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

November 1, 2018

SMG, LLC
DBA: SMG, LLC
Via email: articman1969@yahoo.com

Re: Limited Marijuana Cultivation Facility Facility #17105

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:
    - The Licensee field must be listed as SMG, LLC to be consistent with your state business license.
- **MJ-01 Operating Plan**
  - Page 1, Section 1 – Establishment & Contact Information:
    - The Licensee field must be listed as SMG, LLC to be consistent with your state business license.
  - Page 3, Section 3.3:
    - Please provide a sample badge to be worn by licensees, employees, or agents of the licensee.
  - Page 11 (Additional Space) Sample Label:
    - The warning statements must be verbatim. In the third statement, you have added the word "the" to "There are health risks associated with consumption of marijuana".
    - Please re-review 3 AAC 306.475 for the correct capitalization and punctuation that must be used in the warning statements.
- **MJ-02 Premises Diagram**
  - Page 1, Section 1 – Establishment Information:
    - The Licensee field must be listed as SMG, LLC to be consistent with your state business license.
  - All Diagrams:

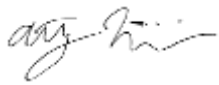
        - Each diagram must be labeled with the license number of your proposed marijuana establishment. However, your diagrams are labeled with your state business license instead (License #1032009). Please correct accordingly.
        - On each diagram, outline (in color) and label the boundary of your licensed premises.
        - Please remove the locations of security cameras.
    - Diagram #1/2 Part A:
        - The bathroom has been designated as a restricted access area, which would require it to be under video surveillance. Using a different color, outline and label the bathroom as part of the licensed premises but not a restricted access area.
        - The dimensions of the western wall are difficult to read. Please ensure that all room dimensions are legible.
    - Diagram #1/2 Part B:
        - Include room dimensions and a key or legend describing what the different colors represent.
- **MJ-04 Cultivation Supplemental**
    - Page 1, Section 1 – Establishment Information:
        - The Licensee field must be listed as SMG, LLC to be consistent with your state business license.
    - Page 2, Section 4.1:
        - Per 3 AAC 306.410, a limited marijuana cultivation facility must have **fewer than** 500 square feet under cultivation. Revisions will be required to bring your square feet under cultivation below 500 square feet. Note that changes made must also be accurately depicted in and consistent with Form MJ-02: Premises Diagram.
    - Updates have been made to Form MJ-04. Please visit the AMCO website to download and complete Page 3 of Form MJ-04 to replace Page 3 of the form you submitted. Please visit https://www.commerce.alaska.gov/web/amco/MarijuanaLicenseApplication.aspx to find this form online.
        - The response that you provided in the current Section 4.6 is too small to read clearly. When completing the new page, please edit your response so that the font is clearly legible or use copies of Page 7 for additional space as needed.
        - In Section 4.7 on the new form, specify whether or not your facility will use CO_2.
    - Page 6, Section 8.1:
        - Provide a sample label that shows how your facility will meet the labeling requirements under 3 AAC 306.475 for marijuana packaged for resale at a retail facility without repackaging.
    - Page 6, Section 8.2:
        - Provide a sample label that shows how the facility will meet the labeling requirements for marijuana packaged in wholesale packages.
- **MJ-07 Public Notice Posting Affidavit**
    - Section 1 – Establishment Information:
        - The Licensee field must be listed as SMG, LLC to be consistent with your state business license.
    - A copy of your Public Notice must be posted at the location of your proposed premises and one other conspicuous location for ten days. The other conspicuous location listed on one MJ-07 that was submitted is the same address as your proposed establishment, and a different MJ-07 lists the Frontiersman and includes a copy of your advertisement notice, which is not the same as a Public Notice. It will be required to post a copy of your

Public Notice and another conspicuous location in the vicinity of the premises for **ten** days and complete a new MJ-07.

- **MJ-08 Local Government Notice Affidavit**
  - Section 1 – Establishment Information:
    - The Licensee field must be listed as SMG, LLC to be consistent with your state business license.
  - Two different MJ-08 forms were submitted. One lists the community council in the section for your local government and your local government in the section for your community council, and the other lists the name of your local government in both the local government and community council sections. Please resubmit **one** corrected MJ-08.
- **Publisher's Affidavit**
  - Your advertisement listed your state business license number (#1032009) instead of the license number of your proposed marijuana establishment. It will be necessary to run a corrected advertisement **one** time and provide a new affidavit from the publisher. Include a copy of the corrected advertisement.
- **MJ-09 Statement of Financial Interest**
  - Section 1 – Establishment Information:
    - The Licensee field must be listed as SMG, LLC to be consistent with your state business license.
- **Proof of Possession for Proposed Premises**
  - 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 documents are required:
    - A copy of SMG, LLC's Operating Agreement
    - A list of all LLC members and their ownership percentage

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:	articman1969@yahoo.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - SMG, LLC License #17105
Date:	Thursday, November 01, 2018 11:05:58 AM
Attachments:	17105 Incomplete Notice.pdf image001.png

Good morning,

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:	arcticus@mtaonline.net
Cc:	Marijuana Licensing (CED sponsored); Jana Weltzin; Valerie Mastolier
Subject:	RE: Incomplete Application - SMG, LLC License #17105
Date:	Monday, December 31, 2018 9:49:26 AM
Attachments:	image001.png

Good morning,

I have received and reviewed the corrections for your marijuana establishment application, but at this time there are some additional revisions required on Form MJ-02: Premises Diagram, Form MJ-04: Cultivation Supplemental, and the Lease Amendment provided before the application can be deemed complete.

Form MJ-02: Premises Diagram
On Diagram #1;2;5 (the second floor diagram), please change the labeling of "Secure Area" to "Restricted Access Area" (please still include the licensed premises label though).

Form MJ-04: Cultivation Supplemental
On the new Page 3 that was provided, Sections 4.2 and 4.3 were left blank.

Lease Amendment
The effective date of the amendment was not provided.

Please let me know if you have any questions or need copies of any pages that were submitted.

Sincerely,

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

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Thursday, December 27, 2018 3:40 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Jana Weltzin <jana@jdwcounsel.com>
Subject: FW: Part 4 of 4 - SMG LLC license number 17105 - incomplete response

And here is the amendment to the lease for the other half of part 4

From: Jana Weltzin <jana@jdwcounsel.com>

Sent: Thursday, December 27, 2018 3:21 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: arcticman1969@yahoo.com; Valerie Mastolier <valerie@jdwcounsel.com>; legal counsel <legal@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>
Subject: Part 4 of 4 - SMG LLC license number 17105 - incomplete response

Hello AMCO team – please find the attached documents addressing your incomplete letter dated Nov. 1, 2018

- Amendment to POPPP
- -Operating agreement w list of all members and ownership

Pls let us know if you need anything else to deem this application complete – thank you! jana

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From: Jana Weltzin
Sent: Thursday, December 27, 2018 3:09 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: 'arcticman1969@yahoo.com' <arcticman1969@yahoo.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>; legal counsel <legal@jdwcounsel.com>
Subject: Part 1 of 4 - SMG LLC license number 17105 - incomplete response

Hello AMCO team – please find the attached documents addressing your incomplete letter dated Nov. 1, 2018

- JDW letter to AMCO
- MJ00
- MJ01

Thank you and pls confirm receipt – jana

Jana D. Weltzin, Esq.
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Principal Owner
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ANC, AK
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Thank you.

Think green, please don't print unnecessarily