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: info@denalidispensaries.com

Re: Standard Marijuana Cultivation Facility License #11413

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).
  - Section 2 – Transferee Information:
    - The mailing address provided for Denali Dispensaries, LLC on this form is 4603 Pittman Road. The MJ-01 submitted with this application lists the mailing address as PO Box 670253. Please verify which mailing address is accurate for the entity.
  - Page 4:
    - Page 4 of Form MJ-17c was not submitted for License #11413. The Page 4 that was submitted is from the application for License #11411.
  - Page 4, Section 7 – Transferor Certifications:
    - John Emmi's signature on its own is not adequate to represent the controlling interest of the current licensee. Bradley Bartlett's signature will also be required.
- **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.
        - Please verify that the correct mailing address is listed.
    - Page 8, Section 8.1:
        - Your response states that "marijuana will be sealed in… up to one pound containers for re-sale by retailers without re-packaging". For marijuana that is packaged for sale at a retail facility without the retailer needing to repackage the product, the net weight of marijuana cannot exceed one ounce.
- **MJ-02 Premises Diagram**
    - Page 1, Section 1 – Establishment Information:
        - The Doing Business As name must be Denali Dispensaries, LLC.
    - Diagram 1 and 2:
        - The room dimensions are unclear. Please provide a copy with this information more legible, or write the room dimensions in as necessary.
    - Diagram 1.1:
        - Per the key provided, green lines depict unlicensed areas. It appears that the Manufacturing Room and Attic are meant to be unlicensed, but they are also outlined in blue and red (licensed area and restricted access area, respectively). If these areas are not meant to be included in the licensed premises, redraw the lines so that these areas aren't outlined.
        - It is unclear how some of the different rooms depicted are accessed, and where all of the doors are. For example, it does not appear to be possible to enter the Packaging Room without going through the Manufacturing Room or using the outside stairs, which are not designated as part of the licensed premises. A clearer diagram will be necessary.
    - Diagram 5:
        - A diagram meeting the requirements of Diagram 5 would need to depict the interior layout of the entire building. Please re-read the instructions on Page 1 of Form MJ-02 for this diagram.
- **MJ-04 Cultivation Supplemental**
    - Page 1, Section 1 – Establishment Information:
        - The Doing Business As name must be Denali Dispensaries, LLC.
    - Page 2, Section 4.1:
        - Include details for how the total square footage of the vegetative and flowering growth sections were calculated. Information about the curing area can be removed from this section, but calculations for the Mother Room depicted on MJ-02 should be included.
        - This section states that the overall dimensions of the building are 60'x40', but the diagrams submitted with MJ-02 give the dimensions as 60'x50'. Which measurements are correct?
    - Page 3, Section 4.4:
        - You mention a fence in your response. Please specify its height.
    - Page 4, Section 5.2:
        - For marijuana that cannot be composted, you do not state whether it will be ground up as required under 3 AAC 306.740 prior to being mixed with non-marijuana materials. Will you be grinding this waste before mixing?
        - This location is in Wasilla, but you state that marijuana waste will be picked up for the landfill by an Anchorage waste truck. Is this accurate?
- **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".
- **Proof of Possession for Proposed Premises**
    - The PDF document titled "POPPP" that was submitted with your application contains copies of the diagrams that were submitted with Form MJ-02, and no lease or similar document was provided. Documentation showing that Denali Dispensaries, LLC has right or title to the premises is required.
- **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:	info@denalidispensaries.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Transfer Application - Denali Dispensaries, LLC License #11413
Date:	Friday, August 23, 2019 12:27:13 PM
Attachments:	11413 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; 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 #11413
Date:	Thursday, September 05, 2019 1:26:40 PM
Attachments:	image001.png Incomplete Transfer Application - Denali Dispensaries LLC License #11413.msg 11413 Incomplete Transfer Notice.pdf

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Hello Brenda,

The transfer application for License #11413 is also incomplete as of August 23, 2019. I have attached the email that was originally sent for reference, but please use the Incomplete Notice attached with this email. It has been amended to indicate that Bradley Bartlett's signature is required on Form MJ-17c.

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 12:35 PM
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

Thank you

Would you happen to know the status of the Cultivation transfer? License #11413?

On Thu, Sep 5, 2019 at 12:26 PM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> 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
907-231-3750
brenda@jdwcounsel.com
info@jdwcounsel.com

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Brenda Mills
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& Accounts Payable/Receivable
901 Photo Ave
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brenda@jdwcounsel.com
info@jdwcounsel.com

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From: Marijuana Licensing (CED sponsored)
To: info@denalidispensaries.com; Brenda Mills
Cc: Marijuana Licensing (CED sponsored); Jana Weltzin; Branden Bartlett; brad@denalidispensaries.com; Andrew Campbell; Legal Counsel
Subject: RE: Incomplete Transfer Application - Denali Dispensaries, LLC License #11413
Date: Thursday, September 26, 2019 9:10:42 AM
Attachments: image001.png

Good morning everyone,

I completed my review of the submitted corrections. Most have been made, but there are two issues still outstanding on this application.

1. On Page 1, Section 2 – Transferee Information of **Form MJ-17c**, the marijuana license number is listed in the section for the Alaska Entity # from the Division of Corporations, Business and Professional Licensing.
2. The commercial lease agreement between B&E Construction and Denali Dispensaries, LLC ended on November 1, 2017, so a current lease is required. This isn't the same lease that was submitted with this year's renewal application.

Sincerely,

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

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Wednesday, September 25, 2019 3:39 PM
To: Brenda Mills <brenda@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Jana Weltzin <jana@jdwcounsel.com>; Branden Bartlett <branden@denalidispensaries.com>; brad@denalidispensaries.com; Andrew Campbell <andrew@denalidispensaries.com>; Legal Counsel <legal@jdwcounsel.com>
Subject: RE: Denali Dispensaries, LLC License #11413 Transfer Incomplete Part 3 of 3

Good afternoon,

I am confirming receipt of three emails with attachments for this application, and should be able to follow up on them tomorrow.

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 25, 2019 12:38 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Jana Weltzin <jana@jdwcounsel.com>; Branden Bartlett <branden@denalidispensaries.com>; brad@denalidispensaries.com; Andrew Campbell <andrew@denalidispensaries.com>; Legal Counsel <legal@jdwcounsel.com>
Subject: Denali Dispensaries, LLC License #11413 Transfer Incomplete Part 3 of 3

and here is the MJ-01, MJ-02, MJ-04 and draft of NOCOO

Attorney Weltzin sent the MJ-19 for this license along with the MJ-19 for the retail incomplete

Let us know if there is anything else required to deem this application complete.

Please confirm receipt of all three email submissions (17 attachments)

Thank you!

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

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