

Alcohol & Marijuana Control Office

Initiating License Application

6/22/2018 6:51:31 PM

License Number: 10063

License Status: Active-Operating

License Type: Limited Marijuana Cultivation Facility

Doing Business As: BOB'S MORNING BEAR CULTIVATION

Business License Number: 1032827

Designated Licensee: BRENNAN J NORDEN

Email Address: morningbear25@hotmail.com

Local Government: Kenai Peninsula Borough

Community Council:

Latitude, Longitude: 60.294782, -151.236894

Physical Address: 21725 evelyn may st
kasilof, AK 99610
UNITED STATES

Licensee #1

Type: Individual

Name: BRENNAN J NORDEN

[REDACTED]

[REDACTED]

Phone Number: 907-252-8868

Email Address: morningbear25@hotmail.com

Mailing Address: po box 1205
kasilof, AK 99610
UNITED STATES

Note: No entity officials entered for this license.

Note: No affiliates entered for this license.

EXHIBIT 2



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:	Brennan J Norden	License Number:	10063		
License Type:	Limited Marijuana Cultivation Facility				
Doing Business As:	BOB'S MORNING BEAR CULTIVATION				
Premises Address:	21725 Evelyn May st				
City:	Kasilof	State:	AK	ZIP:	99610

Section 2 – Individual Information

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

Name:	Brennan J Norden
Title:	Owner

Section 3 – Changes to Licensed Marijuana Establishment

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

I certify that no changes have been made, except for those that have been previously reported or requested on a form prescribed by the Board, to this licensed establishment's business name, ownership, licensed premises diagram, or operating plan, and (for marijuana product manufacturers) that I do not wish to request Board approval for production of any new proposed marijuana products.

Initials



I certify that a change has been or will be made to one or more of the items listed above for this establishment, and I understand that an additional form(s) and fee(s) must be submitted to AMCO before any renewal application for this license can be considered complete.



If you have selected the second certification, please list any and all of the five types of changes that need to be reported/requested:

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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 any applicable statements:

I certify that I have not been convicted of any criminal charge in the previous two calendar years.

Initials



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.



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

Initials

I have attached a written explanation for why I cannot certify one or both of the above statements, which includes the type of offense, as required under 3 AAC 306.035(b)(4).



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



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.



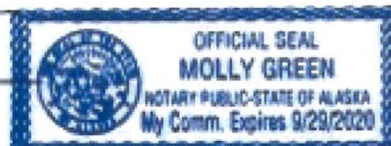
I certify that I understand that providing a false statement on this form, the online application, or any other form provided by or to AMCO is grounds for rejection or denial of this application or revocation of any license issued.



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

Printed name of licensee



Notary Public in and for the State of Alaska

My commission expires:

9.29.2020

Subscribed and sworn to before me this 10 day of July, 2018.

EXHIBIT 2

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: 5/10/17

License #/Type: 10063

Licensee: Brennan J Norden

Address: 21725 Evelyn May, Kasilof, AK 99610

DBA: Bob's Morning Bear Cultivation

AMCO Case #: AB17-222

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.

Licensee, Brennan J Norden, of Bob's Morning Bear Cultivation failed to provide business records within three days, when given two weeks. This is in violation of 3AAC306.755(b) Business records. This action further violated 3AAC306.800(b)(2) Inspection and Investigation.

When asked what a check was written for the licensee, Brennen J Norden, of Bob's Morning Bear Cultivation stated that he did not have to tell the AMCO investigator that information. This is in violation of 3AAC306.800 (b). Inspection and investigation.

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. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

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 Establishment 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: J. Rukes

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:



SEATTLE OFFICE
eighteenth floor
second & seneca building
1191 second avenue
seattle, washington 98101-2939
TEL 206 464 3939 FAX 206 464 0125

anchorage, alaska
beijing, china
new york, new york
portland, oregon
washington, d.c.
GSBLAW.COM

G A R V E Y S C H U B E R T B A R E R

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

Please reply to ERIN L. ELIASSEN
eeliassen@gsblaw.com
DIRECT DIAL 206 816 1468

May 18, 2017

VIA EMAIL (amco.enforcement@alaska.gov) AND FEDEX

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

Re: Bob's Morning Bear Cultivation (License #10063) – Response to Notice of Violation
AMCO Case #: AB17-222

To the Alcohol & Marijuana Control Office:

This office represents licensee Brennan J. Norden d/b/a Bob's Morning Bear Cultivation ("**Licensee**"), a marijuana cultivator licensed by the State of Alaska, license number 10063. We respond to the Notice of Violation dated May 10, 2017 ("**Notice of Violation**").

Licensee has never intentionally violated state laws or regulations in the course of its operation as a marijuana establishment and has only run afoul of certain regulations through misunderstanding the scope of the records requested by AMCO. ***Because the Notice of Violation is based on Licensee's unintentional behavior, Licensee requests that AMCO take no further action with regard to the Notice of Violation.***

As set forth in the Notice of Violation, the Licensee did not promptly provide certain business records to AMCO. Licensee has always operated in strict compliance with state law and is fully aware of its *own* operational duties under state law. However, because this is the first time Licensee has operated in a highly-regulated business and Licensee has never been subject to an investigation, Licensee was not fully aware of his duty to cooperate with investigations and the scope of the required cooperation. Mr. Jeff Rukes, an AMCO Investigator ("**Investigator**"), requested certain information from Licensee related to business dealings with a particular marijuana establishment.

Licensee and Licensee's Independent Contractor Did Not Fully Understand Investigator's Request

In response to the Investigator's request, over the course of several days, Licensee and Licensee's independent contractor engaged with Investigator. Due to a miscommunication, neither Licensee nor Licensee's independent contractor understood that Investigator was formally requesting certain



information and that the information must be provided within three business days. At no time did Licensee or Licensee's independent contractor understand the requests were subject to a particular deadline.

Moreover, the formality of the request was not made apparent to Licensee. Licensee assumed that any formal requests made of him would be made in writing and not over the phone (as they were in this case).

Once Magnitude of Request Was Understood, A Response Was Made Within Hours

Eventually, the formality of the reporting obligation of Licensee was made apparent. Once it was, Licensee provided all requested information within two (2) hours. While Licensee could have been more proactive in understanding the nature of the requests being made of him, once he understood what was at issue, the requested information was provided within hours.

In conclusion, Licensee requests that no further action be taken with regards to the Notice of Violation. The marijuana retail market is nascent in Alaska and much of Licensee's time and energy is spent in operating not only a successful business, but a business completely in compliance with state laws and regulations as it relates to the operation of its facility. And Licensee has, to date, accomplished those goals. Only due to a lack of familiarity with requests from investigators (due to never being investigated himself) and through misunderstanding the verbal requests of the Investigator did Licensee mistakenly not provide the requested information in a timely manner. Licensee now understands its obligations to supply business records to investigators in accordance with 3 AAC 306.755(b) and 306.800(b). In the future, Licensee will promptly respond to any requests for business records, in accordance with the regulations found in 3 AAC ch. 306. For the above reasons, Licensee requests that no further action be taken regarding the Notice of Violation.

Sincerely,

GARVEY SCHUBERT BARER

By

Erin L. Eliassen

ELE:mct

cc: Brennan J. Norden