADERA, LLC; RICK PALMER,**
15 **DRP**

16 **Annual Cannabis Retailer License**
17 **Applicant**

Respondent.

Case No. C10-24-0000034-APP

OAH No. 2025040134

STIPULATED SETTLEMENT AND
ORDER

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Michael Cheng (Complainant) is the Deputy Director of the Licensing Division of the
23 Department of Cannabis Control (Department). He brought this action solely in his official
24 capacity and is represented in this matter by Rob Bonta, Attorney General of the State of
25 California, by Matthew S. Beasley, Deputy Attorney General.

26 2. Respondent GBH Madera LLC (Respondent) is represented in this proceeding by
27 attorney John M. Cardot, whose address is: 205 E. River Park Cir., Ste. 110 Fresno, CA 93720.
28 Rick Palmer was an Owner and Chief Executive Officer of Respondent at all times relevant to

1 this action except that, on or about February 3, 2025, Mr. Palmer notified the Department that he
2 was no longer affiliated with Respondent.

3 3. Respondent is acting in this proceeding through Philip Fagundes, Sole Manager of
4 GBH Madera LLC, who has been designated and authorized by GBH Madera LLC to enter into
5 this agreement on behalf of GBH Madera LLC (hereafter "Authorized Representative").

6 4. On or about March 28, 2024, Respondent filed an application with the Department to
7 obtain an annual cannabis retailer license. Respondent's application for the annual cannabis
8 retailer license was assigned Application No. C10-24-0000034-APP.

9 **JURISDICTION**

10 5. First Amended Statement of Issues No. C10-24-0000034-APP was filed before the
11 Department and is currently pending against Respondent. The First Amended Statement of Issues
12 and all other statutorily required documents were properly served on Respondent on November
13 14, 2024.

14 6. A true and correct copy of First Amended Statement of Issues No. C10-24-0000034-
15 APP is attached as Exhibit A and incorporated herein by reference.

16 **ADVISEMENT AND WAIVERS**

17 7. Respondent's current owners of record and members have carefully read, fully
18 discussed with counsel, and understand the charges and allegations in First Amended Statement
19 of Issues No. C10-24-0000034-APP. Respondent's current owners of record and members have
20 also carefully read, fully discussed with counsel, and understand the effects of this Stipulated
21 Settlement and Order.

22 8. Respondent's current owners of record and members are fully aware of their legal
23 rights in this matter, including the right to a hearing on the charges and allegations in the First
24 Amended Statement of Issues; the right to confront and cross-examine the witnesses against
25 them; the right to present evidence and to testify on their own behalf; the right to the issuance of
26 subpoenas to compel the attendance of witnesses and the production of documents; the right to
27 reconsideration and court review of an adverse decision; and all other rights accorded by the
28 California Administrative Procedure Act and other applicable laws.

CULPABILITY

12. For the purpose of resolving this action without the expense and uncertainty of further proceedings, Applicant agrees that, at a hearing, Complainant could establish a factual basis for the factual allegations in First Amended Statement of Issues No. C10-24-0000034-APP, and that Respondent hereby gives up its right to contest those factual allegations and causes for denial.

RESERVATION

CONTINGENCY

STIPULATED SETTLEMENT (C10-24-0000034-APP)

1 inadmissible in any legal action between the parties, and the Department shall not be disqualified
2 from further action by having considered this matter.

3 16. The parties understand and agree that Portable Document Format (PDF) and facsimile
4 copies of this Stipulated Settlement and Order, including PDF and facsimile signatures thereto,
5 shall have the same force and effect as the originals.

6 17. This Stipulated Settlement and Order may be signed in any number of counterparts,
7 each of which is an original and all of which taken together form one single document.

8 18. This Stipulated Settlement and Order is intended by the parties to be an integrated
9 writing representing the complete, final, and exclusive embodiment of their agreement. It
10 supersedes any and all prior or contemporaneous agreements, understandings, discussions,
11 negotiations, and commitments (written or oral). This Stipulated Settlement and Order may not be
12 altered, amended, modified, supplemented, or otherwise changed except by a writing executed by
13 an authorized representative of each of the parties.

14 19. In consideration of the foregoing admissions and stipulations, the parties agree that
15 the Department may, without further notice or formal proceeding, issue and enter the following
16 Order:

17 **ORDER**

18 1. **WITHDRAWAL OF APPEAL.** Applicant's appeal of the First Amended
19 Statement of Issues Number C10-24-0000034-APP and request for administrative hearing is
20 deemed withdrawn and any further appeal is waived.

