

1 BROWNE GEORGE ROSS  
O'BRIEN ANNAGUEY & ELLIS LLP  
2 Ivy A. Wang (State Bar No. 224899)  
[iwang@bgrfirm.com](mailto:iwang@bgrfirm.com)  
3 David J. Carroll (State Bar No. 291665)  
[dcarroll@bgrfirm.com](mailto:dcarroll@bgrfirm.com)  
4 801 S. Figueroa Street, Suite 2000  
Los Angeles, California 90017  
5 Telephone: (213) 725-9800  
Facsimile: (213) 725-9808  
6  
Attorneys for Defendants  
7 Vertical Bliss, Inc., Kushy Punch, Inc.,  
Conglomerate Marketing LLC, More Agency,  
8 Inc., Ruben Kachian aka Ruben Cross, Arutyun  
Barsamyan, Kevin Halloran, and Mike A.  
9 Toroyan

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF LOS ANGELES  
12

13 CALIFORNIA DEPARTMENT OF PUBLIC  
HEALTH; and BUREAU OF CANNABIS  
14 CONTROL,

15 Plaintiffs,

16 vs.

17 VERTICAL BLISS, INC.; KUSHY PUNCH,  
INC.; CONGLOMERATE MARKETING,  
18 LLC; MORE AGENCY, INC.; RUBEN  
KACHIAN aka RUBEN CROSS; ARUTYUN  
19 BARSAMYAN; KEVIN HALLORAN; MIKE  
A. TOROYAN; and DOES 1 through 30,  
20 inclusive,

21 Defendants.

Case No. 20CHCV00560

Assigned for All Purposes to:  
Hon. Stephen Pfahler

**ANSWER TO COMPLAINT**

Action Filed: September 23, 2020  
Trial Date: None Set

1 Defendants Vertical Bliss, Inc., Kushy Punch, Inc., Conglomerate Marketing LLC, More  
2 Agency, Inc., Ruben Kachian aka Ruben Cross, Arutyun Barsamyan, Kevin Halloran, and Mike  
3 A. Toroyan (collectively, “Defendants”) answer the Complaint of Plaintiffs California Department  
4 of Public Health and Bureau of Cannabis Control (collectively, “Plaintiffs”) as follows:

5 **GENERAL DENIAL**

6 1. Pursuant to Section 431.30(d) of the Code of Civil Procedure, Defendants deny,  
7 generally and specifically, each and every material allegation and each purported cause of action  
8 contained in the Complaint. Defendants further deny, generally and specifically, that they have  
9 engaged in any wrongful conduct, or that Plaintiffs are entitled to any legal, equitable, or other  
10 relief on their claims.

11 **AFFIRMATIVE DEFENSES**

12 2. Without admitting any of the facts alleged in the Complaint, Defendants assert and  
13 allege the following separate and additional defenses to the causes of action alleged in the  
14 Complaint. By setting forth these defenses, Defendants do not assume the burden of proving any  
15 fact, issue, or element of any cause of action where such burden properly belongs to Plaintiffs.

16 **FIRST AFFIRMATIVE DEFENSE**

17 **(Failure to State a Cause of Action)**

18 3. Plaintiffs’ asserted causes of action fail to state a claim sufficient to constitute any  
19 cause of action against Defendants.

20 **SECOND AFFIRMATIVE DEFENSE**

21 **(Equitable Estoppel)**

22 3. Plaintiffs are equitably estopped from asserting the causes of action in the  
23 Complaint against Defendants.

24 **THIRD AFFIRMATIVE DEFENSE**

25 **(Laches)**

26 3. Plaintiffs unduly delayed in filing their Complaint and therefore the causes of  
27 action therein are barred by the doctrine of laches.



1 **PRAYER FOR RELIEF**

2 WHEREFORE, Defendants pray for judgment in their favor and against Plaintiff as  
3 follows:

- 4 1. That Plaintiffs take nothing by way of the Complaint;  
5 2. That the cause of action and requested relief set forth in the Complaint be denied;  
6 3. That Defendants be awarded their attorney's fees to the extent allowed by law;  
7 4. That Defendants be awarded its costs of suit; and  
8 5. For such other and further relief as the Court may deem just and proper.

9  
10 DATED: March 1, 2021

Respectfully submitted,

11 BROWNE GEORGE ROSS  
12 O'BRIEN ANNAGUEY & ELLIS LLP  
13 Ivy A. Wang  
14 David J. Carroll

15 By: /s/ Ivy A. Wang  
16 Ivy A. Wang  
17 Attorneys for Defendants Vertical Bliss, Inc., Kushy  
18 Punch, Inc., Conglomerate Marketing LLC, More  
19 Agency, Inc., Ruben Kachian aka Ruben Cross, Arutyun  
20 Barsamyan, Kevin Halloran, and Mike A. Toroyan  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**California Dept. of Public Health et al. v. Vertical Bliss, Inc. et al.  
Case No. 20CHCV00560**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 801 S. Figueroa Street, Suite 2000, Los Angeles, CA 90017.

On March 1, 2021, I served true copies of the following document(s) described as **ANSWER TO COMPLAINT** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** On March 1, 2021, I caused a copy of the document(s) to be sent from e-mail address cubence@bgrfirm.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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

Executed on March 1, 2021, at Los Angeles, California.



---

Corinne Ubence

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SERVICE LIST**  
**California Dept. of Public Health et al. v. Vertical Bliss, Inc. et al.**  
**Case No. 20CHCV00560**

Xavier Becerra  
Attorney General of California  
Harinder K. Kapur  
Senior Assistant Attorney General  
Stacey L. Roberts  
Supervising Deputy Attorney General  
Ethan A. Turner  
Deputy Attorney General  
1300 I Street, Suite 125  
P.O. Box 944255  
Sacramento, CA 94244-2550  
Telephone: (916) 210-7898  
Facsimile: (916) 327-2319  
[ethan.turner@doj.ca.gov](mailto:ethan.turner@doj.ca.gov)  
[harinder.kapur@doj.ca.gov](mailto:harinder.kapur@doj.ca.gov)  
[natalie.clark@doj.ca.gov](mailto:natalie.clark@doj.ca.gov)

*Attorneys for Plaintiffs*  
*California Department of Public Health and*  
*Bureau of Cannabis Control*