

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

MEMORANDUM

TO: Chair and Members of the Board DATE: December 23, 2020

FROM: Jacqlene Drulis, Occupational RE: R.C. Tinderbox, LLC #10299

Licensing Examiner

This is a renewal application for a Standard Marijuana Cultivation Facility in the Municipality of Anchorage by R.C. Tinderbox, LLC DBA R.C. Tinderbox, LLC.

Local Government Protest: No

LG Protest Period Ends: N/A

Objection(s) Received/Date: No

Notice of Violation(s): Yes

MJ-17a Temp Ownership Change Report: No

Staff questions for Board: None



Public Notice

Application for Marijuana Establishment License

License Number: 10299

License Status: Active-Operating

License Type: Standard Marijuana Cultivation Facility

Doing Business As: R.C. TINDERBOX, LLC

Business License Number: 1031643

Email Address: elway331999@hotmail.com Latitude, Longitude: 61.090000, -149.523800

Physical Address: 7801 King St.

Anchorage, AK 99518 UNITED STATES

Licensee #1

Type: Entity

Alaska Entity Number: 10035400

Alaska Entity Name: R.C. Tinderbox, LLC

Phone Number: 907-306-1572

Email Address: elway331999@hotmail.com

Mailing Address: 3601 Raspberry Road

Unit 1A

Anchorage , AK 99502 UNITED STATES

Entity Official #2

Type: Individual

Name: Christina Marie Euscher

Phone Number: 907-306-1572

Email Address: elway331999@hotmail.com

Mailing Address: 3601 Raspberry Road

Unit 1A

Anchorage, AK 99502 UNITED STATES **Entity Official #1**

Type: Individual

Name: Richard Lloyd Euscher

Phone Number: 907-306-1573

Email Address: reuscher1970@gmail.com

Mailing Address: 3601 Raspberry Road

Unit 1A

Anchorage , AK 95902 UNITED STATES

Note: No affiliates entered for this license.

Interested persons may object to the application by submitting a written statement of reasons for the objection to their local government, the applicant, and the Alcohol & Marijuana Control Office (AMCO) not later than 30 days after the director has determined the application to be complete and has given written notice to the local government. Once an application is determined to be complete, the objection deadline and a copy of the application will be posted on AMCO's website at

https://www.commerce.alaska.gov/web/amco. Objections should be sent to AMCO at marijuana.licensing@alaska.gov or to 550 W 7th Ave, Suite 1600, Anchorage, AK 99501.

POSTING DATE

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 9/3/19	License #/Type: 10299 Standard Marijuana Cultivation Facilities
Licensee: R.C. Tinderbox, LLC	Address: 7801 King St. Anchorage , AK 99518
DBA: R.C. Tinderbox, LLC	AMCO Case #: AM19-1400
	plation has occurred. If the Marijuana Control Board decides to act against your 4.62.630 (Administrative Procedures Act) you will receive an Accusation and
Note: This is not an accusation or a criminal complaint.	
heard regarding the Notice of Violation. The requirement of the regarding the Notice of Violation. The requirement of the regarding the Notice of Violation. The requirement of the regarding the Notice of Violation. The requirement of the regarding the Notice of Violation.	otice of Violation, a licensee may request to appear before the board and be uest must be made within ten days after receipt of the Notice of Violation. A to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after fect that is the subject of the notice of violation of AS 17.8 or this chapter.
IT IS RECOMMENDED THAT YOU RESPOND IN WRITIN	NG TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.
*Please send your response to the address h	below and include your marijuana license number in your response.
Alcohol & Marijuana Control Office ATTN: Enforcement 550 W. 7 th Ave, Suite 1600 Anchorage, Alaska 99501 amco.enforcement@alaska.gov	

Received by:

Issuing Investigator: M. Chiesa

SIGNATURE: SIGNATURE:

Delivered VIA: Email Date:

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 9/9/19		License #/Type: 10299	Standard Marijuana Cultivation Facilitie		
	D.C. Tip dowlery I.I.C.	7004 Kin a Ct	A A IZ 00 E 4 0		

Licensee: R.C. Linderbox LLC Address: 7801 King St, Anchorage, AK 99518

DBA: R.C. Tinderbox LLC AMCO Case #: AM19-1418

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

METRC Shows that on 8/28/2019 R.C. Tinderbox LLC transported failed product with out approval from the director or the board. This is in violation of 3 AAC 306.660(b)

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

*Please send your response to the address below and include your marijuana license number in your response.

