

SECTION 11.16: LINKS SUMMARY

DCC STRAWMAN RELATED

The concealed-ownership track. These documents ask a single question: does the Department of Cannabis Control enforce its own mandatory owner-disclosure rules, and has it ever?

2026.07.30 — Cotton to DCC, Demand for Enforcement of Mandatory Ownership-Disclosure Requirements

The foundational document of this track. A 112-page package — a nine-page demand followed by sixteen public-record attachments — served on Director Clint Kellum by certified mail and email. It asks the Department to perform a duty the Legislature made mandatory: Business and Professions Code section 26057(a) says the Department “shall deny” an application that does not qualify, and an applicant who conceals a true owner behind a nominal one does not qualify. It documents that duty being evaded on two San Diego operations, from the public record alone. It makes no allegation of wrongdoing by any Department employee.

Off-ramps — jump straight to the record:

- ▶ The four things the Department is asked to do — complete disclosure, refusal to treat concealed-ownership applications as qualified, investigation, and revocation. p. 0002
 - ▶ The strawman on the City forms — the nominal applicant, and the funder who paid \$86,631.75 through his own real-estate LLC. p. 0003
 - ▶ Why the disclosure mattered — the funder had already been enjoined twice and assessed \$100,000 in civil penalties for unpermitted dispensaries. p. 0004
 - ▶ Counsel’s own testimony on the omission: “I don’t know that it — it was unnecessary or necessary. We just didn’t do it.” p. 0005
 - ▶ The systemic question — how many other applications carry an owner who was never disclosed. p. 0007
 - ▶ The exhaustion statement — the demand is expressly made as a predicate to a writ of mandate. p. 0009
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2026.09.05 — DCC Email Thread re the Strawman Demand

The full exchange, three messages. Notable for what is not in it. The demand was served July 30. The Department’s only response came the following morning, from a community relations manager in Public Affairs: “Your request has been forwarded to the appropriate team.” Nothing followed. The third message is the records request below, sent thirty-seven days later.

Off-ramps — jump straight to the record:

- ▶ The transmittal of the demand — July 30, 1:12 p.m., with the certified-mail number. p. 1
 - ▶ The Department's entire response — July 31, 8:22 a.m., Public Affairs. p. 1
 - ▶ The records request that follows, September 5 — sent to the records unit rather than the general inbox. p. 2
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2026.09.05 — Cotton to DCC, CPRA Request re Ownership-Disclosure Enforcement Records (with Exhibits A–B)

Seventeen pages. Where the demand asks the Department to *act*, this asks whether it ever *has*. Five items, covering the period since January 1, 2018: any licence ever denied, revoked, or disciplined on the ground that an owner was concealed; any investigation opened into concealed ownership; any written procedure for verifying owner disclosures; whether the Department verifies them at all beyond accepting the form as filed; and its disciplinary index.

The third and fourth items are the ones that matter. A regulator either has a written procedure for testing who owns an applicant, or it does not.

Off-ramps — jump straight to the record:

- ▶ Why the request was made — the demand of July 30, and the thirty-seven days of silence. p. 001
- ▶ The five items requested. p. 002
- ▶ Item 3, written procedures for verifying owner disclosures — including how staff would identify an application filed in the name of someone other than the true owner. p. 002
- ▶ Item 4 — and the express invitation: if the Department performs no verification and holds no record of doing so, a written statement to that effect is a complete answer. p. 002
- ▶ The index of exhibits. p. 004
- ▶ Exhibit A — the July 30 demand letter itself. p. 005
- ▶ Exhibit B — the Gmail thread, showing the Public Affairs response and nothing after it. p. 015