

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

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: PEOPLE OF THE STATE OF NEW YORK, by :
: ERIC T. SCHNEIDERMAN, Attorney General of the : **AFFIDAVIT OF**
: State of New York, : **RYAN FANNON**
: :
: Petitioner, :
: :
: -against- :
: :
: DAZE, INC.; KIM FULCHER (a/k/a KIM TASIK), :
: individually and as principal of DAZE, INC.; and :
: RYAN FULCHER, individually and as principal of :
: DAZE, INC., :
: :
: Respondents. :
: :
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STATE OF NEW YORK)

COUNTY OF NEW YORK) ss.:

I, RYAN FANNON, being duly sworn, hereby depose and state:

1. I am an investigator trainee in the New York State Office of the Attorney General.
2. On June 15, 2012, at approximately 3:07 p.m., I went into Daze, a store located at 574 Sunrise Highway, Baldwin, New York.
3. When I entered the store, I was greeted by a white male, approximately 5'9", likely in his late twenties to early thirties, with a moustache, and very long, light-brown hair. He asked me if I needed help.
4. I asked the clerk if he had spice.
5. I understand spice to be a smoke-able substance.

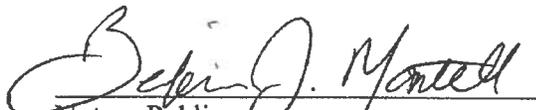
6. Another clerk, a white male, approximately 5'8", likely in his late twenties to early thirties, with long dark-brown hair and glasses, was also present. Both of these clerks said, in sum and substance, that spice was now banned.
7. I then asked if they had salvia.
8. I understand salvia to be a smoke-able substance that is derived from a plant and may cause hallucinations.
9. The clerk with a moustache said that they did. He showed me a sign with several different types or "levels" of salvia, from the weakest and least expensive type to progressively more powerful and expensive types.
10. I agreed to buy one green box (first level) of salvia (Ex. A) and one yellow box (second level) of salvia (Ex. B). The clerk with the moustache took the boxes out from somewhere behind the counter.
11. I then asked what was the best kind of pipe to use with the salvia. He replied, in sum and substance, that any pipe would be fine. I then asked if we could look at some pipes. He brought me into the back and showed me a red pipe that was \$15 (Ex. C). I told him that I would take it.
12. When we both got back to the front desk, the clerk asked me if I knew how to use salvia. I replied that I did not. He explained, in sum and substance, that you have to put a filter over the pipe, then take one hit, and exhale.
13. I then asked the clerk if he had any kratom. He said that he thought they did and he asked the clerk with the glasses to help look for it. They both looked through drawers behind the counter and came up with two packages: "Serenity" (Ex. D) and "Nightlights" (Ex. E). I told them that I would take both packages.

14. The clerk with glasses asked me if I knew how to use salvia. I said no. He explained, in sum and substance, that I should hold the smoke in my lungs until I see little dots on the sides of my eyes and then exhale.
15. The clerk with glasses suggested that I buy a more powerful type of salvia so I agreed to purchase one red box (third level) of salvia (Ex. F) too.
16. The clerk with the moustache then totaled up all of the items. I paid him \$101.02 in cash for the three boxes of salvia, "Serenity," "Nightlights," and the glass pipe.
17. I then thanked both of the clerks and left the store at approximately 3:18 p.m.



RYAN FANNON

Sworn to before me this 27 day
of June 2012



Notary Public

BENJAMIN JOSHUA MANTELL
Notary Public, State of New York
No. 02MA6143335
Qualified in Queens County
Commission Expires April 03, 2014

Not all leaf is the same!



SALVIA ZODIAC

FORTIFIED LEAF

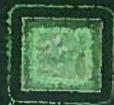
GREEN LEVEL

16 mg/g Salvinorin A

PERSONAL DISCOVERY



1/2 Gram



1 Gram

Exhibit A

Warning - This product:

- is not intended for use by pregnant/nursing women or any individuals under the age of 18.
- is intended for use by the buyer only. It is the product's buyer's responsibility to ensure that whoever uses the product understands and complies with all warnings and suggestions.
- is not intended to diagnose, treat, cure, or prevent disease.
- has not been fully clinically tested or researched.
- can produce a variety of effects/side effects depending on the individual. These include, but are not exclusive to headache, disassociation, and/or an altered sense of perception.
- should be discussed with your physician prior to use.
- should be used at one's own risk.
- has not been evaluated by the FDA.