Alcohol & Marijuana Control Office ATTN: Enforcement 550 W. 7th Ave, Suite 1600 Anchorage, Alaska 99501 amco.enforcement@alaska.gov

Issuing Investigator: K. Whiteman Received by:

SIGNATURE: SIGNATURE:

Delivered VIA: Email Date:

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: Tuesday, October 8th, 2019

License #/Type: Standard Marijuana Cultivation Fa

Licensee: R.C. Tinderbox LLC

Address: 7801 King St. Anchorage, AK 99518

DBA: R.C. Tinderbox LLC #10299

AMCO Case #: AM191569

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On Tuesday, October 8th at approximately 3:00 pm, The State of Alaska Alcohol & Marijuana Control Enforcement did receive a marijuana odor complaint in the King Street and Schoon St. area in Anchorage, AK. the complainant did state that the odor of marijuana was very strong and easily detected.

I did go to the above streets indicated in the complaint and checked the wind direction which was gusting north from the south southeast direction. While I was at the intersection 77th Avenue and King Avenue I was able to detect a strong odor marijuana coming from the facility where R.C. Tinderbox is located.

Your attention is directed to:

- 3 AAC 306.430 Restricted access area. (c)(2)
- (c) A marijuana cultivation facility shall ensure that any marijuana at the marijuana cultivation facility
- (2) does not emit an odor that is detectable by the public from outside the cultivation facility except as allowed by a local government conditional use permit process.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

*Please send your response to the address below and include your marijuana license number in your response.

Alcohol & Marijuana Control Office ATTN: Enforcement 550 W. 7th Ave, Suite 1600 Anchorage, Alaska 99501 amco.enforcement@alaska.gov

ILIBIAL

Issuing Investigator: K. Whiteman

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Email

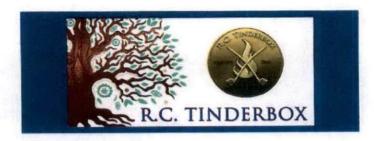
Date:

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records Act AS 40.25

Date:	License #/Type:
Designated Licensee:	AMCO Case#:
DBA:	
Premises Address:	
Mailing Address:	
This is a notice to you as licensee that an alleged violation has o license, under the provisions of AS 44.62.330 - AS 44.62.630 (Ac Notice of your right to an Administrative Hearing.	decurred. If the Marijuana Control Board decides to act against your dministrative Procedures Act) you will receive an Accusation and
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Notice of Violation. The request must be made within ten days after r the Notice.	receipt of the Notice. A licensee may respond, either orally or in writing, to
IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUM	MENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.
*Please send your response to the address below and in your response.	nclude your Marijuana Establishment License Number in
Alcohol & Marijuana Control Office ATTN: Enforcement	
550 W. 7 th Ave, Suite 1600	
Anchorage, Alaska 99501 amco.enforcement@alaska.gov	
Issuing Investigator:	Received by:
SIGNATURE:	SIGNATURE:

Delivered VIA: Date:



R.C. Tinderbox, LLC (License #10299) Response to Notice of Violation AMCO Case # AM191569

Dear AMCO Enforcement:

R.C. Tinderbox, LLC ("RCT") is writing in response to the Notice of Violation (AMCO Case # AM191569) ("NOV") received from the Alcohol & Marijuana Control Office by email on October 23, 2019. (Notably, the NOV was dated October 8, 2019). We thank you for your efforts and for bringing this matter to our attention. RCT takes regulatory compliance seriously and takes pride in being a good neighbor.

