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**STATE OF WASHINGTON
THURSTON COUNTY SUPERIOR COURT**

State of Washington,

Plaintiff,

v.

Jai Mundi, Inc., d/b/a Virgin Vapor,

Respondent.

NO.

ASSURANCE OF
DISCONTINUANCE

The State of Washington, by and through its attorneys, Robert W. Ferguson, Attorney General, and Leilani Fisher, Assistant Attorney General, files this Assurance of Discontinuance pursuant to RCW 19.86.100. Jai Mundi, Inc., d/b/a Virgin Vapor (“Respondent”), is a California corporation that sells liquid nicotine products to Washington consumers.

I. ASSURANCE OF DISCONTINUANCE

1.1. The Attorney General deems and Respondent acknowledges the following to constitute unfair or deceptive acts or practices in violation of the Consumer Protection Act (RCW 19.86):

- a) Manufacturing and selling organic products to Washington consumers without being certified by a USDA-accredited organic certifying agent. *See* RCW 19.86.023; RCW 15.86.090; WAC 16-157-215(1); 7 CFR §205.100.
- b) Manufacturing and selling to Washington consumers products that are labelled or represented to be organic if the products have not been marketed and

1 produced in accordance with Washington's Organic Products statute (RCW
2 15.86) and administrative rules adopted under it, including the National
3 Organic Program (7 CFR 205). See RCW 19.86.023.

4 1.2 Respondent agrees to comply with the Consumer Protection Act (RCW 19.86), the
5 Organic Products statute (RCW 15.96), and the National Organic Program (7 CFR 205).

6 1.3 Respondent's application for certification from a USDA-accredited organic
7 certifying agent is in process. Respondent will obtain certification within three months after entry
8 of this Assurance of Discontinuance. If at any time such certification is revoked, Respondent will
9 immediately stop selling or offering to sell in Washington products that are labelled or represented
10 to be organic.

11 ~~1.4 This Assurance of Discontinuance is not and may not be considered an admission~~
12 ~~of violation for any purpose. Proof of failure to comply with this Assurance of Discontinuance~~
13 ~~presented by the Attorney General shall be prima facie evidence of violations of RCW 19.86.020,~~
14 ~~thereby placing upon the Respondent the burden of defending against the Court's imposition of~~
15 ~~injunctions, restitution, civil penalties of up to \$2,000.00 per violation, and other relief that the~~
16 ~~Attorney General may seek.~~

17 1.5 This Assurance of Discontinuance may not be used by any third party in any
18 other proceeding and is not intended, and should not be construed, as an admission of liability
19 by Jai Mundi.

20 II. RELEASE OF CLAIMS

21 2.1 By its execution of this Assurance of Discontinuance, the State releases
22 Respondent from all civil claims, causes of action, damages, restitution, fines, costs and penalties
23 under Chapter 19.86, RCW arising from the conduct that is the subject of this Assurance of
24 Discontinuance.
25

1 representatives, and all other persons acting in concert or participating with Respondent in the
2 context of conducting Respondent's businesses.

3 4.3 Nothing in this Assurance of Discontinuance shall be construed to deprive any
4 person of any private right under law or equity.

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7 Approved on this 26th day of October, 2015.

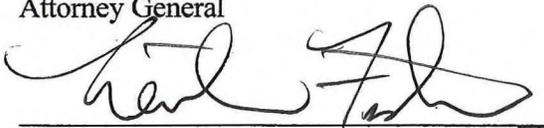
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10 JUDGE/COURT COMMISSIONER

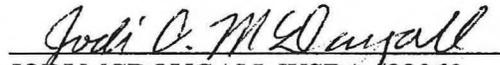
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13 Presented By:

Agreed to, Approved For Entry, and
Notice of Presentation Waived:

14 ROBERT W. FERGUSON
15 Attorney General

COZEN O'CONNOR

16 



17 LEILANI FISHER, WSBA #48233
18 Assistant Attorney General
19 Attorney for State of Washington

JODI MCDUGALL WSBA #22060
Attorney for Respondent