21 2. **RESCISSION OF DENIAL OF APPLICATION NO. C10-24-0000034-APP**
22 **AND WITHDRAWAL OF APPLICATION NO. C10-24-0000034-APP.** The denial of
23 Application No. C10-24-0000034-APP by the Department is hereby rescinded, and Application
24 No. C10-24-0000034-APP is deemed withdrawn by Respondent.

25 3. **SUBMISSION OF NEW APPLICATION.** Respondent GBH Madera LLC may
26 submit a new Application for a Cannabis Retailer License.

27 4. **REVIEW OF NEW APPLICATION.** Upon submission of the new application for
28 a Cannabis Retailer License, the new Application shall not be subject to denial based on any of

the following: (a) the fact that the new application is submitted prior to one year from the effective date of the final Decision and Order resolving First Amended Statement of Issues Number C10-24-0000034-APP; (b) the suspensions, dated July 21 and October 4, 2023, of License No. C11-0000358-LIC, held by GBH Distributors LLC; or (c) the Owner Submittal of Rick Palmer that Respondent filed, on or about October 22, 2023, as part of Application No. C10-24-0000034-APP.

ACCEPTANCE

I have carefully read the above Stipulated Settlement and Order and have fully discussed it with my attorney, John M. Cardot. I understand the stipulation and the effect it will have on Application No. C10-24-0000034-APP. I enter into this Stipulated Settlement and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Department of Cannabis Control.

DATED: 7/11/2025

Signed by:

Philip Fagundes

CF5E7D9AD91F433

GBH MADERA LLC;

By: Philip Fagundes

Authorized Representative

I have read and fully discussed with Respondent GBH Madera LLC's owners and members the terms and conditions and other matters contained in the above Stipulated Settlement and Order. I approve its form and content.

DATED: 7/10/2025

DocuSigned by:

John M. Cardot

1AAFECA14AF44BA

JOHN M. CARDOT

Attorney for Respondent

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ENDORSEMENT

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

DATED: 7/11/25

Respectfully submitted,

ROB BONTA
Attorney General of California
GREGORY M. CRIBBS
Supervising Deputy Attorney General

Matthew S. Beasley

MATTHEW S. BEASLEY
Deputy Attorney General
Attorneys for Complainant

LA2024802854

Exhibit A

First Amended Statement of Issues No. C10-24-0000034-APP

1 ROB BONTA
Attorney General of California
2 HARINDER K. KAPUR
Senior Assistant Attorney General
3 MATTHEW S. BEASLEY
Deputy Attorney General
4 State Bar No. 288070
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 269-6705
6 Facsimile: (916) 731-2126
Email: matthew.beasley@doj.ca.gov
7 *Attorneys for Complainant*

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

11 In the Matter of the Statement of Issues
12 Against:

Case No. C10-24-0000034-APP

13 **GBH MADERA, LLC; RICK PALMER,**
14 **DRP**

**FIRST AMENDED STATEMENT OF
ISSUES**

15 **Annual Cannabis Retailer License**
16 **Applicant**

17 Respondent.

18
19 **PARTIES**

20 1. Michael Cheng (Complainant) brings this Statement of Issues solely in his official
21 capacity as the Deputy Director of the Licensing Division of the Department of Cannabis Control
22 (Department).

23 2. On or about March 27, 2024, the Department received an application for an Annual
24 Cannabis Retailer License from GBH Madera, LLC (Respondent), in which Respondent certified
25 under penalty of perjury to the truthfulness of all statements, answers, and representations in the
26 application. The Department denied the application on May 1, 2024.
27
28

JURISDICTION

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

4. Section 26010 of the Code states:

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

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

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

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

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

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

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

8. Section 26058 of the Code states:

Upon the denial of any application for a license, the department shall notify the applicant in writing. Within 30 days of service of the notice, the applicant may file a written petition for a license with the department. Upon receipt of a timely filed petition, the department shall set the petition for hearing. The hearing shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 Division 3 of Title 2 of the Government Code, and the director shall have all the powers granted therein. Any appeal from a final decision of the department shall be conducted in accordance with Chapter 4 (commencing with Section 26040).

STATUTORY PROVISIONS

9. Section 26053 of the Code states:

(a) All commercial cannabis activity shall be conducted between licensees, except as otherwise provided in this division.

...

(d) Each applicant or licensee shall apply for, and if approved, shall obtain, a separate license for each location where it engages in commercial cannabis activity.

10. Section 26057 of the Code states:

(a) The department shall deny an application if either the applicant, or the premises for which a state license is applied, do not qualify for licensure under this division.

