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8 *Department of Cannabis Control*

EXEMPT FROM FILING FEES  
GOV. CODE, § 6103

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF LOS ANGELES

11 NORTH VALLEY DISTRICT – CHATSWORTH COURTHOUSE

13 CALIFORNIA DEPARTMENT OF  
14 PUBLIC HEALTH AND BUREAU  
15 OF CANNABIS CONTROL,

16 Plaintiffs,

17 v.

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

23 Defendant

Case No. 20CHCV00560

**COST DECLARATION OF DEPUTY  
ATTORNEY GENERAL MICHAEL YUN  
IN SUPPORT OF MOTION TO COMPEL  
RESPONSES AND REQUEST FOR  
SANCTIONS AS TO MIKE A. TOROYAN**

Date: May 26, 2022  
Time: 8:30 a.m.  
Dept: F49  
Judge: The Honorable Stephen P. Pfahler

Trial Date: June 13, 2022  
Action Filed: September 23, 2020

**RESERVATION NO. 295510063611**

1 I, Michael Yun declare as follows:

2 1. I am an attorney duly licensed to practice law before the Courts of the State of  
3 California. I am a Deputy Attorney General assigned to represent the Plaintiff in the above  
4 entitled matter. I have personal knowledge of the information set forth herein below, all of which  
5 is true and correct of my own personal knowledge and belief that the following evidence,  
6 declarations, exhibits and writings are true and correct. If called as a witness in this proceeding, I  
7 could truthfully testify to the following:

8 2. Plaintiff has requested that the Court award \$2,318.54 in sanctions as to each of the  
9 six Defendants against whom the Motions to Compel Further Responses have been concurrently  
10 filed—(1) Vertical Bliss, Inc., (2) Kushy Punch, Inc., (3) Conglomerate Marketing, LLC, (4)  
11 More Agency, Inc., (5) Arutyun Barsamyan, and (6) Mike Toroyan. This equates to a combined  
12 total of \$13,911.25 in monetary sanctions for these motions. The request is based on the number  
13 of hours worked by myself, co-counsel, a supervisor, and a paralegal/Senior Legal Analyst as a  
14 direct consequence of Defendant's prolonged and repeated failure to provide Code of Civil  
15 Procedure compliant responses to Plaintiff's discovery requests, as required, and the multiple  
16 attempts made to obtain such responses, and the time spent preparing the Motion to Compel  
17 Further Responses, and in seeking an order compelling code compliant responses.

18 3. Four Department of Justice staff members have participated in the attempt to resolve  
19 this discovery matter and to seek an order to compel discovery: Senior Assistant Attorney  
20 General Harinder Kapur, Senior Legal Analyst Helen Koh, Deputy Attorney General Ethan  
21 Turner, and myself.

22 a. Senior Assistant Attorney General Harinder Kapur's hourly billing rate is \$220.  
23 Ms. Kapur undertook 0.50 hour of work as a consequence of Defendant Mike A.  
24 Toroyan's prolonged and repeated failures to provide Code of Civil Procedure  
25 compliant responses to Plaintiff's discovery requests. The cost of Ms. Kapur's  
26 work to the client amounted to \$110.00.

27 b. Senior Legal Analyst Helen Koh has an hourly billing rate of \$205 per hour.  
28 Ms. Koh worked 0.25 hour as a consequence of Defendant Mike A. Toroyan's

1 prolonged and repeated failures to provide Code of Civil Procedure compliant  
2 responses to Plaintiff's discovery requests and her total billing for such work  
3 amounts to \$51.25.

4 c. Deputy Attorney General Ethan Turner's hourly billing rate is \$220. Mr. Turner  
5 undertook 22.75 hours of work as a consequence of Defendant's prolonged and  
6 repeated failures to provide Code of Civil Procedure compliant discovery  
7 responses. The cost of Mr. Turner's work to the clients amounted to \$5,005.00.

8 d. I spent 36.75 hours preparing the six (6) motions to compel further discovery  
9 responses and other accompanying documents including reviewing and  
10 compiling more than 1,200 pages of exhibits used in the six (6) Declarations of  
11 Ethan Turner in Support of the Motions to Compel Further Responses. My  
12 hourly billing rate is \$220, so the total costs incurred for the work which I have  
13 had to undertake to date as a consequence of Defendant Mike A. Toroyan's  
14 prolonged and repeated failures to provide Code of Civil Procedure compliant  
15 responses to interrogatories and to requests for admissions is \$8,085.00.

