



In the matter of: HWY30 Cannabis, LLC (MMD: 47994); Rona Lindsey, person responsible for dispensary	Settlement Agreement and Final Order
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SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made and entered into by and between HWY30 Cannabis, LLC, and Rona Lindsey (together “Registrants”) and the Oregon Health Authority, Oregon Medical Marijuana Program (OHA), (collectively, “the parties”). The parties desire to resolve the dispute in the above-referenced matter. It is therefore agreed and stipulated by and between the parties as follows:

Background

1. OHA regulates medical marijuana dispensaries under ORS 475B.858 to 475B.949; and Oregon Administrative Rules (OAR) Chapter 333, Division 8. The definitions in OAR 333-008-0010 and 333-0080-1010 apply in this Agreement unless the context indicates otherwise.
2. HWY30 Cannabis, LLC is registered with OHA to operate a medical marijuana dispensary at 1709 Adams Avenue in La Grande Oregon, 97850 (the “Dispensary”). The registration number is MMD479944 and expires August 16, 2020.
3. Rona Lindsey is the owner, person responsible for the medical marijuana dispensary (PRD), and Primary PRD for the Dispensary.
4. OHA issued a Notice of Intent to Impose Civil Penalties and Revoke Registration on February 26, 2020, (“Notice”) to Registrants. The Notice provided Registrants with an opportunity to request a hearing. The Notice is attached and hereby incorporated by reference.
5. Registrants timely requested a hearing.

Registrants Obligations and Admissions

6. Registrants admit to the violations and facts identified in the Notice, including:
 - a. 23 aggravated violations of OAR 333-008-1200(6), identified during an inspection on October 17, 2019, in accordance with OAR 333-008-2210(6)(b) and (h);

- b. 15 aggravated violations of OAR 333-008-1245(2)(a), identified during an inspection on October 30 and 31, 2019, in accordance with OAR 333-008-2210(6)(h);
 - c. 10 aggravated violations of OAR 333-008-2180(1)(b), identified during an inspection on October 30 and 31, 2019, in accordance with OAR 333-008-2210(6)(h); and
 - d. 10 aggravated violations of OAR 333-008-2180(1)(c), identified during an inspection on October 30 and 31, 2019, in accordance with OAR 333-008-2210(6)(h).
7. Registrants shall pay a reduced civil penalty of \$2,900. OHA shall hold the remaining civil penalty in abeyance pending compliance with this paragraph. Payment must be received by OHA within ten (10) days from the date that this Agreement is signed by both parties. Payment, payable to OHA, shall be sent to: OMMP, ATTN: Analysis Unit, PO Box 14450, Portland, OR 97239. If payment is not received within ten (10) days from the date this Agreement is signed, the full civil penalty in the amount of \$29,000 becomes immediately due and payable.
8. In lieu of revocation, Registrants, and any other owner, PRD, or individual with a financial interest¹ in the Dispensary, agree not to apply to renew the registration for the Dispensary.
- a. OHA, or its designee, may conduct unannounced inspections of the Dispensary in accordance with applicable rules and statutes, to ensure compliance with ORS 475B.858 to 475B.949 and OAR Chapter 333, Division 8. Registrants must cooperate with all inspections. Failure to cooperate is defined in OAR 333-008-0720(2). If new violations are observed, OHA may take action to enforce compliance with applicable rules and statutes, including imposition of civil penalties or revocation.
 - b. Registrants shall comply with ORS 475B.858 to 475B.949 and OAR Chapter 333, Division 8, during the continued operation and winding down of the Dispensary.
 - c. In accordance with applicable statutes and rules, in the event of serious danger to the public health or safety, OHA may immediately suspend the Dispensary's registration.
 - d. In closing the Dispensary, Registrants must comply with all applicable rules, including but not limited to, OAR 333-008-2030(1)(d) and (3). Registrants must provide a written detailed description of what Registrants intend to do with the marijuana items on the premises to OHA at least 10 calendar days before the permanent closure of the Dispensary. The Dispensary must transfer or sell all remaining marijuana items as permitted by these rules or destroy the marijuana items. Any transfer, sale, or destruction must be in accordance with the written detailed description provided to OHA and all applicable rules.
9. Registrants, and any other owner, PRD, or individual with a financial interest in the Dispensary, agree not to apply for a dispensary registration for two years from the date this Agreement is signed by the parties. OHA may deny or revoke any such dispensary registration.