(b) The department may deny the application for licensure or renewal of a state license if any of the following conditions apply:

(1) Failure or inability to comply with the provisions of this division, any rule or regulation adopted pursuant to this division, or any requirement imposed to protect natural resources, including, but not limited to, protections for instream flow, water quality, and fish and wildlife.

(2) Conduct that constitutes grounds for denial of licensure under Chapter 2 (commencing with Section 480) of Division 1.5, except as otherwise specified in this section and Section 26059.

(3) Failure to provide information required by the department.

...

(7) The applicant, or any of its officers, directors, or owners, has been sanctioned by the department, the Bureau of Cannabis Control, the Department of Food and Agriculture, or the State Department of Public Health or a city, county, or city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three years immediately preceding the date the application is filed with the department.

...

(9) Any other condition specified in law....

11. Section 26070 of the Code states:

(a) State licenses to be issued by the department related to the sale and distribution of cannabis and cannabis products are as follows:

(1) A retailer shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted. A retailer's premises may be closed to the public. A retailer may conduct sales exclusively by delivery.

(2) A distributor licensee shall be bonded and insured at a minimum level established by the department.

...

(b) The department shall establish minimum security and transportation safety requirements for the commercial distribution and delivery of cannabis and cannabis products. Except as provided in subdivision (d) of Section 26110, the transportation of cannabis and cannabis products shall only be conducted by persons holding a distributor license under this division or employees of those persons. Transportation safety standards established by the department shall include, but not be limited to, minimum standards governing the types of vehicles in which cannabis and cannabis products may be distributed and delivered and minimum qualifications for persons eligible to operate such vehicles.

...

(d) Notwithstanding any other law, all vehicles transporting cannabis and cannabis products for hire shall be required to have a valid motor carrier permit pursuant to Chapter 2 (commencing with Section 34620) of Division 14.85 of the Vehicle Code. The Department of the California Highway Patrol shall have authority over the safe operation of these vehicles, including, but not limited to, requiring licensees engaged in the transportation of cannabis or cannabis products to participate in the Basic Inspection of Terminals (BIT) program pursuant to Section 34501.12 of the Vehicle Code.

(e) Prior to transporting cannabis or cannabis products, a licensed distributor shall do both of the following:

(1) Complete an electronic shipping manifest as prescribed by the department. The shipping manifest shall include the unique identifier, pursuant to Section 26067, issued by the department for the cannabis product.

(2) Securely transmit the manifest to the department and the licensee that will receive the cannabis product.

(f) During transportation, the licensed distributor shall maintain a physical copy of the shipping manifest and make it available upon request to agents of the department and law enforcement officers.

(g) The licensee receiving the shipment shall maintain each electronic shipping manifest and shall make it available upon request to the department and any law enforcement officers.

(h) Upon receipt of the transported shipment, the licensee receiving the shipment shall submit to the department a record verifying receipt of the shipment and the details of the shipment.

(i) Transporting, or arranging for or facilitating the transport of, cannabis or cannabis products in violation of this chapter is grounds for disciplinary action against the license.

....

REGULATORY PROVISIONS

12. Title 4 of the California Code of Regulations, section 15000.1, states:

(a) Every person who conducts commercial cannabis activity shall obtain and maintain a valid license from the Department for each separate premises at which

commercial cannabis activity is conducted.

...

(c) The licensee shall only conduct commercial cannabis activities authorized by the license and on the premises licensed for the activity....

13. Title 4 of the California Code of Regulations, section 15001.4, states:

(a) The Department may immediately suspend any provisional license, or immediately impose licensing restrictions or other conditions upon any provisional licensee, if necessary to protect public health, safety, or welfare....

14. Title 4 of the California Code of Regulations, section 15002, states in pertinent part:

...

(c) An application must be completed by an owner as defined by section 15003. An application for an annual cannabis license includes the following:

...

(10) Contact information for the owner of the commercial cannabis business who will serve as the designated primary contact person or designated responsible party for the business, including the name, title, phone number, and email address of the individual.

...

(16) A complete list of every owner of the commercial cannabis business, as defined in section 15003. Each individual named on this list shall submit the following information:

...

(M) If applicable, a detailed description of any administrative orders or civil judgments for violations of labor standards, any suspension of a commercial cannabis license, revocation of a commercial cannabis license, or sanctions for unlicensed commercial cannabis activity by a licensing authority, local agency, or state agency against the owner in their individual capacity or a business entity in which the owner was an owner or officer within the three years immediately preceding the date of the application. The owner may provide mitigating information including, but not limited to, a statement of rehabilitation to the Department for consideration if any prior discipline disclosed pursuant to this section may result in denial of the application.

