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 16, 2018

Barely Legal, Inc.
DBA: Barely Legal, Inc.
Via email: barelylegal907@gmail.com

Re: Retail Marijuana Store Facility #17053

Dear applicant,

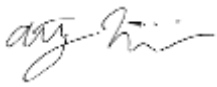
The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 ACC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction 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 4, Section 3.5:
    - Expand upon your response to describe the procedures taken by the licensee when an unauthorized breach is alerted. Include at what point AMCO is contacted as required under 3 AAC 306.715(e).
  - Page 4, Section 3.6:
    - Your responses states "Continued" at the bottom, but no additional pages of information were provided.
  - Page 4, Section 3.7:
    - Please provide more details regarding policies and procedures to prevent loitering. This response also states "Continued" at the bottom.
  - Page 7, Section 6.4:
    - This response states "Continued" at the end, but no additional response for this section was provided.
  - Page 8, Section 8.1:
    - The response does not provide all of the information being requested, and states "Continued" at the bottom. Please expand upon your response.
- **MJ-02 Premises Diagram**
  - All Diagrams:
    - Each diagram must be labeled with the license number and DBA.
    - Please number your diagrams according to the list provided on Page 1 of Form MJ-02.
  - Diagram of the Licensed Premises:

        - Per the legend, a red line depicts the licensed premises boundary. However, the red line does not appear to be present anywhere on this diagram.
        - The bathroom has been designated as a restricted access area, which would require it to be under video surveillance. Specify on this diagram that the bathroom will be part of the licensed premises but not a restricted access area.
    - As-Built and Aerial Photo:
        - In addition to labeling the license number and DBA, please outline and label where the licensed premises is located.
- **MJ-03 Retail Supplemental**
    - Page 4, Section 6.2:
        - The sample label provided does not have a section for the retailer's license number or DBA.
- **Entity Documents**
    - The following required documents were not provided:
        - A copy of the corporation's Certificate of Incorporation
        - A list of all shareholders and their ownership percentage.
- **Food Permit Application**
    - The copy of the application provided is partially covered by a receipt. Please provide a copy of the application only.
- **Applicant's Alaska Residency**
    - Lucas Cooper's Alaska residency could not be verified. Did he apply for the PFD in 2018?
- **Miscellaneous**
    - The application was rolled back to New Status on March 13, 2018 to remove Adelaide Smardo from the application. However, Adelaide is still listed as an official of this entity with the Division of Corporations, Business and Professional Licensing (CBPL). Please contact CBPL to file a Notice of Change of Officials to update the ownership, and provide a copy of the Notice that has been stamped 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:	barelylegal907@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Barely Legal, Inc. License #17053
Date:	Friday, November 16, 2018 10:06:31 AM
Attachments:	17053 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: Jana Weltzin; Marijuana Licensing (CED sponsored)
Cc: Valerie Mastolier; Rodney Hill; Don Brooks; lucascooper318@gmail.com; legal counsel
Subject: RE: Barely legal incomplete license number 17053 RETAIL
Date: Wednesday, January 23, 2019 10:40:08 AM
Attachments: image001.png

Good morning,

I have finished my review of the corrections and I see that all necessary corrections have been made. I have also sent Form MJ-18 for Lucas Cooper to AMCO Enforcement for review, and they will let you know if the spouse information needs to be whited out.

I will hold off on deeming the application complete to give Enforcement time to complete their review. The deadline to have a complete application considered at the February Board Meeting is February 1, 2019, so I will follow up by that date or sooner to let you know the status of the MJ-18 review, but otherwise there are no other corrections needed at this time.

Thank you,

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: Tuesday, January 22, 2019 12:13 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; Rodney Hill <hillscommerciallaundry@gmail.com>; Don Brooks <barelylegal907@gmail.com>; lucascooper318@gmail.com; legal counsel <legal@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>
Subject: RE: Barely legal incomplete license number 17053 RETAIL

Hello – pls find attached the remainder of documents to address your incomplete letter of Nov 16th:

- Certificate of Incorporation (pls note that the list of the current shareholders is indicated on the Notice of change of officials we sent you in the last email but I also attached a screen shot of corp commission site which has been updated to reflect only Don, Lucas, and Rodney as owners)
- MJ18 (lucas did not and isn't planning to apply for pdf hes lived here forever..) – attached pls note on item number 9 my client checked no spouse, which is true, but he filled in his name and info under spouses – if you need us to white that out let me know.

- Mj02 as revised is attached

Thank you@ pls let us know if you need anything else for this application to be considered at the Feb 2019 MCB hearing! Jana

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From: Jana Weltzin
Sent: Tuesday, January 22, 2019 11:47 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>; 'Rodney Hill' <hillscommerciallaundry@gmail.com>; 'Don Brooks' <barelylegal907@gmail.com>; lucascooper318@gmail.com; legal counsel <legal@jdwcounsel.com>
Subject: Barely legal incomplete license number 17053 RETAIL

Hello AMCO team – pls see attached documents addressing your Nov. 16th incomplete correspondence:

-revised mj01
-Mj03 with revised sample label
-notice of change of officials that removed Adelaide
-DHHS with the receipt moved out of the way

Ill send the remainder of the docs in a second email – pls confirm receipt of this email and its 4 attachments. Thank you for your hard work! We know its crunch time for you guys!

Jana D. Weltzin, Esq.
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*Licensed in Alaska and Arizona

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Thank you.

Think green, please don't print unnecessarily