CORRESPONDENCE

From:	Marijuana Licensing (CED sponsored)
To:	"siouxzq@bakeryshoppe.net"
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application- AK Pharm, LLC license #13598
Date:	Wednesday, September 19, 2018 10:28:00 AM
Attachments:	13598 Incomplete Application Letter .pdf image001.png

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Hello,

Your application has been reviewed, and attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

Please make sure to read the entire letter. If the submitted corrections are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure. Essentially, we will accept corrections one time within your 90-day deadline period. Feel free to call or email if you need clarification on any items from the Incomplete Letter.

Please let me know if you need any of the documents I have for this application. I want to make sure you receive this email and incomplete letter attached first.

Please send any documents/correspondence to marijuana.licensing@alaska.gov

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
Direct: (907) 754-3588
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 19, 2018

AK Pharm, LLC
DBA: AK Pharm, LLC
Via email: siouxzq@bakeryshoppe.net

Re: Limited Marijuana Cultivation Facility #13598

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 ACC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

- **Online Application**
  - According to my conversation with Susan and the information provided on the Division of Corporations, Business, & Professional Licensing's (CBPL) website, Robert Poole is an Entity Official. I have rolled the application back to "New" status so you can add Robert Poole as an Entity Official. An updated Public Notice will generate which you will need as part of your corrections outlined below.

- **MJ-00 Application Certifications**
  - This form must be completed and submitted by each individual licensee or affiliate. Please submit an MJ-00 for Robert Poole.

- **MJ-01 Operating Plan**
  - Page 3, second box: please include the License # on the sample badge (License #13598).

- **MJ-02 Premises Diagram**
  - Page 1: please checkmark yes or no to the question, "I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form."
  - The diagrams you submitted of the proposed cultivation facility need some work, please show the following:
    - Include on the diagrams the type of structure of the building.
    - Clearly label the storage area and surveillance room/area.
    - Remove the cameras from any/all of the diagrams.
    - I see there are stairs on Exhibit C; please show the stairs on Exhibit B.

- For Exhibit B, you reference an area that is NRAA (not a restricted access area, not part of the licensed premises). Is this the woodshop that you refer to throughout your application? Please clearly label what this area is used for.
- For Exhibits B and C, outline/shade the entire perimeter/area of the proposed licensed premises AND restricted access area (use separate colors and labels, and provide a legend/key).
    - Note- the bathroom can be a part of the licensed premises, but it should not be designated as the restricted access area because restricted access areas need cameras, and bathrooms should not have cameras.
        - If preferred/applicable, you can label the bathroom as licensed premises, but unrestricted.
- Please label Exhibits B and C as, Main Floor and Second Floor, or something similar.

- **MJ-04 Cultivation Supplemental**
    - Page 4, first box: please make sure that this box is congruent with pages 12-13 of MJ-01; more specifically, please include the 3 day notice to the board.
    - Page 6: please provide a sample of the label(s) (including logo(s) if you will have one) of how you will comply with the labeling and packaging under 3 AAC 306.470 & 3 AAC 306.475.

- **MJ-07 Public Notice Posting Affidavit**
    - Once you have updated your online application as mentioned above, under Online Application, you will need to post the updated Public Notice at both, the location of the proposed premises and another conspicuous location for ten days.
    - I will need a new MJ-07 completed and signed in front of a notary.

- **MJ-08 Local Government Notice Affidavit**
    - Once you have updated your online application as mentioned above, under Online Application, you will need to re-notify the local government and community council by submitting to them the updated Public Notice.
    - I will need a new MJ-08 completed and signed in front of a notary.

- **MJ-09 Statement of Financial Interest**
    - This form must be completed and submitted by each individual licensee or affiliate. Please submit an MJ-09 for Robert Poole.

- **Proof of Possession for Proposed Premises**
    - I will need proof of right to possession for the LLC. I know you submitted a quitclaim deed, but we need proof that the LLC has the right to the proposed premises.
    - If you are going to provide a commercial lease, the lease must be a legally binding lease and it should include the following:
        - An acknowledgment from the landlord/lessor that the premises will be used as a marijuana establishment, and

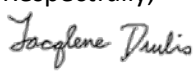
        - A disclaimer that the landlord/lessor may not take possession or remove marijuana from the premises, and AMCO will be contacted in the event that this is necessary.