...

(22) Proof of a surety bond of at least \$5,000 payable to the State of California for each licensed premises. All bonds required under this section shall be issued by a corporate surety licensed to transact surety business in the State of California. An aggregated bond may be used when multiple licenses are held by the same commercial cannabis business.

...

(29) An applicant shall disclose whether they have been denied a license or had a license suspended or revoked by the Department or any other state cannabis licensing authority. The applicant shall provide the type of license denied, suspended, or revoked, the name of the licensing authority, and the date of the denial, suspension, or revocation.

15. Title 4 of the California Code of Regulations, section 15010, states:
...

(b) An applicant shall provide evidence of compliance with, or exemption from, CEQA (division 13 (commencing with section 21000) of the Public Resources Code). The evidence provided may be any one of the following:

(1) A signed copy of a project-specific Notice of Determination or Notice of Exemption and a copy of the associated CEQA document, or reference to where it may be located electronically, a project description, and any accompanying permitting documentation from the local jurisdiction used for review in determining site-specific environmental compliance. Documentation may include a copy of the administrative record previously certified or adopted by the local jurisdiction that has already reviewed the commercial cannabis business' proposed commercial cannabis activities. For purposes of this section, the administrative record may include, but is not limited to....

FACTUAL ALLEGATIONS

16. On or about June 13, 2019, the Bureau of Cannabis Control issued Provisional Adult-Use and Medicinal Distributor License Number C11-0000358-LIC to GBH Distributors, LLC.¹ GBH Distributors, LLC's owners included Frederick Fagundes, Michael Fagundes, Philip Fagundes, and Ralph Fagundes.

17. The Department conducted inspections of GBH Distributors, LLC's licensed premises, located at 9225 S. Milton Avenue, Parlier, California 93648, on February 21, 2023, and March 5, 2023, and discovered evidence of multiple statutory and regulatory violations.

18. As a result of the violations documented during the above-referenced inspections, a Notice of Provisional License Review was served on GBH Distributors, LLC on June 28, 2023. After a review of additional information provided by GBH Distributors, LLC, the Department

¹ The Department of Cannabis Control is an agency that was created through Assembly Bill 141 which became operative on July 12, 2021. Prior to that time, the regulation of commercial medicinal and adult use cannabis was the responsibility of the Bureau of Cannabis Control, the California Department of Food and Agriculture's CalCannabis division, and the California Department of Public Health's Manufactured Cannabis Safety Branch (see former Bus. & Prof. Code, § 26012, subd. (a)(2) repealed by Stats AB 141 reg sess. 2021-2022 § 11). The Department of Cannabis Control is the legal successor of these agencies in relevant respects. (Bus. & Prof. Code, § 26010.7.)

concluded that there was sufficient evidence to substantiate the cited violations and, pursuant to a notice dated July 21, 2023, imposed a 45-day suspension of GBH Distributors, LLC's provisional license.

19. On August 22, 2023, during the 45-day suspension of GBH Distributors, LLC's provisional license, the Department received a written request to add Rick Palmer as Designated Responsible Party of GBH Distributors, LLC. Department staff subsequently informed GBH Distributors, LLC that this request would not be processed because it had not been submitted on the proper form, and that the request would need to be resubmitted.

20. On September 26, 2023, the Department served GBH Distributors, LLC with a second Notice related to Provisional Distributor License Number C11-0000358-LIC after discovering evidence that GBH Distributors, LLC continued to engage in commercial cannabis activity while under a 45-day suspension order, in violation of statutory and regulatory requirements. In response to the September 26, 2023 Notice, GBH Distributors, LLC requested an informal meeting. Rick Palmer was present at the informal meeting, which took place on September 28, 2023. After the informal meeting and a review of information provided by GBH Distributors, LLC, the Department concluded that there was sufficient evidence to substantiate the cited violations. Consequently, pursuant to a notice dated October 4, 2023, the Department imposed a 90-day suspension of GBH Distributors, LLC's provisional license.

21. On October 17, 2023, during the 90-day suspension of GBH Distributors, LLC's provisional license, the Department received written notification adding Rick Palmer, Chief Executive Officer of GBH Distributors, LLC, as an owner and Designated Responsible Party to C11-0000358-LIC. The Department processed the change in ownership request and added Rick Palmer as disclosed owner and Designated Responsible Party to C11-0000358-LIC on November 8, 2023.

