CORRESPONDENCE

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

October 22, 2018

The Tufted Puffin LLC
DBA: The Tufted Puffin LLC
Via email: tuftedpuffinllc@gmail.com

Re: Retail Marijuana Store Facility #17758

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.**

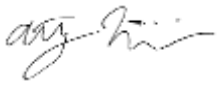
- **MJ-00 Application Certifications**
  - Page 1, Section 1 – Establishment Information for both:
    - The "Doing Business As" field is inconsistent with your Alaska business license, which lists the DBA as "The Tufted Puffin LLC".
  - Page 3, Section 4 – Certifications for both:
    - Two statements on this page have been left blank. Please read both of the statements and sign initials only next to the applicable statement.
- **MJ-01 Operating Plan**
  - Page 1, Section 1:
    - The "Doing Business As" field is inconsistent with your Alaska business license, which lists the DBA as "The Tufted Puffin LLC".
    - Please provide an email address for the designated licensee.
  - Page 2, Section 2.1:
    - Specific wording is required on signs marking entry into a retail marijuana store. Re-review 3 AAC 306.325 for the required language.
  - Page 2, Section 3.2:
    - Expand upon your response to include the information recorded in the visitor's log, the ratio of visitors to licensees or employees escorting them, and at what time visitor badges are issued.
  - Page 4, Section 3.7:
    - Expand upon your response to include the procedures to be followed when loitering is suspected.
  - Page 10:

        - This form must be signed and notarized.
- **MJ-02 Premises Diagram**
    - Page 1, Section 1:
        - The "Doing Business As" field is inconsistent with your Alaska business license, which lists the DBA as "The Tufted Puffin LLC".
    - Page 2:
        - This form must be signed and notarized.
    - Diagram #1:
        - Please outline and label the boundary of the licensed premises on this diagram.
        - It is unclear where the boundaries of the restricted access areas are. Using a different color, please outline and label the boundaries of these areas.
    - Diagram #2, 3, 4, and 5:
        - Outline and label the boundary of the licensed premises.
- **MJ-03 Retail Supplemental**
    - Page 1, Section 1:
        - The "Doing Business As" field is inconsistent with your Alaska business license, which lists the DBA as "The Tufted Puffin LLC".
    - Page 4, Section 6.1:
        - Expand upon your response to describe how the retail store will ensure that marijuana and marijuana products sold meet the packaging requirements under 3 AAC 306.345.
    - Page 4, Section 6.2:
        - The warning statements on your sample label must be verbatim. The second warning statement should be two sentences, and you have omitted the word "the" from "Keep out of the reach of children".
    - Page 5:
        - Two statements that must be certified by signing your initials have been left blank.
        - This form must be signed and notarized.
- **MJ-07 Public Notice Posting Affidavit**
    - Section 1 – Establishment Information:
        - The "Doing Business As" field is inconsistent with your Alaska business license, which lists the DBA as "The Tufted Puffin LLC".
- **MJ-08 Local Government Notice Affidavit**
    - Section 1 – Establishment Information:
        - The "Doing Business As" field is inconsistent with your Alaska business license, which lists the DBA as "The Tufted Puffin LLC".
    - A copy of your Public Notice must also be provided to the Kenai Peninsula Borough. Please provide this notice and submit a new MJ-08.
- **MJ-09 Statement of Financial Interest**
    - Page 1, Section 1 – Establishment Information for both:
        - The "Doing Business As" field is inconsistent with your Alaska business license, which lists the DBA as "The Tufted Puffin LLC".
- **Proof of Possession for Proposed Premises**
    - The tenant named in your lease must be the licensee (The Tufted Puffin, LLC).
    - A lease must contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and that AMCO will be contacted in the event that this is necessary (typically under the "Default" section of the lease).

- **Entity Documents**
  - The following required documents were not received:
    - A copy of the Tufted Puffin LLC's Operating Agreement
    - A list of each LLC Member with their ownership percentage.
- **Miscellaneous**
  - It does not appear that you have completed all of the necessary paperwork for your entity with the Division of Corporations, Business and Professional Licensing (CBPL) such as your Initial Report. Please contact CBPL about completing this documentation and provide a copy of the Initial Report that has been stamped as "received" by CBPL.

