

ADMINISTRATIVE POLICY & PROCESS DIVISION
February 22, 2018

STIPULATED SETTLEMENT AGREEMENTS FOR MARIJUANA VIOLATION CASES

1. Pacific Commercial Holdings, LLC
Caleb Mata, Member
dba **OREGON GENETICS**
(Processor) 1005028B660

OAR 845-025-3215(2) – Licensee or its employees, agents or representatives operated other than as its license permits by transferring, selling, transporting, purchasing, or receiving marijuana items other than as provided in OAR 845-025-3215(1), when it transferred, sold or transported cannabinoid extracts to a Producer licensee under manifest #131205.
(April 17, 2017).

(1st level Category I)

OAR 845-025-7700(4) - Licensee or its employees, agents or representatives, transferred marijuana items exceeding one pound in weight, specifically cannabinoid concentrate or extract, on manifest #126852, which manifest was not generated at least 24 hours in advance of initiating transportation of the marijuana items.
(April 12, 2017)

(1st Level Category III)

Note: Licensee was charged with this violation by Notice dated December 5, 2017. The proposed sanction was license 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 violations as set out in the Notice. Violation Number One 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. Violation Number Two was Licensee's first Category III violation within two years. Any subsequent Category III violation within two years will be charged at the second level.
2. Commission staff originally proposed for these violations the standard sanction of license cancellation.
3. The Commission will reduce the sanction to a 37-day license suspension or payment of a \$6,105.00 civil penalty.
4. Licensee will pay a \$6,105.00 civil penalty before 5:00 PM on March 15, 2018 **or** serve a 37-day suspension beginning at 7:00 AM on March 20, 2018 and ending at 7:00 AM on April 26, 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, the licensee agrees to accept a Letter of Reprimand for these violations. 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 February 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.