CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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

August 23, 2019

Denali Dispensaries, LLC
DBA: Denali Dispensaries, LLC
Via email: brad@denalidispensaries.com

Re: Retail Marijuana Store License #11411

Dear applicant,

The Alcohol and Marijuana Control Office has reviewed the documents submitted for the transfer of ownership for the license referenced above. This letter is notice under 3 AAC 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.

- **Unapproved Transfer of Controlling Interest**
  - A Notice of Change of Officials was filed with the Alaska Division of Corporations, Business and Professional Licensing (CBPL) on August 12, 2019 to remove John Emmi from Denali Dispensaries, LLC. This transfer of controlling interest has not been approved by the Marijuana Control Board.
  - It will be necessary to file a Notice of Change of Officials to revert ownership of this entity to what the Board approved. Provide a copy of a Notice of Change of Officials that adds John Emmi back to this entity. The copy will need to be stamped received by CBPL.
- **MJ-17c License Transfer Application**
  - Page 1, Section 1 – Transferor Information:
    - The Doing Business As name must be listed as Denali Dispensaries, LLC to be consistent with your state business license (#1044156).
  - Page 3, Section 4 – Other Licenses:
    - A Yes/No answer needs to be provided for the question in this section.
  - Page 4:
    - Page 4 of Form MJ-17c was not submitted for License #11411. The Page 4 that was submitted is from the application for License #11413.
- **Form MJ-17d Unaltered Operating Plan and/or Premises Diagram Affidavit**
  - Section 1 – Establishment Information:
    - The Doing Business As name must be Denali Dispensaries, LLC.
  - Section 2 – Certification:
    - You certified that no changes will be made to the operating plan for this license, but provided copies of MJ-01 and MJ-03 that are different than the operating plan documents on file. If you want to include these forms with your transfer application, do not sign initials in the box regarding the operating plan. Otherwise, send written correspondence (email is fine) to request that Forms MJ-01 and MJ-03 be omitted from your transfer application.

- **MJ-00 Application Certifications**
  - Page 1, Section 1 – Establishment Information:
    - The Doing Business As name must be Denali Dispensaries, LLC.
- **MJ-01 Operating Plan**
  - Page 1, Section 1 – Establishment & Contact Information:
    - The Doing Business As name must be Denali Dispensaries, LLC.
  - Page 2, Section 2.1:
    - There is specific wording that the sign posted at the entrance to your establishment must use. Please re-review the requirements for signage under 3 AAC 306.325.
  - Page 4, Section 3.6:
    - The third sentence in your response describes contentious video monitoring. Should this be "continuous"?
  - Page 9, Section 9.1:
    - More detail is required in your response. Please specify the number of signs, their dimensions, and where they are located. The location of one sign is mentioned, but the response states that there are more than one.
- **MJ-03 Retail Supplemental**
  - Page 1, Section 1 – Establishment Information:
    - The Doing Business As name must be Denali Dispensaries, LLC.
  - Page 5, Section 8.1:
    - Your waste disposal plan mentions mixing marijuana with non-marijuana materials, but it does not mention whether the marijuana plant waste is ground up prior to mixing, as required under 3 AAC 306.740. Will marijuana plant waste be grinded before mixing, or are you requesting that the board approve an alternate waste disposal method?
- **MJ-07 Public Notice Posting Affidavit**
  - Once you have made the corrections required on Form MJ-17c, post a corrected copy at the licensed premises and one other conspicuous location for **five** days. After five days, complete and submit a new MJ-07.
  - Section 1 – Establishment Information:
    - The Doing Business As name must be Denali Dispensaries, LLC.
- **MJ-08 Local Government Notice Affidavit**
  - Once you have made the corrections required on Form MJ-17c, provide a corrected copy to your local government and community council and then complete a new MJ-08.
  - Section 1 – Establishment Information:
    - The Doing Business As name must be Denali Dispensaries, LLC.
- **Publisher's Affidavit**
  - The Doing Business As name in the advertisement was written as Denali Dispensaries, which is inconsistent with your business license. It will be necessary to run a corrected advertisement **one** time and provide a new affidavit from the publisher.
- **MJ-09 Statement of Financial Interest**
  - Page 1, Section 1 – Establishment Information for everyone:
    - The Doing Business As name must be Denali Dispensaries, LLC.
- **MJ-19 Creditors Affidavit**
  - Page 1, Section 1 – Transferor Information:
    - The Doing Business As name must be Denali Dispensaries, LLC.
    - Your Federal Tax ID/EIN was not provided.
  - Section 2 – Debts and Taxes Owed:
    - Per the instructions for this section, you will be required to correct this form if a response of "N/A" is written in any field. If no debts or taxes are owed, write "None".
- **Entity Documents**

- A copy of the Notice of Change of Officials to add the proposed new members is required. Note that this form cannot be submitted to CBPL until the transfer has been approved.

