

**Element 7 Fairfield**  
**2320 Courage Drive**  
**CRM2020-012**

## CITY OF FAIRFIELD

### COMMERCIAL CANNABIS BUSINESS PERMIT APPLICATION REVIEW SUMMARY

<b>BUSINESS NAME</b>	Element 7 Fairfield LLC
<b>DBA</b>	N/A
<b>PERMIT TYPE</b>	Retail
<b>CITY OF FAIRFIELD LOCATION</b>	2320 Courage Dr., Suite 101
<b>BUSINESS CONTACT INFORMATION</b>	Robert M. Divito, Jr. 645 W. 9 <sup>th</sup> St. #110-631 Los Angeles, CA 90015
<b>STATE LICENSES</b>	Current license information is attached.

### OWNER SUMMARY

- Element 7 Fairfield LLC has 5 owners:
  - Robert M. Divito Jr., CEO
    - Robert M. Divito Jr. founded Element 7 in 2018.
    - 3 state retail cannabis licenses.
  - Sgt. Patrick T. Brooks, Co-Founder
    - Sgt. Patrick T. Brooks is a US Marine Corps representative and will assist with community programs and logistics at Element 7.
  - Greg Moreno, Co-Founder
    - Greg Moreno is a veteran and will oversee recruitment and training at Element 7.
  - Alexander Rincon, Co-Founder
    - Alexander Rincon is an active Marine Recruitment Station Commander in Fairfield.
  - Melissa Sampson, Co-Founder
    - Melissa Sampson is the founder of the Imagine Me Foundation and will focus on community engagement and education at Element 7.
- Three of the five owners currently live in the City of Fairfield.

### BUSINESS PLAN

Element 7 Projected Sales Figures			
Year 1	Year 2	Year 3	Year 4
\$7,119,693.22	\$9,292,925.46	\$11,069,380.34	\$12,658,783.23

- Element 7 will provide cannabis delivery services.
- Element 7 proposes to be operational within 9 months of receipt of City permit.
- Projected number of customers:

- 20 – 120 per hour
  - 500 – 600 per day
- Element 7 proposes 4 - 6 point of sale systems.
- Element 7 currently operates 3 cannabis retail businesses.
- Element 7 has 14 pending cannabis businesses:
  - 5 locations have cannabis license applications currently on file with the State.
  - 7 locations have received City approvals and are awaiting the issuance of City permits.
  - 2 locations have received City permits but not license application has been filed with the State.

## **LABOR & LOCAL ENTERPRISE PLAN**

- Element 7 anticipates hiring 12 employees.
  - 8 Dispensary Technicians/Budtenders
  - 1 Inventory Manager
  - 2 Retail Shift managers
  - 1 General Manager
- Compensation:
  - General Manager - \$80,000.00
  - Shift Managers - \$60,000.00
  - Retail staff – Starting at \$19.00 per hour.
- Medical, dental & vision insurance benefits, sick leave, paid vacation, stock options, & a 401k retirement plan will be available to full-time employees.
- Element 7 has a goal to hire a minimum of 75% of staff from within the City of Fairfield.

## **SAFETY PLAN**

- A safety plan was prepared by three consultants: Brian Uthe, Building Inspector, University of Arizona; Larry Frogoso, retired Battalion & Division Chief, Tracy Fire Department; and Mohsen Gouneili, licensed California architect.

## **SECURITY PLAN**

- A security plan was prepared by GSG Security Services, a security consulting firm located in southern California.
- Element 7 will contract with ADT Security Services, a licensed third-party security monitoring company, to monitor the alarm system.
- Element 7 has identified 3 prospective local security firms to provide on-site security and proposes to conduct advanced training between the chosen security firm and GSG Security Services.
- Element 7 proposes to staff 2 uniformed security guards during operating hours and a security patrol to monitor the facility during off-hours.

## **LOCATION**

- The business is to be located at 2320 Courage Dr., Suite 101 and has received property owner consent.
- The current zoning classification for the subject property is IL (Limited Industrial).
- Commercial cannabis retail is a permitted use in the IL zone subject to the requirements of the Fairfield Municipal Code (FMC) Chapter 10E.
- The City has not identified any sensitive uses, as defined in FMC Section 10E.18 (c), within 600 feet of the subject property at the time of this writing.
- The subject site is located in an industrial area of the City south of Highway 12 and is 1.3 miles from the Chadbourne Rd. exit and .6 miles from the Beck Ave exit off Highway 12.
- The business will be located within an existing multi-tenant building with a unit size of 4,300 square feet and 76 parking spaces.

## **COMMUNITY RELATIONS PLAN**

- Element 7 will commit \$50,000 annually to their Element 7 Cares program to contribute to the local community. Element 7 Cares will be governed by a board of 5 members with 3 members from the local community. It is unclear if this is a separate non-profit entity.
- Element 7 has identified and reached out to 5 non-profits as potential partners including the Imagine Me Foundation, Food Bank of Contra Costa and Solano, Operation Care and Comfort, Friends and Family Services, and No Time 2 Chill Basketball Academy.
- The application does not identify a plan or potential partners for youth outreach and drug use prevention education.
- Element 7 proposes to hold 4 community educational evenings per year for adults on cannabis related topics.
- Element 7 will commit up to a proposed 3% of the common shares in the company to key staff and executives that are hired from Fairfield or the County. Staff serving longer than 24-months service will be eligible to be allocated equity through a Stock Option Agreement.
- Full-time employees will be provided 10 hours of paid time off to volunteer per quarter.
- Element 7 proposes to create a local internship and mentorship program for two twenty-one-year-old youths per year.