It is very important that you submit the above corrections and/or documents in a timely manner 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,



TJ Zielinski, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	Randy Wells
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - The Tufted Puffin LLC License #17758
Date:	Monday, October 22, 2018 1:23:32 PM
Attachments:	17758 Incomplete Notice.pdf image001.png

Good afternoon,

Your application for your marijuana establishment license has been reviewed, and at this time is considered incomplete. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application.

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 Notice.

Let us know if you require copies of any documents that were submitted.

If you have any questions or concerns, please address them to marijuana.licensing@alaska.gov.

Sincerely,

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

From:	Marijuana Licensing (CED sponsored)
To:	Randy Wells
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - The Tufted Puffin LLC License #17758
Date:	Tuesday, October 23, 2018 8:30:53 AM
Attachments:	image001.png

Good morning Randy,

The signatures on the forms previously submitted are applicable to those forms only. If you submit a form with updated information to replace previously submitted forms, the new forms must be completed in full which includes the signature page.

Regarding providing notice to the Kenai Peninsula Borough, 3 AAC 306.025(b)(3) requires that you submit a copy of your application (in this case, the Public Notice) to each local government with jurisdiction over the licensed premises. Your location is under the jurisdiction of the City of Seward and the Kenai Peninsula Borough, so you need to provide a copy of your Public Notice to both local governments. You are not being instructed to re-post your Public Notice or place another advertisement.

I went through the binder you submitted previously, and the required entity documents are not included.

Sincerely,

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

From: Randy Wells <tuftedpuffinllc@gmail.com>
Sent: Monday, October 22, 2018 4:45 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - The Tufted Puffin LLC License #17758

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Lastly, regarding our entity documents, I believe we submitted these documents when we drooped off all our documents and made our payment of $6,000.00 back in May. We will submit them again, but I am curious what happened to our original application, and the binder with all of our signature pages.

Thank you again for your assistance, once the above questions are answered we will make corrections and get you the updated documents.

Randy

Randy & Jennifer Wells

The Tufted Puffin LLC.
907-947-3349

On Mon, Oct 22, 2018 at 1:23 PM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

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To:	Randy Wells
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - The Tufted Puffin LLC License #17758
Date:	Tuesday, October 23, 2018 10:20:09 AM
Attachments:	image001.png

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If you did want to change your business license now, I would need the new business license number to update our system. At that time, I would also update your Incomplete Notice to detail the additional steps required on your application. Just let me know how you wish to proceed.

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Occupational Licensing Examiner
Alcohol & Marijuana Control Office
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From: Randy Wells <tuftedpuffinllc@gmail.com>
Sent: Tuesday, October 23, 2018 9:39 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - The Tufted Puffin LLC License #17758

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907-947-3349

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Subject:	RE: Incomplete Application - The Tufted Puffin LLC License #17758
Date:	Tuesday, October 23, 2018 1:04:23 PM
Attachments:	image001.png

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From: Randy Wells <tuftedpuffinllc@gmail.com>
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To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
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Hello TJ,

Thank you for your email. We are on our way to Soldotna to provide the borough with our public notice. We will proceed without changing the DBA name at this time. I appreciate the thoroughness of your email.

Best regards,

Randy Wells
541-500-7885 cell
907-947-3349 office

Fish Seward Alaska Inc.
www.fishsewardalaska.com
Oregon Fishing Adventure
www.oregonfishingadventure.com
Alaska Shuttle Service
www.alaskashuttleservice.com
Lunker Junkies TV.
www.lunkerjunkies.com

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From:	Marijuana Licensing (CED sponsored)
To:	Randy Wells
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - The Tufted Puffin LLC License #17758
Date:	Wednesday, October 24, 2018 3:42:55 PM
Attachments:	image001.png

Good afternoon,

An operating agreement is a legal document that outlines the guidelines that an LLC will operate under. You can find more information and samples online, but you may want to seek professional legal counsel to draft an operating agreement if your LLC does not have one already.

