Notice of Violation

(3AAC 306.805)

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

Date: 2/4/21

Licensee: Jake Markey

DBA: Alaskan Coffee Pot

License #/Type: 25190 Marijuana Retail Stores

Address: 2219 Dunn St., Juneau, AK 99801

AMCO Case #: AM210083

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 01-30-2021 AMCO was informed of a radio advertisement aired for Alaskan Coffee Pot. The script aired read: [...]THIS IS YOUR DESTINATION FOR THE BEST SELECTION OF HIGH END MEDICAL AND RECREATIONAL DISPENSABLES.[...]

This is a violation of 3 AAC 306.770(e)(3). Signs, merchandise, advertisements, and promotions

The licensee was contacted and the advertisement was immediately removed from the broadcast.

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: S. Johnson

SIGNATURE: Steven M. [illegible]

Delivered VIA: Email

Received by:

SIGNATURE:

Date:

updated 4/23/19

On February 4, 2021, we received a notice of violation for airing a radio advertisement which was in violation of 3 AAC 306.770(e)(3).

As the NOV confirms:

"The licensee was contacted and the advertisement was immediately removed from the broadcast."

Licensee was under the impression that after further investigation, the NOV was going to be "refunded." Original NOV and excerpt of following Email correspondence attached.

AMCO RCVD 8/23/21

Fw: Notice of Violation Alaskan coffee pot

Jake Nolast <Jake_acp@hotmail.com>
Mon 6/14/2021 1:59 PM
To: livingbetternaturally@live.com <livingbetternaturally@live.com>

From: Jake Nolast <Jake_acp@hotmail.com>
Sent: Tuesday, February 16, 2021 9:24 PM
To: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Subject: Re: Notice of Violation Alaskan coffee pot

My apologies I will definitely wait patiently I won't email anymore unless I hear from you with whatever is next! Have a great week

---

From: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Sent: Tuesday, February 16, 2021 5:48 PM
To: Jake Nolast <Jake_acp@hotmail.com>
Cc: Johnson, Steven M (CED) <steven.johnson@alaska.gov>
Subject: RE: Notice of Violation Alaskan coffee pot

Mr. Markey,

I appreciate your emails and ask that you be patient and let us review the violation along with what you submitted thoroughly.

I want to make sure we make the right decision.

James

From: Jake Nolast [mailto:Jake_acp@hotmail.com]
Sent: Tuesday, February 16, 2021 8:43 AM
To: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Subject: Re: Notice of Violation Alaskan coffee pot

Hi it's Jake Markey
I don't know if there is a timeframe for me to get anything else you might need but I am here and available if you need anything else. I appreciate you all taking the time to deal with this unfortunate matter and realize how busy you all are so if there is anything I can do to help just let me know

Have a great day
Jake Markey
Project manager
Alaskan Coffee Pot

AMCO RCVD 8/23/21

From: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Sent: Monday, February 8, 2021 3:40 AM
To: Jake Nolast <Jake_acp@hotmail.com>; Johnson, Steven M (CED) <steven.johnson@alaska.gov>
Cc: Davies, Jason M (CED) <jason.davies@alaska.gov>
Subject: Re: Notice of Violation

If you provide any documents that show what you have stated, we will refund the NOV and make it an advisory.

James

Get Outlook for iOS

From: Jake Nolast <Jake_acp@hotmail.com>
Sent: Saturday, February 6, 2021 5:49 PM
To: Johnson, Steven M (CED)
Cc: Hoelscher, James C (CED); Davies, Jason M (CED)
Subject: Re: Notice of Violation

Hi my name is Jake Markey I am the project manager for Alaskan Coffee Pot. My brother Joe Markey is the licensee license #25190. We received a notice of violation for a advertising that we had placed on the radio. Now there is no denying that the radio station played the ad that we received the nov on. I would like to deny the fact that we asked them to play it or gave them our permission to play said ad. I met with the radio station on several occasions to discuss what we did or did not want the ads to say and I was VERY clear with them that it could NOT say medical. I am working on getting documents to prove that they did this on their own without our permission. I am not sure if that will help or what I need to do from this point but I just wanted to open up the line of communication so we can solve this as soon as possible.
I can be reached on my cell any time 907-723-5312 or by email

---

From: Johnson, Steven M (CED) <steven.johnson@alaska.gov>
Sent: Thursday, February 4, 2021 8:55 PM
To: Jake Nolast <Jake_acp@hotmail.com>
Cc: Hoelscher, James C (CED) <james.hoelscher@alaska.gov>; Davies, Jason M (CED) <jason.davies@alaska.gov>
Subject: Notice of Violation

Mr. Markey,

Attached is a Notice of Violation for the advertisement which ran on the radio last month.
Any questions or concerns please contact me.

Respectfully,

Steven M. Johnson
Special Investigator
Enforcement Unit

AMCO RCVD 8/23/21

Alcohol & Marijuana Control Office
State Office Building, 9th Floor
333 Willoughby Avenue
Juneau, AK 99801
Office (907) 465-2330
Cell (907) 500-2053
steven.johnson@alaska.gov

AMCO RCVD 8/23/21

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

Alaska Marijuana Control Board

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 by each licensee (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:	ALASKAN COFFEE POT, LLC.	**License Number:**	25190		
License Type:	Retail Marijuana Store				
Doing Business As:	ALASKAN COFFEE POT				
Premises Address:	2219 Dunn St.				
City:	Juneau	**State:**	AK	**ZIP:**	99801

Section 2 – Individual Information

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

Name:	JOE MARKEY
Title:	member/manager

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.	☑
I certify that a notice of violation has not been issued to this license between July 1, 2020 and June 30, 2021.	☐

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

AMCO RCVD 8/23/21

Alaska Marijuana Control Board

Form MJ-20: Renewal Application Certifications

Section 4 – Certifications & Waiver

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. [ ]

I, Joe markey, hereby waive my confidentiality rights under AS 43.05.230(a) and authorize the State of Alaska, Department of Revenue to disclose any and all tax information regarding this marijuana license to the Alcohol and Marijuana Control Office (AMCO) upon formal request as part of any official investigation as long as I hold, solely, or together with other parties, this marijuana license. [ ]

As an applicant for a marijuana establishment license renewal, I declare under penalty of unsworn falsification that I have read and am 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

Notary Public in and for the State of Alaska

Joe markey
Printed name of licensee

My commission expires: 9/9/2024

Subscribed and sworn to before me this 3rd day of June, 2021.

STATE OF ALASKA
OFFICIAL SEAL
Mitchell Lay
NOTARY PUBLIC
My Commission Expires 9/9/2024

License #_____

AMCO RCVD 8/23/21