## PUBLIC COMMENTS

The City has received two public comment letters regarding this application, attached. The first letter was provided by the group California Cannabis Association and is in general opposition to the business Element 7. City staff was unable to locate information on this association and it has no affiliation with the California Cannabis Industry Association, the largest cannabis industry association in California. The letter was addressed to the City of Salinas and dated August 7, 2020. The letter requests that Element 7 be disqualified from the application process with the City of Salinas on the grounds that Element 7 provided false and misleading information in their application. The letter provides some background on Element 7, current legal issues, lack of financial transparency, and a summary of their dispute of claims made against Element 7 in a previous application with the City of Marina.

**RESPONSE:** City staff cannot speak on claims raised in an application that we have not seen, in an application process that we did not conduct. Element 7 submitted an application to the City of Fairfield on October 23, 2020, three months after the date of this letter. Their City of Fairfield application has gone through extensive review by both the consultant and City staff. The owners of Element 7 have undergone a preliminary background check with the City of Fairfield. The background checks and application review did not result in any information that would be cause for alarm or disqualification from the City's process.

Element 7 currently possesses 17 licenses in the State of California to operate cannabis businesses however, only a few businesses are currently operational. Their City of Fairfield application provided information on a line of credit to fund start-up operations in multiple jurisdictions in California, but the application did not identify how much of this funding was specifically earmarked for their Fairfield operations. Given the fact that Element 7 has 17 licenses but only a few operating businesses, staff is concerned about the businesses ability to begin operations and open to the public in a timely and successful manner.

The second comment letter was provided by a representative of the Jelly Belly Candy Company and raises an objection. The objection is:

1. Signage for the cannabis business, both physical and online, would have a negative effect on the reputation of Jelly Belly.
  - **RESPONSE:** A retail commercial cannabis business is a permitted use at 2320 Courage Dr. and there are no sensitive uses, as defined in Fairfield Municipal Code Section 10E.18 (c) within 600-feet of the site. The Jelly Belly Company is within 600-feet, as measured from parcel boundaries, but does not meet the definition of a sensitive use. Fairfield Municipal Code Section 10E.24 contains numerous restrictions on signage that cannabis businesses will be required to comply with.

- A cannabis business is prohibited from displaying any graphics depicting cannabis or cannabis products on the exterior of the business site. This restriction also applies to any graphics on business vehicles.
- Business signage is limited to that needed for identification only and may not contain logos or information that identifies, advertises, or lists services or products offered.
- Cannabis businesses are prohibited from using banners, flags, a-frames, and billboards at all times.
- Cannabis businesses are restricted from advertising by having a person holding a sign and advertising to passerby, regardless of where that person is located.
- As a requirement for permit issuance, a cannabis business must agree to be prohibited from advertising any commercial cannabis business located within the City utilizing a billboard (fixed or mobile), bus shelter, placard, aircraft, or other similar forms of advertising.
- Cannabis Business must comply with all applicable requirements of the Sign Ordinance.

When taken together, these requirements will ensure that signage for a cannabis business is limited to on-site physical signage such as wall signs. There will be no logos or depictions of cannabis in the business signage. To anyone passing by the site, signage depicting the business name "Element 7" would not stand out any more than the signage for adjacent businesses. There will be no off-site signage or advertising in the path of travel to the Jelly Belly Visitor Center or anywhere else in the City, including on billboards and digital billboards in the City. Further, visitors going directly to the Jelly Belly Visitor Center, such as school or tour buses, would not drive by 2320 Courage Dr. to get to Jelly Belly. The Jelly Belly Visitor Center is located on Jelly Belly Lane off of N. Watney Way which connects to Courage Dr. at two separate intersections. Visitors can only access the Jelly Belly Visitor center from these intersections, located to the east and west of the proposed cannabis business location. Whether coming from the east or west, visitors to Jelly Belly would turn on N. Watney Way before passing the proposed cannabis business on Courage Dr.

The letter also makes reference to Google Maps and their desire not to have a cannabis icon appear near their facilities when searching for Jelly Belly on the site. Google Maps is owned and operated privately and the City has no control over which business appear with logos on Google Maps. However, when searching for existing cannabis businesses in other Cities using Google Maps, the only icon and information that appears is the business name and the icon used for all retail businesses. This is the same icon that appears for the Jelly

Belly Factory. There is no separate icon for cannabis businesses or anything to indicate what is sold on site that would appear when searching for Jelly Belly using Google Maps.

## CALIFORNIA BUREAU OF CANNABIS CONTROL

<u>License Number</u>	<u>License Type</u>	<u>Business Owner</u>	<u>Business Contact Information</u>	<u>Business Structure</u>	<u>Premise Address</u>	<u>Status</u>	<u>Status Date</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Activities</u>	<u>Adult-Use/Medicinal</u>
C9-0000381-LIC	Cannabis - Retailer Nonstorefro	Robert DiVito	ELEMENT 7 SOUTH SAN FRANCISCO, LLC : N/A : Email- robert@e7ca.com : Phone- 4242850088	Limited Liability Company		Active	2/2/2021	10/9/2020	10/9/2021	N/A for this license type	BOTH
C10-0000754-LIC	Cannabis - Retailer License	Robert DiVito	E7 RIO DELL LLC : N/A : Email- robert@e7ca.com : Phone- 4242850088	Limited Liability Company	281 WILDWOOD AVE RIO DELL, CA 95562 County: HUMBOLDT	Active	2/2/2021	9/28/2020	9/28/2021	N/A for this license type	BOTH
C10-0000753-LIC	Cannabis - Retailer License	Robert DiVito	E7 FORT BRAGG LLC : N/A : Email- robert@e7ca.com : Phone- 4242850088	Limited Liability Company	342 Main ST Fort Bragg, CA 95437 County: MENDOCINO	Active	2/2/2021	9/13/2020	9/13/2021	N/A for this license type	BOTH