The NOV states in part that "On Tuesday, October 8th at approximately 3:00 pm, The State of Alaska Alcohol & Marijuana Control Enforcement did receive a marijuana odor complaint in the King Street and Schoon St. area in Anchorage, AK. the complaint did state the odor of marijuana was very strong and easily detected . . . I was able to detect a strong odor marijuana coming from the facility where R.C. Tinderbox is located."

While no odor was detected by RCT on October 23, 2019, upon receipt of the NOV, RCT took immediate action to address the mechanical issues which may have contributed to increased marijuana odor on October 8, 2019. RCT emphatically took action by replacing all of the 100 percent carbon filters throughout the facility. After we made these changes to our mechanical infrastructure, we were unable to detect any order at the lot line. On October 24, we again checked for odor around the lot line of the facility to confirm that marijuana odor was undetectable.

RCT encourages AMCO Enforcement to re-inspect the premises and to share their findings with the company. If AMCO finds evidence of marijuana odor at the lot line, we request that you let RCT know immediately so we can reassess the situation and take additional corrective measures. However, RCT is confident that marijuana odor is no longer an issue, and in that case requests that no further action be taken with respect to this NOV.

Thank you for your time and attention. Please do not hesitate to contact me directly if you have any further questions or if you need additional information.

Sincerely,

R.C. Tinderbox, LLC

Managing Member

September 6, 2019

VIA EMAIL & HAND DELIVERY

Alcohol & Marijuana Control Office Attn: Enforcement 550 West 7Th Avenue, STE 1600 Anchorage, Alaska 99501

Re:

R.C. Tinderbox, LLC (License No. 10299)

Response to NOV and email from Director McConnell dated September 4, 2019

AMCO Case Number AM 19-1400 ("Notice")

Dear Investigator:

R.C. Tinderbox, LLC (RCT) is writing in response to the Notice received from the Alcohol & Marijuana Control Office ("AMCO"), dated September 3, 2019. Thank for bringing this important matter to our attention. RCT takes regulatory compliance seriously and has taken immediate action to prevent a similar violation from occurring again.

The Notice states in part, "on 8/29/19 [RCT] created a package that exceeds 5 pounds ... in violation of 3 AAC 306.470." Then on September 4, 2019, Director McConnell emailed RCT identifying an additional violation stemming from the 8/29/19 transfer of the package exceeding 5 pounds, as the transfer was for "Tinderbox Cookies RM2 2.7.19 failed harvest to Good Titrations without approval [in violation of 3 AAC 306.660(b)]".

Violation of 3 AAC 306.470(a)(2)(A)

This violation is inexcusable; we sincerely apologize for our oversight.

While there has been a vote to increase the allowable weight limit of transferred packages, we understand that 3 AAC 306.470 has not changed. As background, the violation occurred by a new employee with significant cannabis industry experience who regularly accepted transfers of multiple packages cumulatively exceeding 5 pounds in their prior role. We have used this violation as a teaching opportunity by reviewing 3 AAC 306.470 and proper transfer procedures with the employee who created the manifest, as well as with our other staff members responsible for creating manifests. Furthermore, this violation would have been prevented if the manifest would have been reviewed by a senior manager prior to its submittal. Accordingly, we have implemented a new standard policy that requires review and approval for all manifests by a senior member of our staff. By requiring review and approval of all manifests by a senior manager, we will ensure regulatory compliance and create a regular opportunity for senior staff members to mentor and teach junior staff.

Violation of 3 AAC 306.660(b)

This violation is inexcusable; we sincerely apologize for our oversight.