Sincerely,

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

From: Randy Wells <tuftedpuffinllc@gmail.com>
Sent: Wednesday, October 24, 2018 2:58 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - The Tufted Puffin LLC License #17758

I must be lost, what do you mean by: Entity Documents A copy of The Tufted Puffin LLC. Operating Agreement?
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The Tufted Puffin LLC.
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Fish Seward Alaska Inc.
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Alaska Shuttle Service
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Lunker Junkies TV.
www.lunkerjunkies.com

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The Tufted Puffin LLC.
907-947-3349

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

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To:	Randy Wells
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - The Tufted Puffin LLC License #17758
Date:	Thursday, October 25, 2018 10:35:06 AM
Attachments:	image001.png

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Subject: Re: Incomplete Application - The Tufted Puffin LLC License #17758

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Subject:	RE: Incomplete Application - The Tufted Puffin LLC License #17758
Date:	Monday, October 29, 2018 11:08:19 AM
Attachments:	image001.png

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Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - The Tufted Puffin LLC License #17758
Date:	Tuesday, October 30, 2018 8:24:21 AM
Attachments:	IMPORTANT regarding marijuana license application review.msg image001.png

Good morning,

Please see attached for a copy of the email that AMCO Director McConnell sent to all licensees on September 19th, 2018 informing them of the change in the review procedure. Per the procedure described, I have done an initial review of your application and outlined the corrections needed in an Incomplete Notice. You will have one opportunity to submit the corrections required to complete your application, but your application will be returned to you if the revisions are inadequate. The information that you provide in your application both outlines your plan to operate your proposed business and also demonstrates that you have a good understanding of Alaska's statutes and regulations for the marijuana industry, which you will be required to comply with if your application is approved.

The time between an application entering the queue and being reviewed by an Examiner has been five to six months. One of the factors contributing to the wait is the manner in which corrections have been provided for applications. The corrections may not have been complete, or unrequested changes would be made to some sections that then required additional corrections, and the needed follow-up then contributed to the overall wait times. I understand your frustration, but the change was made to be fair and consistent to all applicants.

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Subject: Re: Incomplete Application - The Tufted Puffin LLC License #17758

TJ,

I understand why employees of AMCO whom review applications wouldn't want an applicant to resubmit an application over and over. However, I don't understand why an application can

only be submitted one time after its original submission date that was (6) months ago.

In addition, AMCO has no problem cashing my check for the application. If I sound frustrated it's because I am. We have been paying rent for a building since April, and if I understand correctly, if our application is incomplete or incorrect the application process and timeline start over again. I tried to outline your request with both your comments and my updates, how could AMCO justify a "one time" review of said application, along with the threat of being put to the "back of the line?"

We are trying diligently to complete our application and move forward, but now we are too scared to resubmit the application.

Please advise,

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>> Good afternoon,
>>
>> An operating agreement is a legal document that outlines the guidelines that an LLC will operate under. You can find more information and samples online, but you may want to seek professional legal counsel to draft an operating agreement if your LLC does not have one already.
>>
>> Sincerely,
>>
>> <image001.png> **TJ Zielinski**
>> Occupational Licensing Examiner
>> Alcohol & Marijuana Control Office
>> 550 West 7th Avenue, Suite 1600
>> Anchorage, Alaska 99501

From: Randy Wells <tuftedpuffinllc@gmail.com>
Sent: Wednesday, October 24, 2018 2:58 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - The Tufted Puffin LLC License #17758

I must be lost, what do you mean by: Entity Documents A copy of The Tufted Puffin LLC. Operating Agreement?
Randy & Jennifer Wells

The Tufted Puffin LLC.
907-947-3349

On Tue, Oct 23, 2018 at 1:04 PM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> You are very welcome, and thank you for following up. Just let me know if there are any other questions I can assist with.
>
> Sincerely,
>
> **TJ Zielinski**
> Occupational Licensing Examiner
> Alcohol & Marijuana Control Office
> 550 West 7th Avenue, Suite 1600
> Anchorage, Alaska 99501
>
> ---
>
> **From:** Randy Wells <tuftedpuffinllc@gmail.com>
> **Sent:** Tuesday, October 23, 2018 10:37 AM
> **To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
> **Subject:** Re: Incomplete Application - The Tufted Puffin LLC License #17758
>
> Hello TJ,
>
> Thank you for your email. We are on our way to Soldotna to provide the borough with our public notice. We will proceed without changing the DBA name at this time. I appreciate the thoroughness of your email.

