

STATE OF NEW YORK
SUPREME COURT

ALBANY COUNTY

In the Matter of the Application of

**CARMINE FIORE, WILLIAM NORGARD,
STEVEN MEJIZ, and DOMINIC SPACCIO,**

Petitioner-Plaintiff,

-against-

DECISION & ORDER
Index No.: 907282-23
(Motion Sequence 34)

NEW YORK STATE CANNABIS CONTROL BOARD, et. al,

Respondents-Defendants.

Supreme Court, Albany County
Present: Hon. Kevin R. Bryant, J.S.C.

Appearances:

Petitioner:

Patrick Joseph Smith
Brian Thomas Burns
Selbi Lee Jason

Attorneys for Carmine Fiore, William Norgard, Steve Mejia, and Dominic Spaccio

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Respondent:

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Attorney for the New York Cannabis Control Board,

New York State Office of Cannabis Management, Tremaine Wright, Chris Alexander

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Non-Parties:

Jorge L Vasquez

Attorney for CONBUD LLC, CONBUD LLC, 82-J, LLC, Kush Culture Industry, LLC,

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Bryant, K.:

On or about August 18, 2023, a Decision and Order having been entered by this Court granting a request for a preliminary injunction and outlining conditions under which this Court would grant exemptions on a case-by-case basis for individual licensees upon proof that said licensees prior to August 7, 2023, met all requirements for licensing, including but not limited to site plan approval from the CCB and, where applicable, from local municipalities” and

Further applications, submissions and decisions having been issued by the Court regarding potential exemptions.

This Court has reviewed the submissions from both Plaintiff, Respondent and Intervenor regarding the proposed licensee, in particular, the affidavit indicating that the applicant has complied with all applicable requirements for licenses and, although not required by OCM, the further affidavits indicating that inspections have been completed and have confirmed that the location complies with all public health and safety requirements and is ready to become fully operational without significant further construction or expenditures.

NOW, it is hereby ORDERED, that pending further Order of this Court, the exemption requested in the Order to Show Cause filed by Respondent regarding **Kush Culture Industry, LLC, license OCM-CAURD-2022-00173** is hereby granted.

This shall constitute the Decision and Order of the Court.

The signing of this Decision and Order shall not constitute entry or filing under CPLR §2220. Counsel is not relieved from the applicable provisions of that rule regarding notice of entry.

Dated: October 6, 2023
Kingston, New York

ENTER,



HON. KEVIN R. BRYANT, J.S.C.