As stated in our September 5, 2019 email reply to Criminal Justice Tech Davies, this violation came as a shock to us. We had previously requested Director approval for the transfer of Tinderbox Cookies RM2 2.7.19 failed harvest and we were patiently awaiting direction from the Director. However, based on our internal investigation, there was a misunderstanding of the current status of our request for Director approval by the employee charged with manifesting and transferring product to a licensed manufacturer.

This error was not intentional nor was it made in bad faith. As stated above, a new standard policy that requires review and approval for all manifests by a senior manager has now been implemented. This type of review and oversight would have identified the misunderstanding and prevented the subsequent violation in advance. We appreciate the Director reaching out to us be email to provide AMCO guidance on next-steps for receiving "after-the-fact" approval for this transfer and for the removal of the administrative hold on the product.

RCT takes regulatory compliance very seriously. While inexcusable, neither of the above violations were intentional or made in bad faith. As discussed above, RCT has taken substantial steps by discussing these violations with its staff and by implementing new policies in its facilities aimed at preventing these types of violations in the future. Accordingly, notwithstanding the forthcoming NOV for our Violation of 3 AAC 306.660(b) referenced in the Director's email, we respectfully request that AMCO take no further action in these matters.

Should you have any further questions about these violations are any related matters, please do not hesitate to reach out.

Respectfully,

R.C. Tinderbox, LLC

Chris Euscher, Managing Member

(3AAC 306.805)

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Date:	License #/Type:
Licensee:	Address:
DBA:	AMCO Case #:
	eged violation has occurred. If the Marijuana Control Board decides to act against your 0 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and ring.
Note: This is not an accusation or a criminal compl	aint.
heard regarding the Notice of Violation. T licensee may respond, either orally or in v	of a Notice of Violation, a licensee may request to appear before the board and be he request must be made within ten days after receipt of the Notice of Violation. A writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after any defect that is the subject of the notice of violation of AS 17.8 or this chapter.
	I WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.
*Please send your response to the add	dress below and include your marijuana license number in your response.
Alcohol & Marijuana Control Office ATTN: Enforcement 550 W. 7 th Ave, Suite 1600 Anchorage, Alaska 99501 amco.enforcement@alaska.gov	
Issuing Investigator:	Received by:
SIGNATURE: 4.R	SIGNATURE:

Date:

Delivered VIA:

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date:	License #/Type:
Licensee:	Address:
DBA:	AMCO Case #:
	s occurred. If the Marijuana Control Board decides to act against your (Administrative Procedures Act) you will receive an Accusation and
Note: This is not an accusation or a criminal complaint.	
heard regarding the Notice of Violation. The request mus licensee may respond, either orally or in writing to the No	iolation, a licensee may request to appear before the board and be t be made within ten days after receipt of the Notice of Violation. A tice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after s the subject of the notice of violation of AS 17.8 or this chapter.
	CUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.
*Please send your response to the address below ar	nd include your marijuana license number in your response.
Alcohol & Marijuana Control Office ATTN: Enforcement 550 W. 7 th Ave, Suite 1600 Anchorage, Alaska 99501 amco.enforcement@alaska.gov	
Issuing Investigator:	Received by:
SIGNATURE: J.R. Handle	SIGNATURE:

Date:

Delivered VIA:



Alaska Marijuana Control Board

Alcohol and Marijuana Control Office 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501

marijuana.licensing@alaska.gov https://www.commerce.alaska.gov/web/amco

Phone: 907.269.0350

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).					
This form must be completed and submitted to AMCO's main office by each licensee (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.					
Enter information for the li	Section 1 – Establishment In		ion		•
Licensee:	R.C. Tinderbox, LLC	ication. License Number: 10299			9
License Type:	Standard Marijuana Cultivation Facility	10299			
Doing Business As:	R.C. Tinderbox, LLC				
Premises Address:	7801 King St				
City:	Anchorage	State:	Alaska	ZIP:	99518
Enter information for the in	Section 2 – Individual Informatividual licensee who is completing this form. Christina Euscher	mation	1		
Title:	Member				
Section 3 – Violations & Charges Read each line below, and then sign your initials in the box to the right of any applicable statements: Initials I certify that I have not been convicted of any criminal charge in the previous two calendar years.					
I certify that I have not committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.				ears.	
I certify that a notice of violation has not been issued to this license between July 1, 2019 and June 30, 2020.					
Sign your initials to the follo	wing statement only if you are unable to certify one o	r more of t	he above sta	tements	: Initials

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).