- **Entity Documents**
    - The Division of Corporations, Business, and Professional Licensing (CBPL) shows Robert Poole's percent owned as 50%; and MarySusanne Poole is not listed; the amount owned must equal 100%.
    - Additionally, throughout your Operating Agreement, it states that AK Pharm, LLC is a "single member limited liability company" and it refers to the "sole member". Furthermore, both members would need to sign the Operating Agreement.
    - Please update/amend CBPL and your Operating Agreement to correct these discrepancies (https://www.commerce.alaska.gov/web/cbpl/). You may want to consider seeking legal counsel.

- **Fingerprint Card**
    - Please submit a fingerprint card for Robert Poole for a background check.
        - Additionally, please submit $47, so that we may submit your fingerprint cards to the Department of Public Safety.

It is very important that you submit the above corrections and/or documents as soon as possible so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,



Jacqlene Drulis, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	Jana Weltzin; Marijuana Licensing (CED sponsored)
Cc:	Valerie Mastolier; legal counsel; Susan; owner
Subject:	RE: Part Two of Two Incomplete response for AK PHARM LLC- license 13598
Date:	Friday, November 09, 2018 1:49:35 PM
Attachments:	image001.png

Good afternoon,
Thank you for the corrections. Everything appears to be in order, except for a couple of additional items:

- **MJ-02: Premises Diagram**
  - The wording of, "Exhibit B" and "Exhibit C" was removed. Please re-label Exhibit B and Exhibit C for purposes of consistency.
  - Exhibit A: Since the whole building is not the licensed premises, please remove the wording, "Licensed Premises", and label it as- "Building in which marijuana cultivation will be"; or something similar.
  - Exhibit B (Main Floor) and Exhibit C (Second Floor): I understand what your outlines (licensed premises and restricted access area) are intending to show; however, since the outlines go outside of the building, as is, it shows that you are requesting for a portion of the outside of the building to be licensed, as well as a portion of the woodshop. The outline must be tightly around the perimeter of the proposed licensed premises. You may want to consider using a marker to outline the portion of the building for clarity.

- **Proof of Possession for Proposed Premises**
  - In the second paragraph of your sublease where it says, "…the Subleased ***space*** located at…", is there any way that you can specify the "space" being subleased to AK Pharm, LLC as shed, or garage, or something similar? Also, can there be a unit number designated to the specific space that is the licensed premises to be more identifiable? In other words, is there any way to specify the space being used for marijuana cultivation, and differentiate between the rest of the property and the woodshop? As is, the sublease seems to be for the entire property, and it includes the woodshop. We need to be able to clearly see that AK Pharm, LLC has right of possession to the marijuana cultivation facility, and not the rest of the property/woodshop.

I hope this makes sense. Feel free to call or email if you have any questions or need clarification. Our office will be closed on Monday, November 12th.
Please send any documents/correspondence to marijuana.licensing@alaska.gov
Respectfully,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Wednesday, November 07, 2018 5:10 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; legal counsel <legal@jdwcounsel.com>; Susan <siouxzq@bakeryshoppe.net>; owner <owner@alaskathc.com>; Jana Weltzin <jana@jdwcounsel.com>
Subject: Part Two of Two Incomplete response for AK PHARM LLC- license 13598

Please see attached master and sublease for the proposed premises – please let me know all documents came through and if you need anything else to deem this application complete. Thank you for your hard work! Jana

---

From: Jana Weltzin
Sent: Wednesday, November 7, 2018 5:08 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>; legal counsel <legal@jdwcounsel.com>; Susan <siouxzq@bakeryshoppe.net>; owner <owner@alaskathc.com>
Subject: Part One of Two Incomplete response for AK PHARM LLC- license 13598

Hello AMCO team:

Please find attached documents addressing the incomplete letter:

-Page 3 from MJ01 corrected to provide sample badge with license number;
- mj02 corrected to indicate diagrams attached;
-revised diagrams of interior of building with items addressed
-MJ04 – page 4 attached and first box revised to meet regulations; **<u>however the incomplete letter requested we revise page six and provide information as to packaging under 3AAC 306.470 and 3AAC 306.475 – however page six of the form submitted discusses outdoor cultivation, which AK Pharms will not be engaging in – and this application was submitted prior to the new forms I believe you are referencing being effective. Therefore, we respectfully request the incomplete item having to do with page six of mj04 be removed from the incomplete request and that this application be deemed complete.</u>**

Part 2 email will have new corrected POPPP. Please confirm receipt. Thanks!