16 e. Collectively, as of the date of this filing, \$13,251.25 in legal service fees were  
17 incurred in attempting to elicit required Code of Civil Procedure compliant  
18 discovery responses.

19 f. Additionally, I intend to appear remotely at the hearing(s) reserved for May 26,  
20 2022, and anticipate spending an additional three hours of billable hours to  
21 review any opposition, to prepare for the hearing, and appear at the hearing  
22 itself. This anticipated additional time will probably be less than that which will  
23 actually be incurred and if this turns out to be a significant underestimation, a  
24 supplemental declaration with documentation will be filed ahead of the hearing.  
25 This anticipated time will also be charged at \$220 per hour and will total  
26 \$660.00.

27 4. The Office of the Attorney General maintains time records in a central computer  
28 system. Attorneys and Senior Legal Analysts directly input their time into preset descriptive

1 categories listed in the timekeeping software. Attached to this Cost Declaration as Exhibit 1 is a  
2 true and correct copy of the statement for attorney and paralegal services rendered for this matter  
3 prepared at my request by the Department of Justice, Office of the Attorney General.  
4 Attorney/client privileged information, attorney work product, and descriptions of work  
5 performed that are unrelated to the motion to compel further discovery responses have been  
6 redacted from the report. Where entire entries are redacted, we are not requesting to recover costs  
7 for that entry. The smallest increment of time used by the California Department of Justice,  
8 Office of the Attorney General, to bill its clients is 0.25, referring to 15 minutes or less. I have  
9 reviewed the report for accuracy.

10 5. Attached to this Cost Declaration as Exhibit 2 is a true and correct copy of the  
11 statement for attorney services rendered for this matter by co-counsel Deputy Attorney General  
12 Ethan Turner whose history of work on this matter precedes the date range in Exhibit 1. This was  
13 also prepared at my request by the Department of Justice, Office of the Attorney General.  
14 Attorney/client privileged information, attorney work product, and descriptions of work  
15 performed that are unrelated to the motion to compel further discovery responses have been  
16 redacted from the report. Where entire entries are redacted, we are not requesting to recover costs  
17 for that entry. I have reviewed the report for accuracy.

18 6. Therefore, the total attorney and legal analyst hours reflected in the “Transaction  
19 Detail for Matter(s): SA2020800072” Reports for which compensation is sought are 60.25 hours,  
20 plus the anticipated time discussed below. “SA2020800072” is the Office of the Attorney  
21 General’s internal matter identification number for the current case.

22 7. Based on the above, the total costs that will be incurred by Plaintiff by the time of the  
23 hearing as a consequence of Defendant’s prolonged and repeated failures to provide Code of Civil  
24 Procedure compliant responses to Plaintiff’s discovery requests and failure to meet and confer to  
25 \$13,911.25, one sixth of which is \$2,318.54.

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2 This declaration is executed under penalty of perjury under the laws of the State of  
3 California this 4th day of February, 2022, at Los Angeles, California.  
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6 MICHAEL J. YUN  
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**DECLARATION OF SERVICE BY E-MAIL and U.S. Mail**

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

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On February 4, 2022, I served the attached **MOTION TO COMPEL FURTHER RESPONSES AND REQUEST FOR MONETARY SANCTION AS TO DEFENDANT MIKE A. TOROYAN; DECLARATION OF ETHAN TURNER IN SUPPORT OF MTC; SEPARATE STATEMENT OF ISSUES IN SUPPORT OF MTC; AND COST DECLARATION BY DAG MICHAEL YUN IN SUPPORT OF MTC** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

<b>Party</b>	<b>Address</b>
Margarita Salazar, Esq. <i>Attorney for Defendants Ruben Kachian, Vertical Bliss, Inc., Kushy Punch, Inc., Conglomerate Marketing, LLC., More Agency, Inc., Arutyun Barsamyan, and Mike A. Toroyan</i>	Margarita Salazar, Esq. Law Offices of Margarita Salazar 470 Third Avenue, Ste. 9 Chula Vista, CA 91910-4663 <b>E-mail Address:</b> margarita@msalazarlaw.com
Ian Stewart Wilson Elser Moskowitz Edelman & Dicker LLP <i>Attorney for Defendant Kevin Halloran</i>	<b>E-mail Address:</b> ian.stewart@wilsonelser.com

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on February 4, 2022, at San Diego, California.

Alberto Flores  
\_\_\_\_\_  
Declarant

  
\_\_\_\_\_  
Signature