\*Cultivation and manufacturing are not licensed by BCC



# ELEMENT 7

## CALIFORNIA STATE CANNABIS LICENSES

### CANNABIS PERMITS & LICENSES: ROBERT M. DIVITO JR.

ENTITY	LICENSE TYPE	LICENSE NUMBER
ELEMENT 7 FIREBAUGH LLC	TYPE 6	APL-13124
ELEMENT 7 FIREBAUGH LLC	TYPE 11	C11-20-0000015-APP
ELEMENT 7 FIREBAUGH LLC	TYPE 10	C10-20-0000010-APP
ELEMENT 7 WALNUT CREEK, LLC	TYPE 9	C9-19-0000197-APP
ELEMENT 7 WILLOWS, LLC	TYPE 10	CITY PERMIT PENDING
ELEMENT 7 CHULA VISTA ONE LLC	TYPE 10	CITY PERMIT PENDING
ELEMENT 7 SAN LUIS OBISPO, LLC	TYPE 12	CITY PERMIT ISSUED
ELEMENT 7 SOUTH SAN FRANCISCO LLC	TYPE 9	<b>C9-0000381-LIC (Attached)</b>
ELEMENT 7 EUREKA, LLC	TYPE 10	CITY PERMIT PENDING
ELEMENT 7 UKIAH LLC	TYPE 10	CITY PERMIT PENDING
E7 RIO DELL LLC	TYPE 10	<b>C10-0000754-LIC (Attached)</b>
ELEMENT 7 MARINA, LLC	TYPE 10	CITY PERMIT ISSUED
ELEMENT 7 BAY POINT LLC	TYPE 10	CITY PERMIT PENDING
RR ENTERPRISES LA LLC	TYPE 10	CITY PERMIT PENDING
E7 NAPA CITY LLC	TYPE 10	CITY PERMIT PENDING
E7 DUNSMUIR LLC	TYPE 10	C10-20-0000044-APP
E7 FORT BRAGG LLC	TYPE 10	<b>C10-0000753-LIC (Attached)</b>



**BUREAU OF  
CANNABIS  
CONTROL**  
CALIFORNIA

Bureau of Cannabis Control  
(833) 768-5880

**Adult-Use and Medicinal - Retailer License**  
**Provisional**  
**Storefront**

**LICENSE NO:**  
**C10-0000753-LIC**

**LEGAL BUSINESS NAME:**  
**E7 FORT BRAGG LLC**

**PREMISES:**  
**342 Main ST N**  
**Fort Bragg, CA 95437**



**VALID:**  
**9/13/2020**

**EXPIRES:**  
**9/13/2021**



*Non-Transferable*

*Prominently display this license  
as required by Title 16 CCR § 5039*



**BUREAU OF  
CANNABIS  
CONTROL**  
CALIFORNIA

Bureau of Cannabis Control  
(833) 768-5880

**Adult-Use and Medicinal - Retailer License**  
**Provisional**  
**Storefront**

**LICENSE NO:**  
**C10-0000754-LIC**

**LEGAL BUSINESS NAME:**  
**E7 RIO DELL LLC**

**PREMISES:**  
**281 WILDWOOD AVE**  
**RIO DELL, CA 95562**



**VALID:**  
**9/28/2020**

**EXPIRES:**  
**9/28/2021**



*Non-Transferable*

*Prominently display this license  
as required by Title 16 CCR § 5039*



**BUREAU OF  
CANNABIS  
CONTROL**  
CALIFORNIA

Bureau of Cannabis Control  
(833) 768-5880

**Adult-Use and Medicinal - Retailer Nonstorefront License  
Provisional  
Delivery**

**LICENSE NO:  
C9-0000381-LIC**

**VALID:  
10/9/2020**

**LEGAL BUSINESS NAME:  
ELEMENT 7 SOUTH SAN  
FRANCISCO, LLC**

**EXPIRES:  
10/9/2021**

**PREMISES:  
337 Littlefield AVE  
South San Francisco, CA 94080**



*Non-Transferable*

*Prominently display this license  
as required by Title 16 CCR § 5039*

California Cannabis Association (CCA)  
2701 K Street, Suite 101A  
Sacramento, CA 95816

City of Salinas  
Mayor Pro Tem Christie Cromeenes & Honourable Councilmembers:  
200 Lincoln Avenue  
Salinas, CA 93901

August 7, 2020

Dear Mayor Pro Tem Cromeenes and Honourable Councilmembers:

It is our understanding that the City of Salinas is currently reviewing an application from Element 7 for a proposed commercial cannabis business license to operate within the City. We urge the City to reconsider the merits of this application and suggest that the application be disqualified on the grounds of the applicant providing false and/or misleading information to obtain an operating permit within the City of Salinas. We have reviewed the application Element 7 provided to the City of Marina and cannot express the offense we take at a "cannabis company" that pushes such exaggerations and half truths as the ones that are contained in Element 7's Marina application.

