

September 6, 2019

Nova Farms LLC (f/k/a BCWC, LLC)
679 Washington Street,
Suite 8, Box 117
Attleboro, MA 02703
derek@cannatech.com

Case No. 2019A-0056-04

SUMMARY SUSPENSION ORDER

**Pursuant to M.G.L. c. 94G, M.G.L. c. 94I,
935 CMR 500.000: *Adult Use of Marijuana* and
935 CMR 501:000 *Medical Use of Marijuana***

Pursuant to its authority under G.L. c. 94G and 94I, and the associated regulations, the Commonwealth of Massachusetts Cannabis Control Commission (the “Commission”), acting through its Executive Director, issues this summary suspension order based on a determination that continued licensure of Nova Farms, LLC (f/k/a BCWC, LLC) (“Nova Farms”) poses an imminent danger to the public health, safety and welfare. See 935 CMR 500.350 and 935 CMR 501.450. Accordingly, the Commission orders the summary suspension of the following Marijuana Establishment licenses pending further enforcement or administrative actions, including, but not limited to, the suspension or revocation of the licenses and any associated agent registrations:

Final	MC281841	Tier 9 (Outdoor) Cultivation	Sheffield, MA
Provisional	MC281970	Tier 1 (Indoor) Cultivation	Sheffield, MA
Provisional	MC281263	Tier 2 (Indoor) Cultivation	Attleboro, MA
Provisional	MP281325	Product Manufacturer	Attleboro, MA
Provisional	MR281379	Retail	Attleboro, MA
Provisional	N/A	Medical Marijuana Treatment Center	Attleboro, MA

This order is based on credible and reliable information obtained as part of the Commission’s ongoing investigation into this matter, including the following:

1. On May 30, 2019, Mark Rioux (Rioux) submitted an agent registration application (AR286798) including a signed attesting that Rioux would not engage in the diversion of marijuana and marijuana products.

The attestation included the following signed affirmation:

“I affirm that all the information provided within is true and accurate. I further affirm that all required attestations written above have been made voluntarily,

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and by signing below, certify that I do in fact make these true and accurate attestations.”

2. On June 12, 2019, the Commission approved Rioux’s agent registration application (AR286798)
3. On July 25, 2019, Rioux submitted an agent registration application (AR288054) including the signed attestation described in paragraph 1.
4. On July 26, 2019, the Commission approved Rioux’s agent registration application (AR288054).
5. Rioux is listed as a controlling person with a greater than 10% ownership interest and greater than 10% control interest in each of the Respondent’s adult-use provisional licenses, MC281970, MC281263, MP281325, MR281379, Respondent’s adult-use final license, MC281841, and Respondent’s provisional Medical Marijuana Treatment Center License dated November 15, 2017.
6. Rioux is a licensed Massachusetts real estate agent and is listed as principal of several Massachusetts real estate holding companies. Rioux’s real estate profession includes commercial leasing.
7. Based on a review of the criminal complaint filed by the Attleboro Police Department and other related documentation, the Director of Investigation, learned that Rioux is allegedly associated with an individual named Marshall Muir (Muir). Muir is listed as a co-conspirator with Rioux to violate the Commonwealth’s drug laws pursuant to M.G.L. c. 94C.
8. On August 6, 2019, the Attleboro Police Department conducted a forensic search of Muir’s cellphone and identified text communications between Muir and Rioux indicating Rioux’s efforts to actively scout a warehouse location for Muir to set up and operate an illicit Marijuana grow operation.
9. The forensic search of Muir’s cellphone returned communications between Rioux and Muir spanning a period of time between June 5, 2018 and August 4, 2018. The communications established Rioux’s awareness of the illicit nature of Muir’s operation and Muir’s efforts to avoid detection by law enforcement, including but not limited to, the posting of “grow licenses on the wall when they (i.e. municipal fire department) walk in that is separated from the grow.”
10. Rioux’s ownership and control over Respondent’s licenses and Rioux’s alleged conspiracy to evade the Commission’s licensing laws and violate the Commonwealth’s drug laws establishes an immediate threat to the public health, safety and welfare.



Based on credible and reliable information obtained by the Commission as part of its ongoing investigation into this matter, the Commission, acting through its Executive Director, hereby **ORDERS** Respondent to:

1. Suspend all licensed operations at all of Respondent's licensed Marijuana Establishments and licensed Medical Marijuana Treatment Center;
2. Immediately quarantine and secure all marijuana and marijuana products at any stage of cultivation and production related to license no. MC281841 and pursuant to 935 CMR 500.340 and 935 CMR 501.445;
3. Comply with all inspections, requests for information, requests for document production and interviews sought by the Commission in connection with its ongoing investigation into Nova Farm's business operations, including cultivation of marijuana pursuant to license no. MC281841;
4. Post notice of this order in a conspicuous location at each licensed Marijuana Establishment and Medical Marijuana Treatment Center subject to this order;
5. Comply with all provisions of 935 CMR 500.000: *Adult Use of Marijuana*, and 935 CMR 501.000: *Medical Use of Marijuana*; and
6. Immediately comply with the requirements of this order upon its receipt.

Failure to comply with the above conditions may result in further administrative action against Respondent including suspension, issuance of a monetary fine, and revocation of licensure.

The order shall remain in effect until the Commission rescinds or amends the order or until the Commission issues a final decision or until such other time specified in 935 CMR 500.350(5) and 935 CMR 501.450.

If, after further investigation, the Commission determines that there are grounds to suspend, revoke or take other administrative action against Respondent's license or agent registrations, it may also issue an order to show cause why the license should not be revoked or subject to any other administrative action it deems necessary to protect the public health, safety, or welfare.

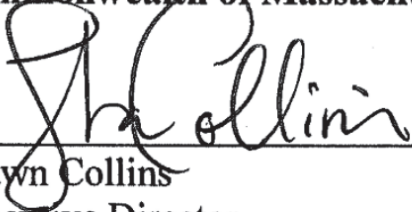
Respondent may request a hearing within fourteen (14) calendar days after the effective date stated below by making such request, in writing, to the Commission at 101 Federal Street, 13th Floor, Boston, MA 02210 or electronically to Yaw Gyebi, Jr., Chief of Investigations and Enforcement, at yaw.gyebi@mass.gov.

[SIGNATURE PAGE ON FOLLOWING PAGE]



Effective this 6th day of September 2019:

Commonwealth of Massachusetts Cannabis Control Commission



Shawn Collins
Executive Director