22. On March 27, 2024, the Department received GBH Madera, LLC's (Respondent) application for an annual cannabis retailer license, which was assigned an application number of C10-24-0000034-APP (Application). The Application listed Rick Palmer, Frederick Fagundes, Michael Fagundes, Philip Fagundes, and Ralph Fagundes as owners of GBH Madera, LLC.

23. On April 3, 2024, as part of the application process, the Department received an owner submittal for Rick Palmer. Despite the Department's July 21, 2023, and October 5, 2023, suspensions of GBH Distributors, LLC's provisional distributor license, Mr. Palmer attested that he had not had a license suspended in the previous three years.

24. As part of the application process, Respondent was also required to obtain and provide proof of a surety bond of at least \$5,000 payable to the State of California for each licensed premises. Respondent submitted a surety bond form to the Department, but the surety bond form was not signed by Respondent.

25. Lastly, as part of the application process, Respondent was required to submit evidence of compliance with, or exemption from, the California Environmental Quality Act (CEQA). Respondent failed to submit evidence of compliance, or notice of exemption from, CEQA, and also failed to submit a Project-Specific Information Form (DCC-LIC-025).

FIRST CAUSE FOR DENIAL OF APPLICATION

(Respondent's Previously Held Commercial Cannabis License was
Suspended Within Three Years of the Application Filing Date)

26. Respondent's application is subject to denial under Code section 26057, subdivision (b)(7), in that one or more of the Respondent's officers, directors, or owners, have had a license suspended or revoked in the three years immediately preceding the date the Annual License Application was filed with the Department. The circumstances are more particularly alleged in paragraphs 16 through 23, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

SECOND CAUSE FOR DENIAL OF APPLICATION

(Failure to Disclose Prior Commercial Cannabis License Suspensions)

27. Respondent's application is further subject to denial under Code section 26057, subdivision (b)(3), for violations of Title 4 of the California Code of Regulations, section 15002, subdivisions (c)(29) and (c)(16)(M), in that one of Respondent's owners, Rick Palmer, failed to disclose the July 21, 2023, and October 5, 2023, suspension of GBH Distributors, LLC's Provisional Distributor License Number C11-0000358-LIC. The circumstances are more

particularly alleged in paragraphs 16 through 23, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

THIRD CAUSE FOR DENIAL OF APPLICATION
(Failure to Provide Proof of Requisite Surety Bond)

28. Respondent's application is further subject to denial under Code section 26057, subdivision (b)(3), for violating Title 4 of the California Code of Regulations, section 15002, subdivision (c)(22), in that Respondent failed to submit adequate proof of the requisite surety bond. The circumstances are more particularly alleged in paragraphs 22 through 25, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

FOURTH CAUSE FOR DENIAL OF APPLICATION
(Failure to Provide Evidence of Compliance with, or Exemption from, CEQA)

29. Respondent's application is further subject to denial under Code section 26057, subdivisions (b)(3) and (b)(9), for violating Title 4 of the California Code of Regulations, section 15002, subdivision (c)(22), in that Respondent failed to submit evidence of compliance with, or exemption from, CEQA. The circumstances are more particularly alleged in paragraphs 22 through 25, above, which are hereby incorporated by reference and realleged as if fully set forth herein.

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PRAYER

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

1. Affirming the denial of the application of GBH Madera, LLC, for an Annual Cannabis Retailer License; and
2. Taking such other and further action as deemed necessary and proper.

DATED: 11/12/2024

Cheng,
Michael@Cannabis
Digitally signed by Cheng,
Michael@Cannabis
Date: 2024.11.12
09:48:09 -08'00'

MICHAEL CHENG
Deputy Director of the Licensing
Division
Department of Cannabis Control
State of California
Complainant

LA2024802854
84733167.docx

PROOF OF SERVICE

Case Name: In the Matter of the Statement of Issues Against: GBH Madera, LLC

DCC Case No. C10-24-0000034-APP

License Number: Retailer – Annual License Applicant

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 July 16, 2025, I served the within documents:

ORDER ADOPTING STIPULATED SETTLEMENT AND ORDER AS FINAL DECISION

- ☒ 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.

Philip Fagundes
GBH Madera, LLC
philip@greenbrierhldgs.com

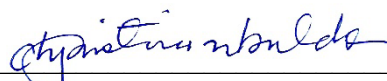
John Cardot, Esq.
Quall Cardot
jcardot@quallcardot.com

Harinder Kapur
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 July 16, 2025, at Rancho Cordova, California.


Christina C. Ubaldo