Jana D. Weltzin, Esq.
JDW, LLC
Principal Owner
3003 Minnesota Drive Suite 201
ANC, AK
jana@jdwcounsel.com
630-913-1113

*Licensed in Alaska and Arizona

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Thank you.

Think green, please don't print unnecessarily

From:	Marijuana Licensing (CED sponsored)
To:	"siouxzq@bakeryshoppe.net"; Jana Weltzin
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application- AK Pharm, LLC license #13598
Date:	Wednesday, October 03, 2018 8:52:00 AM
Attachments:	13598 Incomplete Application Letter .pdf image001.png

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Good morning,

Attached is the updated incomplete letter based on our conversation with Ms. Weltzin.

Please note: this letter was updated 10/03/18 in response to the applicant's clarification on ownership structure, but it does not extend the 90-day window to complete the application.

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Marijuana Licensing (CED sponsored)
Sent: Wednesday, September 19, 2018 10:28 AM
To: 'siouxzq@bakeryshoppe.net' <siouxzq@bakeryshoppe.net>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Incomplete Application- AK Pharm, LLC license #13598

Hello,

Your application has been reviewed, and attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

Please make sure to read the entire letter. If the submitted corrections are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure. Essentially, we will accept corrections one time within your 90-day deadline period. Feel free to call or email if you need clarification on any

items from the Incomplete Letter.

Please let me know if you need any of the documents I have for this application. I want to make sure you receive this email and incomplete letter attached first.

Please send any documents/correspondence to marijuana.licensing@alaska.gov

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
Direct: (907) 754-3588
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 19, 2018

AK Pharm, LLC
DBA: AK Pharm, LLC
Via email: siouxzq@bakeryshoppe.net

Re: Limited Marijuana Cultivation Facility #13598

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 ACC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

- **MJ-01 Operating Plan**
  - Page 3, second box: please include the License # on the sample badge (License #13598).

- **MJ-02 Premises Diagram**
  - Page 1: please checkmark yes or no to the question, "I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form."
  - The diagrams you submitted of the proposed cultivation facility need some work, please show the following:
    - Include on the diagrams the type of structure of the building.
    - Clearly label the storage area and surveillance room/area.
    - Remove the cameras from any/all of the diagrams.
    - I see there are stairs on Exhibit C; please show the stairs on Exhibit B.
    - For Exhibit B, you reference an area that is NRAA (not a restricted access area, not part of the licensed premises). Is this the woodshop that you refer to throughout your application? Please clearly label what this area is used for.
    - For Exhibits B and C, outline/shade the entire perimeter/area of the <u>proposed licensed premises AND restricted access area</u> (use separate colors and labels, and provide a legend/key).
      - Note- the bathroom can be a part of the licensed premises, but it should not be designated as the restricted access area because restricted access areas need cameras, and bathrooms should not have cameras.
        - If preferred/applicable, you can label the bathroom as licensed premises, but unrestricted.

        - Please label Exhibits B and C as, Main Floor and Second Floor, or something similar.

- **MJ-04 Cultivation Supplemental**
    - Page 4, first box: please make sure that this box is congruent with pages 12-13 of MJ-01; more specifically, please include the 3 day notice to the board.
    - Page 6: please provide a sample of the label(s) (including logo(s) if you will have one) of how you will comply with the labeling and packaging under 3 AAC 306.470 & 3 AAC 306.475.

- **Proof of Possession for Proposed Premises**
    - I will need proof of right to possession for the LLC. I know you submitted a quitclaim deed, but we need proof that the LLC has the right to the proposed premises.
    - If you are going to provide a commercial lease, the lease must be a legally binding lease and it should include the following:
        - An acknowledgment from the landlord/lessor that the premises will be used as a marijuana establishment, and
        - A disclaimer that the landlord/lessor may not take possession or remove marijuana from the premises, and AMCO will be contacted in the event that this is necessary.

- **Entity Documents**
    - The Division of Corporations, Business, and Professional Licensing (CBPL) shows Robert Poole's percent owned as 50%, and MarySusanne Poole is not listed; MarySusanne Poole must be listed, and the amount owned must equal 100%.
    - Please update/amend CBPL to correct these discrepancies, and submit to AMCO copies of the documents that were submitted to CBPL. https://www.commerce.alaska.gov/web/cbpl/

Note: this letter was updated 10/03/18 in response to the applicant's clarification on ownership structure, but it does not extend the 90-day window to complete the application.