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:	brad@denalidispensaries.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Transfer Application - Denali Dispensaries, LLC License #11411
Date:	Friday, August 23, 2019 12:27:07 PM
Attachments:	11411 Incomplete Transfer Notice.pdf image001.png

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Good afternoon,

I have reviewed your application for transfer of a marijuana establishment, but at this time your application 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 notice. If the submitted corrections for your application are inadequate to deem your application complete, or your application is still incomplete after ninety (90) days from the date of this notice, your application will be returned to you in accordance with 3 AAC 306.025(e)(1) and 3 AAC 306.025(f). Should you wish to continue pursuing licensure, it would be necessary to file a new application and pay new fees.

Ninety-day Due Date: 11/21/2019

Let us know if you require copies of any submitted documents, and feel free to call or email if you need clarification on any items in the Incomplete Notice. Correspondence should be sent 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:	Brenda Mills; Branden Bartlett
Cc:	Marijuana Licensing (CED sponsored); Jana Weltzin; Valerie Mastolier; Legal Counsel; Andrew Campbell; brad@denalidispensaries.com
Subject:	RE: Incomplete Transfer Application - Denali Dispensaries, LLC License #11411
Date:	Thursday, September 05, 2019 9:12:13 AM
Attachments:	image001.png

Good morning Brenda,

I have received and reviewed the attached revisions for this application. Many of the necessary corrections were made, but there are a few items that are still incomplete:

- On Form MJ-17c: License Transfer Application, Bradley Bartlett will also need to sign as transferor in Section 7 – Transferor Certifications. I did not catch this during my initial review, but John Emmi's signature on its own doesn't represent a controlling interest in the license. **This will also be required on the MJ-17c for License #11413**. Let me know if you would like an amended Incomplete Notice specifying this.
- Most of the corrections were made to Form MJ-19: Creditors Affidavit, but the EIN field is still blank on this copy.
- The copy of the Notice of Change of Officials to add John Emmi back to this entity is still in fillable format, so it isn't signed or date-stamped received. Please provide the stamped copy.

Let me know if you need copies of any submitted forms.

Sincerely,

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

From: Brenda Mills <brenda@jdwcounsel.com>
Sent: Wednesday, September 04, 2019 2:10 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Jana Weltzin <jana@jdwcounsel.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Legal Counsel <legal@jdwcounsel.com>; Branden Bartlett <branden@denalidispensaries.com>; Andrew Campbell <andrew@denalidispensaries.com>; brad@denalidispensaries.com
Subject: Denali Dispensaries, LLC License #11411 Transfer incomplete Part 1 of 2

Good Afternoon AMCO,

Please find the attached JDW Incomplete response, Affidavit of Publication, stamped NOCOO adding John Emmi, draft of NOCOO for approved transfer, MJ-17c, and MJ-17d.

Please confirm receipt of these 6 attachments (15 total)

Thank you

--

Brenda Mills
JDW, LLC
Legal Assistant
& Accounts Payable/Receivable
901 Photo Ave
Anchorage, Alaska 99503
907-231-3750
brenda@jdwcounsel.com
info@jdwcounsel.com

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Think green, please don't print unnecessarily

From:	Marijuana Licensing (CED sponsored)
To:	Brenda Mills; Marijuana Licensing (CED sponsored)
Cc:	Branden Bartlett; Jana Weltzin; Valerie Mastolier; Legal Counsel; Andrew Campbell; brad@denalidispensaries.com
Subject:	RE: Incomplete Transfer Application - Denali Dispensaries, LLC License #11411
Date:	Thursday, September 05, 2019 12:26:33 PM
Attachments:	image001.png

Good afternoon,

Thank you, received. The signature on Form MJ-17c will be the last item needed on this application.

Sincerely,

TJ Zielinski

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

From: Brenda Mills <brenda@jdwcounsel.com>
Sent: Thursday, September 05, 2019 10:10 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Branden Bartlett <branden@denalidispensaries.com>; Jana Weltzin <jana@jdwcounsel.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Legal Counsel <legal@jdwcounsel.com>; Andrew Campbell <andrew@denalidispensaries.com>; brad@denalidispensaries.com
Subject: Re: Incomplete Transfer Application - Denali Dispensaries, LLC License #11411

Good Morning AMCO,

As per our conversation, here is the MJ-19 with John's SSN for EIN.

Thank you!

