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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.

Case No. 20CHCV00560

**DECLARATION OF DEPUTY
ATTORNEY GENERAL MICHAEL YUN
IN SUPPORT OF MOTION FOR
EVIDENCE SANCTION AGAINST
DEFENDANT MIKE A. TOROYAN**

Date: November 23, 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. 370217911788

26 ///

27 ///

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 May 17, 2022, I caused to be served on Margarita Salazar (hereinafter, “Salazar”),
10 counsel for Defendant Mike A. Toroyan (hereinafter, “Defendant”), “Notice of Motion, Motion,
11 and Memorandum of Points and Authorities in Support of Motion to Compel Responses to
12 Requests for Production, Set One, as to Defendant Mike A. Toroyan” (hereinafter, “Motion to
13 Compel”).¹ On the same day, this Office filed with this Court the Motion to Compel.

14 3. On June 10, 2022, the Motion to Compel against Defendant came on regularly as
15 scheduled in this Court. Neither Salazar nor Defendant appeared in court. I appeared virtually
16 using the Microsoft Teams application on my computer. The Motion to Compel was unopposed
17 by Defendant. In granting Plaintiff’s Motion to Compel, the Court ordered Defendant “to serve
18 verified responses to request for production of documents without objections within ten days [by
19 June 20, 2022 to Plaintiff].” A true and correct copy of the Court Order, dated June 10, 2022, and
20 a Declaration of Service to Defendant thereof is attached hereto as Exhibit A.

21 4. As of the date of this declaration—263 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.

25 ///

26 ///

27 _____
28 ¹ See “Declaration of Service” attached to the Motion to Compel filed with this Court on
May 17, 2022, which is part of this Court’s record.

This declaration is executed under penalty of perjury under the laws of the State of California this 21st day of October, 2022, at Los Angeles, California.

Michael H

MICHAEL J. YUN

Exhibit A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F49

20CHCV00560

**CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, et al.
vs VERTICAL BLISS, INC., et al.**

June 10, 2022

8:30 AM

Judge: Honorable Stephen P. Pfahler
Judicial Assistant: R. Hopkins
Courtroom Assistant: P. Aranda

CSR: None
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): ETHAN A. TURNER (Telephonic) by Michael Yun via LACC (Microsoft Teams)

For Defendant(s): No Appearances

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

The matter is called for hearing.

The Plaintiff, California Department of Public Health and Bureau of Cannabis Control's Motion to Compel Further Discovery Responses - Mike A. Toroyan - Interrogatories, Set One and Motion for Court to Deem Requests for Admissions, Set One Admitted filed by BUREAU OF CANNABIS CONTROL on 02/07/2022 is Granted.

Plaintiff California Department of Public Health and Bureau of Cannabis Control moves to compel further responses to Form Interrogatories (set one), Request for Production of Documents (set one), and Request for Admissions (set one) from Defendant Mike Toroyan.

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 Mike Toroyan is ordered to serve verified responses to request for production of documents without objections within ten days. (Code Civ. Proc., § 2031.300(a-b).)

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

Motions for Sanctions reserved for July 11 through July 18, 2022 remain reserved, but not filed.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

North Valley District, Chatsworth Courthouse, Department F49

20CHCV00560

June 10, 2022

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, et al.

8:30 AM

vs VERTICAL BLISS, INC., et al.

Judge: Honorable Stephen P. Pfahler

CSR: None

Judicial Assistant: R. Hopkins

ERM: None

Courtroom Assistant: P. Aranda

Deputy Sheriff: None

Moving party to give notice to all parties.

DECLARATION OF SERVICE BY E-MAIL and U.S. Mail

Case Name: **Department of Cannabis Control v. Vertical Bliss, Inc., et al.**
No.: **20CHCV00560**

I declare:

I am employed in the Office of the Attorney General. I am 18 years of age or older and not a party to this matter.

On June 22, 2022, I served the attached **SUPERIOR COURT MINUTE ORDER, DATED JUNE 10, 2022 (COURT'S DISCOVERY ORDER)** 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 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 June 22, 2022, at Los Angeles, California.

Michael Yun

Declarant

SA2020800072 / POS (Order 6-10-22).docx



Signature

DECLARATION OF SERVICE BY E-Mail

Case Name: **Department of Cannabis Control 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 24, 2022**, I served the attached **DECLARATION OF DEPUTY ATTORNEY GENERAL MICHAEL YUN IN SUPPORT OF MOTION FOR EVIDENCE SANCTION AGAINST DEFENDANT MIKE A. TOROYAN** 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 24, 2022**, at Los Angeles, California.

Cecilia Apodaca

Declarant

/s/ Cecilia Apodaca

Signature



Make a Reservation

Success! Your Reservation Number is **370217911788**.

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, et al. vs VERTICAL BLISS, INC., et al.
Case Number: 20CHCV00560 Case Type: Civil Unlimited Category: Other Commercial Complaint (non-tort/non-complex)
Date Filed: 2020-09-23 Location: Chatsworth Courthouse - Department F49

Reservation	
Case Name:	CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, et al. vs VERTICAL BLISS, INC., et al.
Case Number:	20CHCV00560
Type:	Motion for Sanctions
Status:	RESERVED
Filing Party:	The Department Cannabis Control (Plaintiff)
Location:	Chatsworth Courthouse - Department F49
Date/Time:	11/23/2022 8:30 AM
Number of Motions:	1
Reservation ID:	370217911788
Confirmation Code:	CR-SNXQGCBTX8UB5BWTX

Fees			
Description	Fee	Qty	Amount
Motion for Sanctions *** Fees Exempted by Gov Code 6103.1 ***	60.00	1	0.00
TOTAL			\$0.00

Contact Information

Fields marked with an (*) are required

First Name *

Michael

Last Name *

Yun

Telephone Number *

619

321-5793

Extension

Primary Email *

michael.yun@doj.ca.gov

Enter Email Again *

michael.yun@doj.ca.gov

Secondary Email

Enter Email Again

If the requestor wishes to receive notifications via text message, enter the mobile phone number.

Notification Number

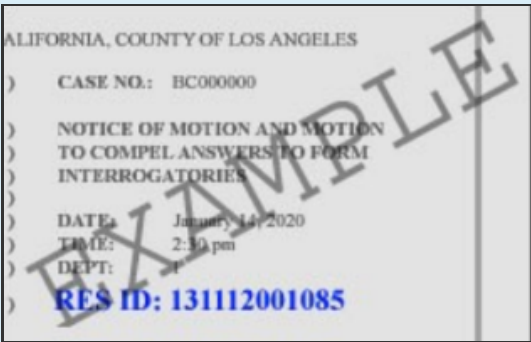
619

321-5793

Payment	
Amount:	\$0.00
Type:	GOVT_EXEMPT
Account Number:	n/a
Authorization:	n/a

Instructions

Please print this receipt and attach it to the corresponding motion/document as the last page. Indicate the Reservation ID on the motion/document face page (see example). The document will not be accepted without this receipt page and the Reservation ID.



A COPY OF THIS RECEIPT MUST BE ATTACHED TO THE CORRESPONDING MOTION/DOCUMENT AS THE LAST PAGE AND THE RESERVATION ID INDICATED ON THE MOTION/DOCUMENT FACE PAGE.

- Print Receipt
- Reserve Another Hearing
- View My Reservations