

EXHIBIT

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

HW PREMIUM CBD, LLC,
AJ's HEALTH AND WELLNESS d/b/a
AMERICAN SHAMAN, E. KRIEGER
LAND, LLC d/b/a GREENE GOODS
MARKET & GREENHOUSES, GREEN
ONYX INC. d/b/a YOUR CBD STORE,
BEYOND CBD, LLC d/b/a BEYOND CBD,
CAMPBELL'S NUTRITION CENTERS,
INC., TCI ENTERPRISE, INC. d/b/a SKY
HIGH, ICANNA, LLC, YOUR CBD STORES
FRANCHISING LLC,

Case No. 4:24-cv-00210-SHL-HCA

Plaintiffs,

v.

GOVERNOR KIM REYNOLDS in her official
capacity, DIRECTOR OF IOWA
DEPARTMENT OF HEALTH AND HUMAN
SERVICES KELLY GARCIA in her official capacity,
COMMISSIONER OF IOWA DEPARTMENT OF
PUBLIC SAFETY STEPHAN BAYES in his official
capacity, and IOWA SECRETARY OF AGRICULTURE
MIKE NAIG in his official capacity,

Defendants.

DECLARATION OF MATHEW MILLER

I, Mathew Miller, do hereby attest as follows:

1. I am over the age of majority, am competent to testify, and I have personal knowledge of the matters addressed in this Declaration.

2. This Declaration is submitted in support of Plaintiffs' Supplemental Reply Brief in Support their Motion for Preliminary Injunction.

3. As I have previously stated, I am the owner of ICanna, LLC, ("ICanna") located at

2316 230th Street, Ames, Iowa. ICanna manufactures and sells products that Iowa has defined as “consumable hemp products.” ICanna’s manufacturing and retail operations are both licensed and registered with the Iowa Department of Health and Human Services (“DHHS”).

4. ICanna’s manufacturing portal shows all products but three are active and approved. The three products that are not in the approved table were added over 30 days ago and have not been reviewed by DHHS to date.


5. ICanna’s retailing portal shows that 13 of our products have been approved, while two have been denied. Both products that were denied contain no THC.

6. ICanna manufactures six of the 13 approved products on the retail portal. None of the six approved products have the warning labels as required by the Final Rules that were adopted and came into effect last week. One of the approved products has a certificate of analysis that is over one year old but is still approved.

7. DHHS’s definition of “synthetic” in the Final Rules remains confusing for those in the industry such as myself, as it contains no reference to or use of accurate chemistry terminology, which further increases the vagueness of the term for ICanna as both a manufacturer and retailer of consumable hemp products.

7/22/2024

Executed this __ day of July 2024.

DocuSigned by:

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Mathew Miller