NOT MEANT FOR CONSUMPTION OR INGESTION. INHALATION OF SMOKE IN ANY FORM IS HARMFUL TO THE LUNGS AND BODY AND MAY CAUSE DAMAGE.

By purchasing this product, the buyer acknowledges that they have read and understood all warnings and suggestions provided by NAP. The buyer takes full responsibility for any and all actions/reactions that may occur while using this product and will not hold NAP & Associates, LLC or any of its affiliates liable in any way.

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TURN YOUR BRAIN ON!®

Calibrated into 5 distinct levels of potency, users can now confidently decide how far into the meditative state they wish to go each and every time.

- GREEN - Personal Discovery
- YELLOW - Deep Self-Exploration
- RED - Visionary Quest
- PURPLE - Beyond*
- BLUE - Infinity*

Please note that the Purple and Blue levels were created as addenda to the original Salvia Zone program and are reserved for extremely veteran Salvia users with clear and specific meditative objectives. It is not intended for novice or recreational use. Caution is required.

This product was developed for responsible adults engaging in personal and spiritual exploration. Used properly, Salvia Zone products are wonderfully helpful tools for anyone searching for a deeper understanding of one's self. If this is not your intention, then this product is not for you. Full directions and suggestions are provided on this package and must be followed exactly. Misuse of any Salvia Zone product in any way is unacceptable and not endorsed by NAP & Associates, LLC.

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DIRECTIONS FOR PROPER USE

- There are 5 experiences per 1/2 gram pack and 10 experiences per 1 gram pack.
- Place the suggested amount (1/10 of gram/heavy pinch) into an approved smoking device. This is enough for one individual and should not be shared communally.
- Light material and breath in. Hold for 30 seconds before exhaling. This step is extremely important to get the full and desired effect.
- Repeat until material is spent.

If you have any questions regarding the use or effects of any Salvia Zone product, visit:

SalviaZone.com

HELPFUL

Always use in a safe environment, free from clutter or anything that may be distracting.

Sitting or lying down is a must.

Salvia is a tool for self discovery and introspective understanding. Concentrating on a particular thought or issue about one's self while using this product allows for a more insightful and relevant experience.

It is extremely important that the product be used in accordance with its color-coded potency system. This allows users to become comfortable with the effects associated with each specific level before proceeding on to the next. Disregarding this suggestion may lead to a less than favorable experience.

1st Green 2nd Yellow 3rd Red 4th Purple 5th Blue

SUGGESTIONS

Closing one's eyes will greatly enhance the sensation.

The sensation comes on in three waves. The first (The Gust) is the strongest and lasts usually 3-5 minutes. The second (The Glide) is more mellow and lasts about 15-20 minutes. The third (The Glow) is the lightest and can last for up to 2 hours.

Always have a sitter present. This person can watch over you to make sure your experience is safe and positive.

Taking turns using this product enables everyone to enjoy meditative bliss in a responsible manner.

Never attempt to operate any form of heavy machinery or moving vehicle while using this product.

