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Department of Cannabis Control

*Per Government Code § 6103, State of
California is exempt from filing fee*

8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES**
11 **NORTH VALLEY DISTRICT – CHATSWORTH COURTHOUSE**
12

13 **DEPARTMENT OF CANNABIS**
14 **CONTROL,**

15 Plaintiff,

16 v.

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

25 Defendants.
26
27
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Case No. 20CHCV00560

**DECLARATION OF DEPUTY
ATTORNEY GENERAL MICHAEL YUN
IN SUPPORT OF MOTION FOR
EVIDENCE SANCTION AGAINST
DEFENDANT ARUTYUN BARSAMYAN**

Date: November 3, 2022
Time: 08:30 A.M.
Dept: F49
Judge: The Honorable Stephen P.
Pfahler

Trial Date: January 30, 2023
Action Filed: September 23, 2020

RESERVATION NO. 725141047423

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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 one of the Deputy Attorneys General (hereinafter, “DAG”) assigned to represent
4 Plaintiff Department of Cannabis Control (hereinafter “Plaintiff” or “DCC”) in the above-entitled
5 matter. I have personal knowledge of the information set forth herein below, based on my own
6 personal knowledge and belief that the following evidence, declarations, exhibits and writings are
7 true and correct. If called as a witness in this proceeding, I could truthfully testify to the
8 following:

9 2. On July 21, 2022, I caused to be served on Margarita Salazar (hereinafter, “Salazar”),
10 counsel for Defendant Arutyun Barsamyan (hereinafter, “Defendant”), “Notice of Motion,
11 Motion, and Memorandum of Points and Authorities in Support of Motion to Compel Responses
12 to Requests for Production, Set One, as to Defendant Arutyun Barsamyan” (hereinafter, “Motion
13 to Compel”).¹ On the same day, this Office filed with this Court the Motion to Compel.

14 3. On August 19, 2022, the Motion to Compel against Defendant came on regularly as
15 scheduled in this Court. Neither Salazar nor Defendant appeared in court. The Motion to
16 Compel was unopposed by Defendant. In granting Plaintiff’s Motion to Compel, the Court
17 ordered Defendant “to serve verified responses to request for production of documents without
18 objections within ten days [by August 29, 2022 to Plaintiff].” A true and correct copy of the
19 Court Order, dated August 19, 2022, and the notice to Defendant thereof is attached hereto as
20 Exhibit A.

21 4. As of the date of this declaration—253 days after Plaintiff propounded the Request
22 for Production—Plaintiff’s counsel has not received any responses regarding the Request for
23 Production from Defendant or Salazar. Defendant and Salazar have never communicated the
24 reason for the delay and never requested an extension by which to provide the responses.

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27 _____
28 ¹ See “Declaration of Service” attached to the Motion to Compel filed with this Court on
July 21, 2022, which is part of this Court’s record.

1 This declaration is executed under penalty of perjury under the laws of the State of
2 California this 11th day of October, 2022, at Los Angeles, California.

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5 MICHAEL J. YUN
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Exhibit A

1 ROB BONTA
2 Attorney General of California
3 HARINDER K. KAPUR
4 Senior Assistant Attorney General
5 JOSHUA B. EISENBERG
6 Supervising Deputy Attorney General
7 MICHAEL J. YUN (SBN 292587)
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Attorneys for Plaintiff
Department of Cannabis Control

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

13
14 **DEPARTMENT OF CANNABIS**
15 **CONTROL,**

16 Plaintiff,

17 v.

18 **VERTICAL BLISS, INC., KUSHY**
19 **PUNCH, INC., CONGLOMERATE**
20 **MARKETING, LLC, MORE AGENCY,**
21 **INC., RUBEN KACHIAN aka RUBEN**
22 **CROSS, ARUTYUN BARSAMYAN,**
23 **KEVIN HALLORAN, MIKE A.**
24 **TOROYAN, and DOES 1 through 3,**
25 **inclusive,**

26 Defendants.

Case No. 20CHCV00560

NOTICE OF COURT ORDER
GRANTING PLAINTIFF'S MOTION TO
COMPEL RESPONSES TO REQUESTS
FOR PRODUCTION, SET ONE, AS TO
DEFENDANT ARUTYUN BARSAMYAN

Date: August 19, 2022

Time: 08:30 a.m.

Dept: F49

Judge: The Honorable Stephen P. Pfahler

Trial Date: January 30, 2023

Action Filed: September 23, 2020

1 **NOTICE OF COURT ORDER**

2 **TO ARUTYUN BARSAMYAN AND HIS ATTORNEY OF RECORD, MARGARITA**
3 **SALAZAR:**

4 **PLEASE TAKE NOTICE** that Plaintiff's Motion to Compel Responses to Requests for
5 Production of Documents, Set One, as to Defendant Arutyun Barsamyan came on regularly for
6 hearing on August 19, 2022, at 8:30 a.m., in Department F49 of the Superior Court of California,
7 County of Los Angeles, North Valley District – Chatsworth Courthouse.