It is very important that you submit the above corrections and/or documents as soon as possible so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,

Jacqlene Drulis, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	Jana Weltzin; Marijuana Licensing (CED sponsored)
Cc:	Valerie Mastolier; legal counsel; Susan; owner
Subject:	RE: Part Two of Two Incomplete response for AK PHARM LLC- license 13598
Date:	Wednesday, November 14, 2018 2:05:18 PM
Attachments:	image001.png

Good afternoon everyone,

I met with my supervisor concerning the corrections to the sublease. There are further corrections/clarification needed:

- **Proof of Possession for Proposed Premises**
  - Attaching the Addendum with the diagrams is helpful; however, because there appears (on Exhibit A) to be two small buildings located on the property with the same address, and it seems that a unit number is not your preferred path, we need it to be clear which building the sublease is for. So, is there any way that you can accordingly incorporate Exhibit A in the Addendum?
  - Additionally, in the second paragraph of the sublease, can you specify which building AK Pharm, LLC has right of possession to? Such as, "shed/garage/building on the southeast side of the property, excluding the woodshop", or something similar.

Feel free to call or email if you have any questions or need clarification.
Please send any documents/correspondence to marijuana.licensing@alaska.gov
Respectfully,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Monday, November 12, 2018 8:59 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; legal counsel <legal@jdwcounsel.com>; Susan <siouxzq@bakeryshoppe.net>; owner <owner@alaskathc.com>; Jana Weltzin <jana@jdwcounsel.com>
Subject: RE: Part Two of Two Incomplete response for AK PHARM LLC- license 13598

Hi AMCO team – here is the corrected diagram set and sublease as modified per your request – pls let us know if you need anything else to deem this application complete jana

---

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Friday, November 9, 2018 1:50 PM
To: Jana Weltzin <jana@jdwcounsel.com>; Marijuana Licensing (CED sponsored)

<marijuana.licensing@alaska.gov>
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; legal counsel <legal@jdwcounsel.com>; Susan <siouxzq@bakeryshoppe.net>; owner <owner@alaskathc.com>
Subject: RE: Part Two of Two Incomplete response for AK PHARM LLC- license 13598

Good afternoon,
Thank you for the corrections. Everything appears to be in order, except for a couple of additional items:

- **MJ-02: Premises Diagram**
  - The wording of, "Exhibit B" and "Exhibit C" was removed. Please re-label Exhibit B and Exhibit C for purposes of consistency.
  - Exhibit A: Since the whole building is not the licensed premises, please remove the wording, "Licensed Premises", and label it as- "Building in which marijuana cultivation will be"; or something similar.
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Respectfully,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Wednesday, November 07, 2018 5:10 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; legal counsel <legal@jdwcounsel.com>; Susan <siouxzq@bakeryshoppe.net>; owner <owner@alaskathc.com>; Jana Weltzin <jana@jdwcounsel.com>
Subject: Part Two of Two Incomplete response for AK PHARM LLC- license 13598

Please see attached master and sublease for the proposed premises – please let me know all documents came through and if you need anything else to deem this application complete. Thank you for your hard work! Jana

---

From: Jana Weltzin
Sent: Wednesday, November 7, 2018 5:08 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>; legal counsel <legal@jdwcounsel.com>; Susan <siouxzq@bakeryshoppe.net>; owner <owner@alaskathc.com>
Subject: Part One of Two Incomplete response for AK PHARM LLC- license 13598

Hello AMCO team:

Please find attached documents addressing the incomplete letter:

-Page 3 from MJ01 corrected to provide sample badge with license number;
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-MJ04 – page 4 attached and first box revised to meet regulations; **however the incomplete letter requested we revise page six and provide information as to packaging under 3AAC 306.470 and 3AAC 306.475 – however page six of the form submitted discusses outdoor cultivation, which AK Pharms will not be engaging in – and this application was submitted prior to the new forms I believe you are referencing being effective. Therefore, we respectfully request the incomplete item having to do with page six of mj04 be removed from the incomplete request and that this application be deemed complete.**

Part 2 email will have new corrected POPPP. Please confirm receipt. Thanks!

Jana D. Weltzin, Esq.
JDW, LLC
Principal Owner
3003 Minnesota Drive Suite 201
ANC, AK
jana@jdwcounsel.com
630-913-1113
*Licensed in Alaska and Arizona

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Thank you.

Think green, please don't print unnecessarily