

## Will the sun set on WeHo's Sunset Shoppe pot club?

Thursday, August 12, 2010 - By Chloe Mayer, city desk reporter, West Hollywood

West Hollywood, California (August 12, 2010) - Ridding West Hollywood of a "rogue business" can be dicey, especially if it happens to be a pot shop in this Southern California safe haven for medical marijuana dispensaries.

Court papers filed by the city have accused an allegedly unlicensed medical marijuana dispensary of threatening residents' "public health, safety and general welfare" - but this week the defiant store owners have vowed to rebut the allegations and even file a cross complaint.

George and Nansee Lanning run the Sunset Super Shop and both are named as defendants in the civil case, along with their son Justin.

The store, on the 8921 Sunset Boulevard, is also known as the Sunset Shoppe and the Compassionate Healing Center of West Hollywood.

City officials accuse the store of creating a public nuisance, violating municipal codes and unfair business practices, according to documents filed with Los Angeles Superior Court in May.

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Under law, the business could be fined \$2,500 per violation and face closure

The Lannings' attorney, Michael Chernis, told WeHo News that his clients bought the business in 2008 although a licensed dispensary had operated from the site since 2005.



Ridding West Hollywood of a "rogue business" can be dicey, especially if it happens to be a pot shop in this Southern California safe haven for medical marijuana dispensaries. Photo by WeHo News.



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Photo by WeHo News.

Andrew Kramer, now head of Zen, another medical marijuana outlet on Santa Monica Boulevard, leased the licensed dispensary in 2005 from the Lannings, who own the building.

Mr. Chernis alleged that in 2009, Mr. Kramer wrote to the city "closing his store" and asking to revoke the permit following his own legal dispute with the Lannings.

"Not only did he have no right to send that letter, but the city knew he had no authority to write that letter," Mr. Chernis claimed.

"Yet, [the city] used that as legal justification to take the position that my clients ceased operating a dispensary and thus lost their permit. Does that sound fair,' he asked?"

"I don't think so. The city is on a crusade to hurt my clients and neither they nor I will be bullied by [these] despicable tactics."



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He added, as a point of law, that "The permit runs with the land, not a particular applicant," he said.

Still, William Litvak, an attorney for the city of West Hollywood, is confident the city will win.

"The simple fact in the present case is that the defendants do not and did not have the proper authorization from the city to operate a facility where medical marijuana is dispensed," he said.

The City of West Hollywood limits the number of medical marijuana dispensaries in the city to four - *the Sunset Shoppe makes five.*

The city holds regular meetings with the four complying dispensaries at which policy and procedures are discussed.

There are severe restrictions on all WeHo dispensaries' operations, such as keeping limited funds and product in the store, and contributing a certain amount of "compassionate use" medicine to the needy.



The city alleges that the Sunset Shoppe fails to attend those meetings and does not abide policies and procedures determined in them.  
Mr. Litvak pointed out that the disputes between the original business owner and the new ones are separate legal matters that do not take precedence over city laws.

“The defendants are free to apply, like everyone else, if they would like permission to establish a marijuana establishment,” he said.

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Former owner of the Sunset Shoppe Andrew Kramer told a local blogger that the shop could be selling "any drug in any amount." Photo by WeHo News.

More than 1,000 patients currently buy products from the Sunset Super Shop according to its lawyer.

One of them, a 21-year-old man who declined to be named, said it would be a loss if the store is shut down.

“I’ve been to this one quite a few times,” he said. “I think they’re good. I just dropped a couple hundred bucks in there. They should just legalize [marijuana]; it would get California out of debt. It’s a product a lot of people want.”

But a board member of one of the four legal dispensaries in West Hollywood, Donald Duncan of the Los Angeles Patients and Caregivers Group, said it is important that collectives follow the rules in cities where medical cannabis is regulated.

“In a situation like this, we have to rely on the courts for resolution,” he added.

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