Best regards,

Randy Wells
541-500-7885 cell
907-947-3349 office

Fish Seward Alaska Inc.
www.fishsewardalaska.com
Oregon Fishing Adventure
www.oregonfishingadventure.com
Alaska Shuttle Service
www.alaskashuttleservice.com
Lunker Junkies TV.
www.lunkerjunkies.com

On Oct 23, 2018, at 10:20 AM, Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> Hello,
>
> If the business license and associated DBA change, your application forms would need to be updated with the new DBA. It would also be necessary to re-advertise your application in the newspaper for a period of time, as well as meeting the requirements of MJ-07: Public Notice Posting Affidavit and MJ-08: Local Government Notice Affidavit again. You may also need to reapply for your Food Safety Permit Application with DEC, but you would need to contact them to confirm this.
>
> Another option would be to proceed with your application under the current business license and DBA. If your application was approved, you would be able to file Form MJ-13: Business Name Change (and pay the required $250.00 fee) to change your business license and DBA.
>
> If you did want to change your business license now, I would need the new business license number to update our system. At that time, I would also update your Incomplete Notice to detail the additional steps required on your application. Just let me know how you wish to proceed.
>
> Sincerely,

<image001.png>

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

From: Randy Wells <tuftedpuffinllc@gmail.com>
Sent: Tuesday, October 23, 2018 9:39 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - The Tufted Puffin LLC License #17758

I just got off the phone with Jedidiah at the Division of Corporations, and Business License department regarding a DBA. In order for us to operate under the DBA The Tufted Puffin we must purchase another business license for The Tufted Puffin. My question is, if we purchase this license which will come with a new license number, will it affect our Amco application?

Randy & Jennifer Wells

The Tufted Puffin LLC.
907-947-3349

On Tue, Oct 23, 2018 at 8:30 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> Good morning Randy,
>
> The signatures on the forms previously submitted are applicable to those forms only. If you submit a form with updated information to replace previously submitted forms, the new forms must be completed in full which includes the signature page.
>
> Regarding providing notice to the Kenai Peninsula Borough, 3 AAC 306.025(b)(3) requires that you

submit a copy of your application (in this case, the Public Notice) to each local government with jurisdiction over the licensed premises. Your location is under the jurisdiction of the City of Seward and the Kenai Peninsula Borough, so you need to provide a copy of your Public Notice to both local governments. You are not being instructed to re-post your Public Notice or place another advertisement.

I went through the binder you submitted previously, and the required entity documents are not included.

Sincerely,

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

From: Randy Wells <tuftedpuffinllc@gmail.com>
Sent: Monday, October 22, 2018 4:45 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - The Tufted Puffin LLC License #17758

Thank for for taking the time to look over our application. We did submit all needed signature pages including the notary signatures when we submitted our application back in May. I was unaware we would need new signature pages with a notary when we submitted our "updates." When I asked if we could make updates to our application, I was told "yes" but was not instructed to get new signature documents for each section that was updated. Are you saying the original signature documents are no longer valid?

Also, our retail location is in downtown Seward within the City of Seward. We were unaware

we needed a public notice placed within the Kenai Peninsula Borough or any other area outside our business city. If you could, please explain why we are required to submit an additional public notice. We did place our add within the local newspaper which cover both the City of Seward and the outlining Kenai Borough areas. We also placed our Public Notices within high traffic areas within the City of Seward.

Lastly, regarding our entity documents, I believe we submitted these documents when we drooped off all our documents and made our payment of $6,000.00 back in May. We will submit them again, but I am curious what happened to our original application, and the binder with all of our signature pages.

Thank you again for your assistance, once the above questions are answered we will make corrections and get you the updated documents.

Randy

Randy & Jennifer Wells

The Tufted Puffin LLC.
907-947-3349

On Mon, Oct 22, 2018 at 1:23 PM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> Good afternoon,
>
> Your application for your marijuana establishment license has been reviewed, and at this time is considered incomplete. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application.
>
> **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 Notice.

Let us know if you require copies of any documents that were submitted.

If you have any questions or concerns, please address them to marijuana.licensing@alaska.gov.

Sincerely,

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