

IN THE MATTER OF	*	BEFORE THE MARYLAND
GPD, LLC d/b/a Green Point Wellness	*	MEDICAL CANNABIS COMMISSION
Respondent	*	
License No.: D-18-00003	*	Case No.: 19-00176
* * * * *		

**PRE-CHARGE CONSENT ORDER**

Pursuant to its authority to regulate medical cannabis dispensaries under the Natalie M. LaPrade Medical Cannabis Commission Act (the “Act”) codified at Md. Code Ann., Health-Gen. § 13-3301 *et seq.* (2015 Repl. Vol. and 2018 Supp.), the Maryland Medical Cannabis Commission (“Commission”) issues the following consent order. The Commission’s administrative prosecutor presented the licensee, GPD, LLC d/b/a Green Point Wellness (the “Respondent”), license number D-18-00003, with a report from the Commission’s investigator, which noted several probable violations of applicable regulations. Thereafter, the Licensee (hereinafter the “Respondent”) and the Administrative Prosecutor agreed to resolve this matter as set forth herein in lieu of proceeding with formal charges. The Commission then ratified this agreement.

The pertinent provision of the relevant statute provides as follows:

**§ 13-3307. Dispensary License Requirements**

...

(f) The Commission shall establish requirements for security and product handling procedures that a dispensary must meet to obtain a license under this section, including a requirement for a product-tracking system.

(g) The Commission may inspect a dispensary licensed under this section to ensure compliance with this subtitle.

(h) The Commission may impose penalties or rescind the license of a dispensary that does not meet the standards for licensure set by the Commission.

...

**§ 13-3308. Reporting requirements**

(c)(1) Within 1 business day after a dispensary agent ceases to be associated with a dispensary, the dispensary shall:

- (i) Notify the Commission; and
- (ii) Return the dispensary agent's registration card to the Commission.

(2) On receipt of a notice described in paragraph (1) of this subsection, the Commission shall:

- (i) Immediately revoke the registration card of the dispensary agent; and
- (ii) If the registration card was not returned to the Commission, notify the Department of State Police.

**§ 13-3316. Regulations**

The Commission shall adopt regulations to implement the provisions of this subtitle.

The pertinent regulations as set out in the Code of Maryland Regulations ("COMAR")

(2019) for which the Respondent's license is being disciplined state as follows:

**10.62.26.05 Termination.**

...

B. Within 1 business day of the termination of a registered dispensary agent's association with a licensee, the licensee shall:

- (1) Notify the Commission:
  - (a) Of the termination and the circumstances of a termination; and
  - (b) Whether the terminated registered dispensary agent has returned the agent's identification card; and

(2) Initiate delivery of the terminated registered dispensary agent's identification card to the Commission.

In lieu of proceeding with an evidentiary hearing in this matter, the parties agreed to the following Findings of Fact, Conclusions of Law and Order as set forth herein.

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## FINDINGS OF FACT

The Commission finds that the Respondent dispensary violated COMAR 10.62.26.05 as follows:

1. The Respondent was initially licensed to dispense medical cannabis on January 25, 2018 and operates a dispensary in Linthicum Heights, Maryland.
2. Commission investigators visited the Respondent dispensary on May 21, 2019 for an unannounced inspection.
3. Investigators asked the Respondent's managers about several dispensary agents for whom the investigators had conflicting information. Some of the Commission's sources noted that these agents were no longer employed at the Respondent's dispensary, while other sources identified them as currently employed at the dispensary. The manager on site explained that none of these dispensary agents presently worked there but that she maintained possession of the agent badges of five (5) former dispensary agents.
4. One of Respondent's managers later explained to the Commission that management had expected to rehire the five former agents for additional seasonal work in the future and noted that all of Respondent's dispensary agents were required to keep their agent badges in a secure location at the Respondent's dispensary at all times. The Respondent had not, as required by applicable regulation, notified the Commission of the dispensary agents' departure or initiated return of the employee ID badges within one (1) business day.<sup>1</sup> Upon being notified that the Respondent was in violation of the applicable regulation, the Respondent's managers returned the agent badges as required and updated records of the agents' employment status.

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<sup>1</sup> See also "Licensee Guidance for Processing Agent Identification Cards," Bulletin 2018-008.

### MITIGATING CIRCUMSTANCES

5. The Commission's investigators previously completed several investigations of the Respondent's dispensary in Linthicum Heights. During these inspections, the Respondent consistently complied with all applicable regulations.

6. The Respondent's managers remained highly cooperative, forthcoming, and responsive during the Commission's investigation.

### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Commission concludes as a matter of law that the omissions described above are grounds for disciplining the Respondent's medical cannabis dispensary license pursuant to COMAR 10.62.26.05.

### ORDER

Based on the foregoing Findings of Fact and Conclusions of Law by the Commission, it is hereby

**ORDERED** that within 90 days of this Order, the Respondent shall pay a fine of **\$2,500.00**, a total representing \$500.00 for each former employee for which the Respondent failed to provide notice or return a dispensary agent identification card;

**ORDERED** that the Respondent shall incur all costs associated with this Consent Order; and it is further

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**ORDERED** that this Consent Order is a **PUBLIC DOCUMENT** pursuant to Md. Code  
Ann., Gen. Prov. § 4-401 *et seq.* (2014).

6-26-2020  
Date



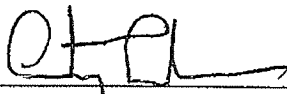
**CONSENT**

I, Anthony Toskov, am the OWNER of GPD, LLC (hereinafter "Respondent"), and have legal authority to enter into this agreement on behalf of the Respondent. Respondent acknowledges that it has had the opportunity to seek advice of counsel in this matter. By this Consent, Respondent agrees and accepts to be bound by this Consent Order and its conditions and restrictions. Respondent waives any rights it may have had to contest the Findings of Fact and Conclusions of Law.

Respondent acknowledges the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which the Respondent would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on its own behalf, and to all other substantive and procedural protections as provided by law. Respondent acknowledges the legal authority and the jurisdiction of the Commission to initiate these proceedings and to issue and enforce this Consent Order. Respondent also affirms that it is waiving its right to appeal any adverse ruling of the Commission that might have followed any such hearing.

I sign this Consent Order with authority on behalf of Respondent after having had the opportunity to consult counsel, without reservation, and I fully understand and comprehend the language, meaning and terms of this Consent Order. I voluntarily sign this Order and understand its meaning and effect.

6/17/2020  
Date

  
[Signature]

ANTHONY TOSKOV, OWNER  
[Print name, title]  
Representative for GPD, LLC

**NOTARY**

STATE OF Maryland

CITY/COUNTY OF: Baltimore Co

I HEREBY CERTIFY that on this 17 day of June 2020, before me, a Notary Public of the State and County aforesaid, personally appeared Anthony Toskos on behalf of GPD, and gave oath in due form of law that the foregoing Consent Order was his voluntary act and deed.

AS WITNESS, my hand and Notary Seal.

Crystal D Barnett  
Notary Public

My commission expires:

**CRYSTAL D. BARNETT**  
NOTARY PUBLIC  
BALTIMORE COUNTY  
MARYLAND  
MY COMMISSION EXPIRES SEPT. 8, 2020