### **Background on Element 7**

As a company, Element 7 has been in California's cannabis industry for less than 2 years. It shares an executive board and advisory members from a former iteration known as Genezen, which operated as a license clearing house for cannabis permits throughout California's Central Valley. In carrying over some of the executive and advisory members from Genezen, Element 7 has also carried over some of Genezen's pattern of providing false and/or misleading information about its executives accomplishments, company assets, and financial well being. However impressive their application is, their former and current business practices continue to defraud California communities.

### **Incorporation**

Element 7 was organized, recorded, and registered with the California Secretary of State on December 18, 2018 under Element 7 CA, LLC., with its business address listed as 7936 Hillside Avenue in Los Angeles, California. This is a residential address with a current rental tenant occupying the property. The manager of Element 7 is listed as Robert DiVito, residing at 6221 Pacific Avenue in Playa Del Rey, California (see Attachment 1). Again, a residential address with a current rental tenant occupying the property. In an secondary Statement of Information recorded on March 6, 2019 the 6221 Pacific Avenue address was updated to the 7936 Hillside Avenue address (see Attachment 2) and the company was listed as being formed in Illinois.

### **No Operational Licenses**

As a company, Element 7 has filed 45 separate registrations with the California Secretary of State. As of August 5, 2020, ten of those registrations have been cancelled by the company and there is currently no record of the remaining active registrations operating as businesses as required by the State of California, Bureau of Cannabis Control, and or the counties/cities Element 7 has been awarded licenses to operate in (see Attachment 3). None of the current 45 registrations recorded with the Secretary of State include a registration for the City of Salinas.

Further, of the 31 locations...or rather the 31 locations Element 7 has listed in their portfolio, not a single one is open as an Element 7 store, and/or a joint venture with Element 7 as an operating partner, and/or a currently operating commercial cannabis licensee. Nor is there any record of Robert DiVito or Element 7 having a pending application with the State of California or the Bureau of Cannabis Control.

As of November 2019, a confidential memorandum circulated by Element 7 listed Marshall J. Field Commercial Real Estate Advisory Group, LLC., as a broker for 21 of the 22 properties that Element 7 was awarded Conditional Use Permits to develop a cannabis retail joint venture. All 21 of the licenses Element 7 had won to date was being sold for \$1,200,000.00 for 51% of the license. This would be a direct violation of the existing State of California Bureau of Cannabis Control rules on transfer of licenses given the fact that majority ownership would be granted to the buyer.

### **Current Legal Issues**

As of May 26, 2020 **Element 7 is being sued by their "lead investor"** as listed in their City of Marina application, ToroVerde, Inc., in Orange County Superior Court for Breach of Contract as well as 9 other charges under Case No.: 30-2020-01140087-CU-BC-CXC (see Attachment 4).

### **ABBREVIATED SUMMARY OF DISPUTED CLAIMS**

To fact check each and every claim made throughout any of Element 7's 200 page applications would be exhaustive. However, in the interest of brevity there are several that will clearly illustrate the lack of character of Element 7's executives, unethical business practices, and false claims. The repudiation of facts will pertain to the application that Element 7 submitted in your neighboring community of the City of Marina.

**Claim 1: Robert "Bobby" DiVito's claim about a management role at Riverview Farms and how the role gave him oversight across the entire industry.**

Reality: Bobby was hired by Riverview by the Hackett Family and failed to perform his contracted duties and responsibilities. His total tenure lasted less than 30 days.

**Claim 2: Bobby claims he was successful in lobbying the "state" to adopt the "campus model" in California's MAUCRSA.**

Reality: Mr. DiVito may have attended some of the reconciliation discussions held for the general public, and provided testimony to the Business & Professions Committee (although a cursory search on the committee's public testimony yields no record of a Bobby Divito providing public comment), however the claim that he was solely successful is a **FALSE** statement.

**Claim 3: Element 7 has educated over 100 cities and communities across California and "we continue to be one of the leading advocates for change, micro-development, and agile growth in an industry that will look very different tomorrow than it does today"**

Reality: Attending a public meeting is not "educating". Retailers such as Berkeley Patients Group, Harborside, Green Door, Cookies, A Healthy Alternative, and others have a record of participating in forums sponsored by community organizations. As for being a leading advocate for change, without an operating business what change is Element 7 really influencing?

**Claim 4: ToroVerde Inc., has committed \$10.0M in capital towards Element 7's California expansion and operations.**

Reality: ToroVerde Inc., is currently suing Element 7, LLC., to recover its initial investment of \$1.3M for a Breach of Contract.

**Claim 5: "Our partnership with BURPY, one of Texas' largest and best food delivery platform is powering our cannabis delivery offer.**

Reality: As of August 5, 2020, BURPY is not a registered cannabis distributor with the State of California.

**Claim 5: Element 7's Management Team are not Element 7 employees.**

Reality: Of the seven individuals listed as "Our Element 7 team" every single summary bio is either exaggerated and/or false in regards to their professional accomplishments.

**Claim 6: Board appointment to International Hemp Solutions (IHS)**

Reality: International Hemp Solutions (IHS) is a private, for profit organization managed by a former insurance salesman and exaggerates its relationship to the Association of Official Seed Certifying Agencies, the California Foundation Seed Program, and the Organisation for Economic Cooperation and Development (OECD) which it also claims it has an exclusive license with. Again, untrue.