Not all leaf is the same



SALVIA ZODIAC

FORTIFIED LEAF
YELLOW LEVEL

28 mg/g Salvinorin A

DEEP SELF-EXPLORATION



1/2 Gram



1 Gram

Exhibit B

Warning - This product

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Salvia Zone Associates, LLC

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GRAFFIX

Exhibit C



100% NATURAL

2 Tablets

Serenity

Mood Enhancement
Dietary Supplement

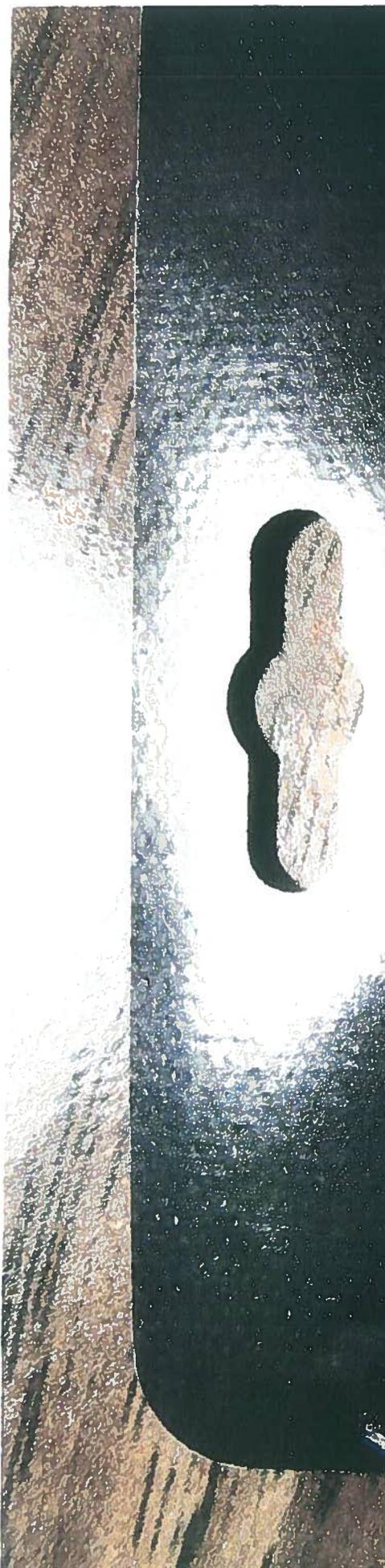
Heightened Sense of Well-Being
Mood Enhancer
Calm Energy



Increased Energy & Mood
Increased Aural & Visual Perceptions

100% Natural does not mean developed by the United States Government. This product is not affiliated with the United States Government.

Exhibit D



Proprietary Blend: ~~...~~ HCL, Crocus Sativus Extract, Delosperma Extract, Guarana Extract, Theobromine, 5 Hydroxytryptophan, Power Kanna™ (Sceletium Tortuosum Extract), L-Tryptophan, 1,3 Dimethylamylamine, Yohimbe HCL, Yohimbines 8%.

Inactive Ingredients: Microcrystalline Cellulose, Di-Calcium Phosphate, Stearic Acid, Croscarmellose, Silicon Dioxide, Magnesium Stearate.

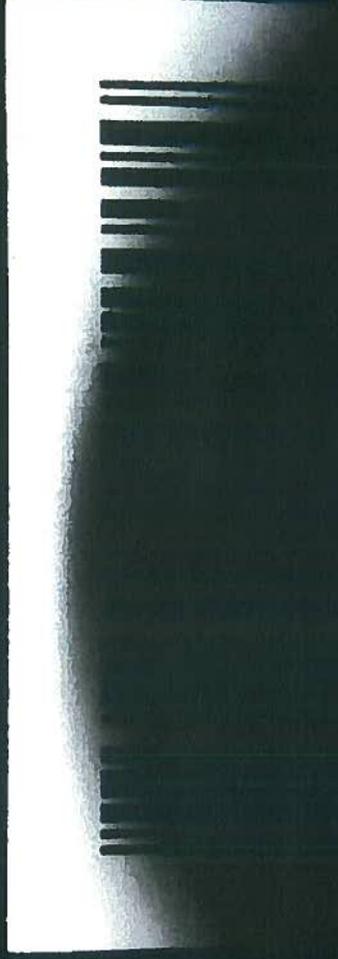




Exhibit E

Metaphysical Cigarette Capsules

Not for human consumption.
Place cap in window sill or on
top of door frame to keep away
negative energies and bad
dreams.

Not for sale to



Not all leaf is the same!



SALVIA ZODIE

FORTIFIED LEAF

RED LEVEL

40 mg/g Salvinorin A

VISIONARY QUEST



1/2 Gram



1 Gram

Exhibit F

...to ensure that whoever uses the product uses it
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