On Thu, Sep 5, 2019 at 9:32 AM Brenda Mills <brenda@jdwcounsel.com> wrote:

> Good Morning TJ,
>
> Attached is the stamped NOCOO adding John.
>
> For the MJ-19, John does not have an EIN associated with this entity, would you like me to write None or N/A or is this communication sufficient?
>
> We will have the secondary signature from Brad either later today or tomorrow morning.
>
> Thank you!

On Thu, Sep 5, 2019 at 9:12 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

Good morning Brenda,

I have received and reviewed the attached revisions for this application. Many of the necessary corrections were made, but there are a few items that are still incomplete:

- On Form MJ-17c: License Transfer Application, Bradley Bartlett will also need to sign as transferor in Section 7 – Transferor Certifications. I did not catch this during my initial review, but John Emmi's signature on its own doesn't represent a controlling interest in the license. **This will also be required on the MJ-17c for License #11413**. Let me know if you would like an amended Incomplete Notice specifying this.

- Most of the corrections were made to Form MJ-19: Creditors Affidavit, but the EIN field is still blank on this copy.

- The copy of the Notice of Change of Officials to add John Emmi back to this entity is still in fillable format, so it isn't signed or date-stamped received. Please provide the stamped copy.

Let me know if you need copies of any submitted forms.

Sincerely,

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

From: Brenda Mills <brenda@jdwcounsel.com>
Sent: Wednesday, September 04, 2019 2:10 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Jana Weltzin <jana@jdwcounsel.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Legal Counsel <legal@jdwcounsel.com>; Branden Bartlett <branden@denalidispensaries.com>; Andrew Campbell <andrew@denalidispensaries.com>; brad@denalidispensaries.com
Subject: Denali Dispensaries, LLC License #11411 Transfer incomplete Part 1 of 2

Good Afternoon AMCO,

Please find the attached JDW Incomplete response, Affidavit of Publication, stamped

NOCOO adding John Emmi, draft of NOCOO for approved transfer, MJ-17c, and MJ-17d.

Please confirm receipt of these 6 attachments (15 total)

Thank you

--

Brenda Mills
JDW, LLC
Legal Assistant
& Accounts Payable/Receivable
901 Photo Ave
Anchorage, Alaska 99503
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brenda@jdwcounsel.com
info@jdwcounsel.com

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& Accounts Payable/Receivable
901 Photo Ave
Anchorage, Alaska 99503
907-231-3750
brenda@jdwcounsel.com
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& Accounts Payable/Receivable
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Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave
Anchorage, Alaska 99503
Phone 630-913-1113
Main Office 907-231-3750
JDW, LLC
jana@jdwcounsel.com

September 4, 2019

AMCO

Sent Via Email

Re: Response to Incomplete Letter for Denali Dispensaries, LLC License No. 11411

AMCO Team:

Thank you for your correspondence dated August 23, 2019. Please find the following attachments and/or statements to address your incomplete items:

- Unapproved Transfer of Controlling Interest
  - Stamped copy of Notice of Change of Officials adding John Emmi back has been submitted.
- MJ-17c License Transfer Application
  - The Doing Business As name is consistent with license (#1044156).
  - Yes/No answer provided
  - Page 4 of Form MJ-17c submitted for License #11411.
- Form MJ-17d Unaltered Operating Plan and/or Premises Diagram Affidavit
  - The Doing Business As has been corrected.
  - Section 2 – Certification:
    - Yes, please omit MJ 01 and MJ 03 as no changes to the Retail have been made.
- MJ-00 Application Certifications
  - The Doing Business As has been corrected.
- MJ-07 Public Notice Posting Affidavit
  - A new MJ-07 has been submitted.
  - Section 1 – Establishment Information:
    - The Doing Business name has been listed as Denali Dispensaries, LLC
- MJ-08 Local Government Notice Affidavit

AMCO Received 9/4/2019

Jana D. Weltzin
Licensed in Alaska & Arizona
901 Photo Ave
Anchorage, Alaska 99503
Phone 630-913-1113
Main Office 907-231-3750
JDW, LLC
jana@jdwcounsel.com

- A new MJ 08 has been submitted.
- The Doing Business name has been listed as Denali Dispensaries, LLC

- Publisher's Affidavit
  - A new Publisher's Affidavit has been submitted.
- MJ-09 Statement of Financial Interest
  - The Doing Business As has been corrected.
- MJ-19 Creditors Affidavit
  - The Doing Business As has been corrected.
  - Federal Tax ID/EIN has been provided.
    - Section 2 – Debts and Taxes Owed:
      - This form has been corrected.
- Entity Documents
  - A Draft of the NOCOO removing John Emmi (not submitted to CBPL) has been submitted.

Thank you for your consideration,

Jana D. Weltzin, Esq

AMCO Received 9/4/2019