8 At the hearing, the Court adopted its Tentative Ruling as its final ruling and Order. Per
9 instruction of the Court, counsel for Plaintiff hereby gives notice of the Court's Order to
10 Defendant Arutyun Barsamyan, through his attorney of record, Margarita Salazar. Attached
11 hereto as "Exhibit 1" is a true and correct copy of the Court's Minute Order, dated August 19,
12 2022, adopting its Tentative Ruling, which is now the final ruling in this matter.

13 Dated: August 22, 2022

Respectfully submitted,

14 ROB BONTA
15 Attorney General of California
16 HARINDER K. KAPUR
17 Senior Assistant Attorney General
18 JOSHUA B. EISENBERG
19 Supervising Deputy Attorney General

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21 MICHAEL J. YUN
22 ETHAN A. TURNER
23 Deputy Attorneys General
24 *Attorneys for Plaintiff*
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Exhibit 1

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F49

20CHCV00560

August 19, 2022

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, et al.

8:30 AM

vs VERTICAL BLISS, INC., et al.

Judge: Honorable Stephen P. Pfahler
Judicial Assistant: Adrina Chebishyan
Courtroom Assistant: Christy Andrade

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): ETHAN A. TURNER (Telephonic) by Michael Yun

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Hearing on Motion to Compel Discovery (not "Further Discovery")

The matter is called for hearing.

The Court reads and considers the moving papers in support of Hearing on Motion to Compel Discovery (not "Further Discovery").

The Court's Tentative Ruling is published.

Moving Party submits to the Court's Tentative Ruling in open court, and the Court adopts its tentative ruling as its final ruling as follows:

COMPEL

MOVING PARTY: Plaintiff, California Department of Public Health and Bureau of Cannabis Control

RESPONDING PARTY: Unopposed/Defendant, Arutyun Barsamyan

RULING: Granted

Plaintiff California Department of Public Health and Bureau of Cannabis Control moves to compel responses to Request for Production of Documents (set one) from Defendant Arutyn Barsamyan.

Plaintiff served Defendant on January 31, 2022. [Declaration of Ethan Turner, ¶ 2, Ex. 1-2.] Counsel promised responses. No responses were delivered, even after extensions. [Id., ¶¶ 3-7.]

The unopposed motion is granted. Defendant Arutyun Barsamyan is ordered to serve verified

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F49

20CHCV00560

August 19, 2022

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, et al.

8:30 AM

vs VERTICAL BLISS, INC., et al.

Judge: Honorable Stephen P. Pfahler
Judicial Assistant: Adrina Chebishyan
Courtroom Assistant: Christy Andrade

CSR: None
ERM: None
Deputy Sheriff: None

responses to request for production of documents without objections within ten days. (Code Civ. Proc., § 2031.300, subd. (a-b).)

Sanctions in the amount of \$250 joint and severally against Arutyun Barsamyan and counsel of record for Arutyun Barsamyan. (Code Civ. Proc., § 2031.300, subd. (c).) Payable within 30 days.

Motion to compel set for August 19, 2022.

Moving party to give notice to all parties.

DECLARATION OF SERVICE BY U.S. Mail and E-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 **August 22, 2022**, I served the **NOTICE OF COURT ORDER GRANTING PLAINTIFF'S MOTION TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS, SET ONE, AS TO DEFENDANT ARUTYUN BARSAMYAN** 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:

Party	Address
Margarita Salazar, Esq. <i>Attorney for Defendants Vertical Bliss, Inc., Kushy Punch, Inc., Conglomerate Marketing, LLC., More Agency, Inc., Ruben Kachian, 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 E-mail Address: margarita@msalazarlaw.com
Ian Stewart Wilson Elser Moskowitz Edelman & Dicker LLP <i>Attorney for Defendant Kevin Halloran</i>	E-mail Address: 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 **August 22, 2022**, at San Diego, California.

Alberto Flores

Declarant



Signature

DECLARATION OF SERVICE BY E-Mail

Case Name: **California Department of Public Health, et al. v. Vertical Bliss, Inc., et al.**

Case 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.

On **October 11, 2022**, I served the attached **DECLARATION OF DEPUTY ATTORNEY GENERAL MICHAEL YUN IN SUPPORT OF MOTION FOR EVIDENCE SANCTION AGAINST DEFENDANT ARUTYUN BARSAMYAN** by transmitting a true copy via electronic mail, addressed as follows:

Party	Address
Margarita Salazar, Esq. <i>Attorney for Defendants Vertical Bliss, Inc., Kushy Punch, Inc., Conglomerate Marketing, LLC., More Agency, Inc., Ruben Kachian, 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 E-mail Address: margarita@msalazarlaw.com
Ian Stewart Wilson Elser Moskowitz Edelman & Dicker LLP <i>Attorney for Defendant Kevin Halloran</i>	Wilson Elser Moskowitz Edelman & Dicker LLP 555 South Flower St. Ste. 2900 Los Angeles, Ca 90071 E-mail Address: 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 **October 11, 2022**, at Los Angeles, California.

Cecilia Apodaca

Declarant

/s/ Cecilia Apodaca

Signature