**Claim 7: Industry-First Retail Cannabis Study at UCLA**

Reality: Five MBA candidates at the UCLA Anderson School of Management were effectively *courted* by Element 7 to write a theses on how the company was disrupting California's Retail Industry. Again, on its surface Element 7 tries to imply that UCLA is partnering with them. At best, another exaggeration of a headline that isn't supported.

**Claim 8: Partner of the Emerald Exchange**

Reality: Justin Calvino is no longer a principal or a partner of the Emerald Exchange. Notably, while the Emerald Exchange was operating, it did so on private property and was an invite only event that limited access and sold products under a Prop. 215 condition without paying taxes to the State of California or Los Angeles County (where its events took place). It should also be noted that while the event was known for its support of women owned businesses, it also lacked diversity and inclusion of People of Color. **The disclosure of partnering with a non-approved, unlicensed event where cannabis and cannabis products were sold without proper licensing and/or testing contradicts every statement made by Element 7 that it is committed to eradicating the illicit market.**

### **Additional Points for Clarity**

- The 234 Reservation Road property was purchased by the Loesch Family Trust in July 2020. While there is an Indemnification Letter signed by both parties to the contract for lease of the land it was not signed until **AFTER** the application was submitted to the City of Salinas.
- Mr. DiVito is **NOT** an investor/operator at Riverview Farms/Monterey Cannabis Co.
- Genezen, the precursor company of Element 7 (and one of Mr. DiVito's current listed employers) is **NOT** building operations in the cities of Hanford and/or Parlier. The City of Parlier actually dropped their tax rate from 10% to 2% and Genezen has still not fulfilled its contractual responsibilities.
- It is also worth noting that neither Genezen, nor Element 7, have signed **Labor Peace Agreements** (LPA's), as mandated by California State Law and the Bureau of Cannabis Control, with either the Teamsters or the UFCW at any of their locations.
- After a careful review of the application there was **no financial statement** included. Most, if not all, cities that have approved cannabis licenses in the State of California have required a Financial Statement to assess the fiduciary capacity of the licensee to meet the goals outlined in their proposal.

We hope that this letter is able to provide a little more transparency into one of the current applicants you are reviewing for licensing in the City of Salinas. It is our hope that in providing this documentation there is no doubt that the lack of character and integrity of Element 7 disqualifies their application for consideration.

Respectfully,

Jason Teramoto  
Internal Compliance and Boardmember  
California Cannabis Association

Cc: Ray E. Corpuz, Jr., City Manager, Christopher A. Callihan, City Attorney


#### Attachments:

1. CA Secretary of State: Statement of Information dated 12/18/18
2. CA Secretary of State: Statement of Information dated 3/6/19
3. CA Secretary of State: Business Search Results
4. Attachment 3: CA Secretary of State: Business Search Results





## Attachment 1: CA Secretary of State: Statement of Information dated 12/18/18

	<b>Secretary of State</b> <b>Statement of Information</b> (Limited Liability Company)	<b>LLC-12</b>	<b>18-E13815</b>  <b>FILED</b>  In the office of the Secretary of State of the State of California  DEC 18, 2018  <b>This Space For Office Use Only</b>	
<b>IMPORTANT — Read instructions before completing this form.</b>				
<b>Filing Fee – \$20.00</b>				
<b>Copy Fees –</b> First page \$1.00; each attachment page \$0.50; Certification Fee - \$5.00 plus copy fees				
<b>1. Limited Liability Company Name</b> (Enter the exact name of the LLC. If you registered in California using an alternate name, <a href="#">see instructions.</a> ) ELEMENT 7 CA, LLC				
<b>2. 12-Digit Secretary of State File Number</b> 201834510255		<b>3. State, Foreign Country or Place of Organization</b> (only if formed outside of California) CALIFORNIA		
<b>4. Business Addresses</b>				
a. Street Address of Principal Office - Do not list a P.O. Box 7936 Hillside Ave.		City (no abbreviations) Los Angeles	State CA	Zip Code 90046
b. Mailing Address of LLC, if different than item 4a 7936 Hillside Ave.		City (no abbreviations) Los Angeles	State CA	Zip Code 90046
c. Street Address of California Office, if Item 4a is not in California - Do not list a P.O. Box 7936 Hillside Ave.		City (no abbreviations) Los Angeles	State CA	Zip Code 90046
<b>5. Manager(s) or Member(s)</b> <small>If no <b>managers</b> have been appointed or elected, provide the name and address of each <b>member</b>. At least one name <b>and</b> address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A (<a href="#">see instructions</a>).</small>				
a. First Name, if an individual - Do not complete Item 5b Robert		Middle Name M.	Last Name Divito	Suffix
b. Entity Name - Do not complete Item 5a				
c. Address 6221 Pacific Avenue		City (no abbreviations) Playa Del Ray	State CA	Zip Code 90293
<b>6. Service of Process</b> (Must provide either Individual <b>OR</b> Corporation.)				
<b>INDIVIDUAL</b> – Complete Items 6a and 6b only. Must include agent's full name and California street address.				
a. California Agent's First Name (if agent is <b>not</b> a corporation) Robert		Middle Name M.	Last Name Divito	
b. Street Address (if agent is <b>not</b> a corporation) - <b>Do not enter a P.O. Box</b> 6221 Pacific Avenue		City (no abbreviations) Playa Del Ray	State CA	Zip Code 90293
<b>CORPORATION</b> – Complete Item 6c only. Only include the name of the registered agent Corporation.				
c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete Item 6a or 6b CORPNET, INCORPORATED (C3192531)				
<b>7. Type of Business</b>				
a. Describe the type of business or services of the Limited Liability Company Consulting				
<b>8. Chief Executive Officer, if elected or appointed</b>				
a. First Name		Middle Name	Last Name	
b. Address		City (no abbreviations)	State	Zip Code
<b>9. The Information contained herein, including any attachments, is true and correct.</b>				

12/18/2018

Amanda Beren

Filer

Date

Type or Print Name of Person Completing the Form

Title

Signature

**Return Address (Optional)** (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. [SEE INSTRUCTIONS](#) BEFORE COMPLETING.)