Form MJ-20: Renewal Application Certifications

Section 4 - Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.



I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.



I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.



I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.



I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.



I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.



I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.



As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and ax familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete: I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so over my deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Signature of licensee

NOTAR AUBLIC

NOTAR AUBLIC

OF ALL

OF

Notary Public in and for the State of Alaska

My commission expires:

Subscribed and sworn to before me this

th day of September

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Alaska Marijuana Control Board

Alcohol and Marijuana Control Office 550 W 7th Avenue, Suite 1600 Anchorage, AK 99501

marijuana.licensing@alaska.gov https://www.commerce.alaska.gov/web/amco

Phone: 907.269.0350

Form MJ-20: Renewal Application Certifications

What is this form?

This renewal application certifications form is required for all marijuana establishment license renewal applications. Each person signing an application for a marijuana establishment license must declare that he/she has read and is familiar with AS 17.38 and 3 AAC 306. A person other than a licensee may not have direct or indirect financial interest (as defined in 3 AAC 306.015(e)(1)) in the business for which a marijuana establishment license is issued, per 3 AAC 306.015(a).

This form must be completed and submitted to AMCO's main office <u>by each licensee</u> (as defined in 3 AAC 306.020(b)(2)) before any license renewal application will be considered complete.

Section 1 - Establishment Information

Enter information for the licensed establishment, as identified on the license application

Licensee:	R.C. Tinderbox, LLC	License Number: 10299		9	
License Type:	Standard Marijuana Cultivation Facility			1.020	
Doing Business As:	R.C. Tinderbox, LLC				
Premises Address:	7801 King St				
City:	Anchorage	State:	Alaska	ZIP:	99518

Section 2 - Individual Information

Enter information for the individual licensee who is completing this form.

Name:	Richard Euscher	
Title:	Member	

Section 3 – Violations & Charges	
Read each line below, and then sign your initials in the box to the right of any applicable statements:	Initials
I certify that I have not been convicted of any criminal charge in the previous two calendar years.	M.
I certify that I have not committed any civil violation of AS 04, AS 17.38, or 3 AAC 306 in the previous two calendar years.	1
I certify that a notice of violation has not been issued to this license between July 1, 2019 and June 30, 2020.	

Sign your initials to the following statement only if you are unable to certify one or more of the above statements:

1

I have attached a written explanation for why I cannot certify one or more of the above statements, which includes the type of violation or offense, as required under 3 AAC 306.035(b).

Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

Section 4 - Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that no person other than a licensee listed on my marijuana establishment license renewal application has a direct or indirect financial interest, as defined in 3 AAC 306.015(e)(1), in the business for which the marijuana establishment license has been issued.



I certify that I meet the residency requirement under AS 43.23 or I have submitted a residency exception affidavit (MJ-20a) along with this application.



I certify that this establishment complies with any applicable health, fire, safety, or tax statute, ordinance, regulation, or other law in the state.



I certify that the license is operated in accordance with the operating plan currently approved by the Marijuana Control Board.



I certify that I am operating in compliance with the Alaska Department of Labor and Workforce Development's laws and requirements pertaining to employees.



I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Marijuana Control Board.



I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.



As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and ame familiar with AS 17.38 and 3 AAC 306, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Marijuana Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff may result in additional fees or expiration of this license.

Signature of licensee

Printed name of licensee

NOTARY
AUBLIC

OF ALAMIN

Notary Public in and for the State of Alask

My commission expires:

8 29 2023

Subscribed and sworn to before me this

th day of September

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