¹ OAR 333-008-0010(35).

10. Rona Lindsey may not serve as or apply to be a dispensary representative,² a person responsible for a medical marijuana dispensary, an owner of a registered medical marijuana dispensary, or an individual with a financial interest in a registered medical marijuana dispensary for two years from the date this Agreement is signed by the parties. OHA may deny or revoke any such dispensary registration.

General Terms

11. This Agreement is effective from the date it is fully executed by the parties.
12. HWY 30 Cannabis, LLC is a member-managed domestic limited liability company. Rona Lindsey is a member of HWY 30 Cannabis, LLC. HWY 30 Cannabis, LLC represents and warrants that Rona Lindsey has the authority to enter into this Agreement and bind HWY 30 Cannabis, LLC on its behalf. This Agreement is binding upon Registrants, their agents, employees, representatives, shareholders, directors, officers, successors, and any and all persons or entities acting in concert or participation with or for them.
13. Consistent with applicable state law and rules, OHA may rely on the violations admitted to in this Agreement for purposes of evaluating any future applications from the Registrants or for purposes of determining the extent or appropriateness of any future action or sanction.
14. In full satisfaction and settlement of this matter, Registrants agree to OHA's issuance of a final order incorporating this Agreement. Registrants are aware of the right to a contested case hearing if this matter was not resolved through this Agreement. Registrants are aware of the right to judicial review. Registrants freely and voluntarily waive all rights to a contested case hearing and to judicial review.
15. The parties agree that this Agreement constitutes the sole, entire, and complete agreement between the parties to address the Notice and that no promises, inducements, or agreements not herein expressed have been made, and that the terms of this Agreement are contractual and not a mere recital.
16. Registrants release and waive any and all claims of any kind, known or unknown, past or future, against the State of Oregon or its agencies, instrumentalities, employees, officers, or agents arising out of the matters set forth in the Emergency Suspension or this Agreement, including but not limited to any claim under federal or state law for damages, declaratory or equitable relief, under 42 USC § 1983 et seq, and for attorneys fees or costs.


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² OAR 333-008-1010(1).

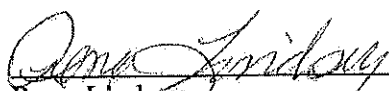
17. This Agreement and Final Order may be executed in one or more multiple counterparts, including facsimile, scanned, and electronically transmitted counterparts, each of which shall constitute an original and all of which together shall constitute one and the same agreement. All faxed, emailed, or electronic signatures affirming this Agreement constitute an original signature.

IT IS SO STIPULATED.



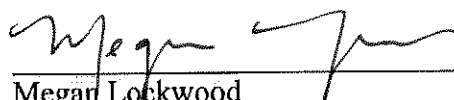
Rona Lindsey, as an individual

Dated: 5/22/2020



Rona Lindsey,
PRD, on behalf of HWY30 Cannabis, LLC

Dated: 5/22/2020



Megan Lockwood
Program Manager
Oregon Medical Marijuana Program
Oregon Health Authority

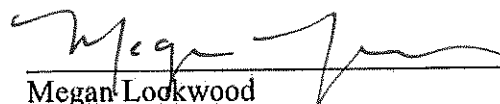
Dated: 5/26/2020

FINAL ORDER

NOW THEREFORE, the Oregon Health Authority (OHA) finds and concludes that HWY30 Cannabis, LLC, and Rona Lindsey violated OAR 333-008-1200(6), 333-008-1245(2)(a), and 333-008-2180(1)(b)-(c), as described in the Settlement Agreement. OHA hereby imposes civil penalties described in the Settlement Agreement and according to the terms and all requirements of the Settlement Agreement. Further, OHA adopts all other terms of the Settlement Agreement.

IT IS SO ORDERED.

DATED this 26 day of May, 2020.



Megan Lockwood
Program Manager
Oregon Medical Marijuana Program
Oregon Health Authority