Name:

Company:

Address:

City/State/Zip:

Attachment 2: CA Secretary of State: Statement of Information dated 3/6/19

	<b>Secretary of State</b> <b>Statement of Information</b> (Limited Liability Company)	LLC-12	<div style="text-align: center; font-size: 1.2em; font-weight: bold;">19-A93660</div> <div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 10px;">FILED</div> <div style="text-align: center; margin-top: 10px;">In the office of the Secretary of State of the State of California</div> <div style="text-align: center; margin-top: 20px;">MAR 06, 2019</div>
<b>IMPORTANT — Read instructions before completing this form.</b>			This Space For Office Use Only
<b>Filing Fee – \$20.00</b>			
<b>Copy Fees –</b> First page \$1.00; each attachment page \$0.50; Certification Fee - \$5.00 plus copy fees			
<b>1. Limited Liability Company Name</b> (Enter the exact name of the LLC. If you registered in California using an alternate name, <a href="#">see instructions</a> .) ELEMENT 7, LLC			
<b>2. 12-Digit Secretary of State File Number</b> 201905110186		<b>3. State, Foreign Country or Place of Organization</b> (only if formed outside of California) ILLINOIS	
<b>4. Business Addresses</b>			
a. Street Address of Principal Office - Do not list a P.O. Box 7936 Hillside Ave.	City (no abbreviations) Los Angeles	State CA	Zip Code 90046
b. Mailing Address of LLC, if different than item 4a 7936 Hillside Ave.	City (no abbreviations) Los Angeles	State CA	Zip Code 90046
c. Street Address of California Office, if item 4a is not in California - Do not list a P.O. Box 7936 Hillside Ave.	City (no abbreviations) Los Angeles	State CA	Zip Code 90046
<b>5. Manager(s) or Member(s)</b>			
If no <b>managers</b> have been appointed or elected, provide the name and address of each <b>member</b> . At least one name <b>and</b> address must be listed. If the manager/member is an individual, complete Items 5a and 5c (leave Item 5b blank). If the manager/member is an entity, complete Items 5b and 5c (leave Item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A ( <a href="#">see instructions</a> ).			
a. First Name, if an individual - Do not complete Item 5b Robert	Middle Name M.	Last Name Divito	Suffix
b. Entity Name - Do not complete Item 5a			
c. Address 7936 Hillside Ave.	City (no abbreviations) Los Angeles	State CA	Zip Code 90046
<b>6. Service of Process</b> (Must provide either Individual <b>OR</b> Corporation.) <b>INDIVIDUAL</b> – Complete Items 6a and 6b only. Must include agent's full name and California street address.			
a. California Agent's First Name (if agent is <b>not</b> a corporation)	Middle Name	Last Name	Suffix
b. Street Address (if agent is <b>not</b> a corporation) - <b>Do not enter a P.O. Box</b>	City (no abbreviations)	State CA	Zip Code
<b>CORPORATION</b> – Complete Item 6c only. Only include the name of the registered agent Corporation.			
c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete Item 6a or 6b CORPNET, INCORPORATED (C3192531)			
<b>7. Type of Business</b>			
a. Describe the type of business or services of the Limited Liability Company Business Management			
<b>8. Chief Executive Officer, if elected or appointed</b>			
a. First Name	Middle Name	Last Name	Suffix
b. Address	City (no abbreviations)	State	Zip Code
<b>9. The Information contained herein, including any attachments, is true and correct.</b>			
03/06/2019	Amanda J Beren	Filer	
Date	Type or Print Name of Person Completing the Form	Title	Signature
<b>Return Address (Optional)</b> (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. <a href="#">SEE INSTRUCTIONS</a> BEFORE COMPLETING.)			
Name: [ ]			
Company:			
Address:			
City/State/Zip: [ ]			

					INC. (C2392069)
201905710636	02/21/2019	ACTIVE	<b><u>ELEMENT 7 LAKEPORT, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835410664	12/18/2018	ACTIVE	<b><u>ELEMENT 7 LEMON GROVE, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905610561	02/20/2019	ACTIVE	<b><u>ELEMENT 7 MARINA, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201934510297	12/05/2019	ACTIVE	<b><u>ELEMENT 7 MENDOTA LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835810284	12/20/2018	CANCELED	<b><u>ELEMENT 7 MOUNTAIN VIEW, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835810316	12/20/2018	ACTIVE	<b><u>ELEMENT 7 PITTSBURG, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905610580	02/20/2019	ACTIVE	<b><u>ELEMENT 7 PLACERVILLE, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201203010328	12/19/2011	ACTIVE	<b><u>ELEMENT 7 PROMOTIONS, LLC</u></b>	NEVADA	JAMIE S HSU
202021610185	07/30/2020	ACTIVE	<b><u>ELEMENT 7 SAN JACINTO LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201934510148	12/05/2019	ACTIVE	<b><u>ELEMENT 7 SAN JOAQUIN LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835810288	12/20/2018	ACTIVE	<b><u>ELEMENT 7 SAN LUIS OBISPO, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835210467	12/14/2018	CANCELED	<b><u>ELEMENT 7 SANTA BARBARA, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201921010228	07/26/2019	CANCELED	<b><u>ELEMENT 7 SANTA CRUZ COUNTY LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
202004210206	02/10/2020	ACTIVE	<b><u>ELEMENT 7 SF1 LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
202005211077	02/10/2020	ACTIVE	<b><u>ELEMENT 7 SF2 LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
202006010278	02/19/2020	ACTIVE	<b><u>ELEMENT 7 SF3 LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
202006010275	02/19/2020	ACTIVE	<b><u>ELEMENT 7 SF4 LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201909910451	04/04/2019	CANCELED	<b><u>ELEMENT 7 SOUTH LAKE TAHOE LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835310381	12/17/2018	ACTIVE	<b><u>ELEMENT 7 SOUTH SAN FRANCISCO, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
202021610584	07/30/2020	ACTIVE	<b><u>ELEMENT 7 TRACY LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905710635	02/21/2019	ACTIVE	<b><u>ELEMENT 7 TRUCKEE, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905710640	02/21/2019	ACTIVE	<b><u>ELEMENT 7 UKIAH, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201908510404	03/21/2019	ACTIVE	<b><u>ELEMENT 7 WALNUT CREEK LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
202012810239	05/04/2020	ACTIVE	<b><u>ELEMENT 7 WILLITS LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835810253	12/20/2018	ACTIVE	<b><u>ELEMENT 7 WILLOWS, LLC</u></b>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905110186	02/19/2019	ACTIVE	<b><u>ELEMENT 7, LLC</u></b>	ILLINOIS	CORPNET, INCORPORATED (C3192531)

Showing 1 to 45 of 45 entities

[Previous](#)
[1](#)
[Next](#)

## Attachment 3: CA Secretary of State: Business Search Results

Business Search - Business Entities - Business Programs | California Secretary of State

8/5/20, 11:13 PM

Alex Padilla  
California Secretary of State

### Business Search - Results

The California Business Search is updated daily and reflects work processed through Tuesday, August 4, 2020. Please refer to document **Processing Times** for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity.

- Select an entity name below to view additional information. Results are listed alphabetically in ascending order by entity name, or you can select a column title to change the sort order.
- To refine the search results, enter a word or a string of words in the "Narrow search results" box. The "Narrow search results" will search on all fields of the initial search results.
- For information on checking or reserving a name, refer to **Name Availability**.
- For information on requesting a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Frequently Asked Questions**.

Results of search for LP/LLC Name keyword "element 7" returned 45 entity records (out of 45 records found).

Show  entities per page

Narrow search results:

Entity Number	Registration Date	Status	Entity Name	Jurisdiction	Agent for Service of Process
201913310026	05/10/2019	CANCELED	<a href="#">ELEMENT 7 ALAMEDA LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905610582	02/20/2019	ACTIVE	<a href="#">ELEMENT 7 AMERICAN CANYON, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201928010486	10/07/2019	ACTIVE	<a href="#">ELEMENT 7 ANTIOCH LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201836010451	12/20/2018	CANCELED	<a href="#">ELEMENT 7 BANNING, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835810258	12/20/2018	ACTIVE	<a href="#">ELEMENT 7 BLYTHE, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201834510255	12/06/2018	ACTIVE	<a href="#">ELEMENT 7 CA, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905610577	02/20/2019	CANCELED	<a href="#">ELEMENT 7 CAPITOLA, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835810293	12/20/2018	ACTIVE	<a href="#">ELEMENT 7 CHULA VISTA ONE, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201909910460	04/04/2019	ACTIVE	<a href="#">ELEMENT 7 CONTRA COSTA LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905610585	02/20/2019	CANCELED	<a href="#">ELEMENT 7 COTATI, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
202016310373	06/10/2020	ACTIVE	<a href="#">ELEMENT 7 CRESCENT CITY LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201934510233	12/05/2019	ACTIVE	<a href="#">ELEMENT 7 EL DORADO LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905710153	02/21/2019	ACTIVE	<a href="#">ELEMENT 7 EUREKA, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201934510295	12/05/2019	ACTIVE	<a href="#">ELEMENT 7 FAIRFAX LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201908510415	03/21/2019	ACTIVE	<a href="#">ELEMENT 7 FIREBAUGH LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201905710639	02/21/2019	ACTIVE	<a href="#">ELEMENT 7 FRESNO, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835810292	12/20/2018	ACTIVE	<a href="#">ELEMENT 7 HESPERIA, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201835810286	12/20/2018	CANCELED	<a href="#">ELEMENT 7 IMPERIAL BEACH, LLC</a>	CALIFORNIA	CORPNET, INCORPORATED (C3192531)
201431610320	11/12/2014	CANCELED	<a href="#">ELEMENT 7 LABS, LLC</a>	CALIFORNIA	REGISTERED AGENT SOLUTIONS,

Attachment 4: Superior Court of California, Count of Orange. Case No.: 30-2020-01140087-CA-BC-CXCf

Electronically Filed by Superior Court of California, County of Orange, 05/26/2020 01:56:25 PM.  
30-2020-01140087-CU-BC-CXC - ROA # 2 - DAVID H. YAMASAKI, Clerk of the Court By Sarah Loose, Deputy Clerk.

LOUIS J. CISZ, III., State Bar No. 142060  
lcisz@nixonpeabody.com  
RYAN C. C. DUCKETT, State Bar No. 288750  
rduckett@nixonpeabody.com  
NIXON PEABODY LLP  
300 South Grand Ave, Suite 4100  
Los Angeles, CA 90071-3151  
Tel: (213) 629-6000  
Fax: (213) 629-6001

Attorneys for Plaintiff  
TOROVERDE, INC.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF ORANGE**

TOROVERDE, INC., a foreign corporation,  
Plaintiff,

vs.

ELEMENT 7, INC., a Delaware company  
doing business in California; SIGRA LLC, a  
California LLC; ELEMENT 7 ALAMEDA  
LLC; ELEMENT 7 CAPITOLA, LLC;  
ELEMENT 7 CONTRA COSTA LLC;  
ELEMENT 7 EUREKA, LLC; ELEMENT 7  
FIREBAUGH LLC; ELEMENT 7 FRESNO,  
LLC; ELEMENT 7 IMPERIAL BEACH,  
LLC; ELEMENT 7 MARINA, LLC;  
ELEMENT 7 PITTSBURG, LLC;  
ELEMENT 7 SOUTH LAKE TAHOE LLC;  
ELEMENT 7 UKIAH, LLC; ELEMENT 7  
WALNUT CREEK LLC; ELEMENT 7  
WILLOWS, LLC; and DOES 1-15,

Defendants.

Case No.: 30-2020-01140087-CU-BC-CXC

**COMPLAINT FOR:**

- (1) BREACH OF CONTRACT;
- (2) BREACH OF THE COVENANT OF  
GOOD FAITH AND FAIR DEALING;
- (3) UNFAIR BUSINESS PRACTICES IN  
VIOLATION OF B&P CODE § 17200, *et*  
*seq.*;
- (4) CONSPIRACY;
- (5) CONVERSION;
- (6) FRAUDULENT PROMISES;
- (7) UNJUST ENRICHMENT;
- (8) NEGLIGENCE;
- (9) DECLARATORY RELIEF;
- (10) PRELIMINARY AND PERMANENT  
INJUNCTION; AND

**DEMAND FOR JURY TRIAL**

Assigned for all purposes to: Judge Randall J. Sherman

Dept: CX105

**COMPLAINT FOR DAMAGES**

Plaintiff ToroVerde, Inc. ("ToroVerde" or "Plaintiff") brings its Complaint against the following  
parties: Element 7, Inc. ("Defendant Element 7"), a Delaware company doing business in the state of

**From:** [Gassaway, David](#)  
**To:** [Kreimeier, Amy](#)  
**Cc:** [Feinstein, David M](#); [Stepanicich, Greg](#)  
**Subject:** FW: Commercial Cannabis Retail Business application  
**Date:** Thursday, February 4, 2021 6:56:12 PM

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Amy – this should be provided to City Council as a part of the hearings.

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**From:** Chatwin, Stefan <[schatwin@fairfield.ca.gov](mailto:schatwin@fairfield.ca.gov)>  
**Sent:** Wednesday, February 3, 2021 4:28 PM  
**To:** Gassaway, David <[dgassaway@fairfield.ca.gov](mailto:dgassaway@fairfield.ca.gov)>; Stepanicich, Greg <[gstepanicich@rwglaw.com](mailto:gstepanicich@rwglaw.com)>  
**Subject:** FW: Commercial Cannabis Retail Business application

---

**From:** John Jamison <[JJamison@jellybelly.com](mailto:JJamison@jellybelly.com)>  
**Sent:** Wednesday, February 3, 2021 3:34 PM  
**To:** Chatwin, Stefan <[schatwin@fairfield.ca.gov](mailto:schatwin@fairfield.ca.gov)>  
**Subject:** Commercial Cannabis Retail Business application

Stefan,  
I hope you're doing well.

I am reaching out today as Jelly Belly has received notice of an application to operate a Commercial Cannabis Retail Business located at 2320 Courage Drive, right next door to the Jelly Belly campus.

The Jelly Belly Visitor Center, Factory Tour and the entire Jelly Belly campus of buildings draws hundreds of thousands of travelers each year. We see a large number of busses, including school busses and tour busses filled with families and teenage students. What will our family oriented or underage guests say when they see Cannabis signage along the travel route to Jelly Belly? Also, when guests Google Map our campus, you can be certain that the icon to this Cannabis store will show right next to our logo. Our reputation as a welcoming, wholesome image is a huge asset for both Fairfield and Solano County, who have used our great brand equity to attract potential businesses or when marketing to families to make Fairfield their home.

It is not our intention to stop a Cannabis store from locating in Fairfield or even within our Industrial Park. We ask that this type of business does not place

signage in the direct travel path to our world famous Visitor Center and Factory Tour, let alone locate right next door to our Jelly Belly campus so that it shows up on Google or any other maps.

I appreciate whatever guidance you can give me to express our concerns.

Thanks

John

John Jamison

Vice President Retail Operations

Jelly Belly Candy Company

707-399-2338

[jjamison@jellybelly.com](mailto:jjamison@jellybelly.com)