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 16, 2018

West Made, LLC
DBA: Mary's Garden
Via email: alaskamarysgarden@gmail.com

Re: Retail Marijuana Store Facility #17204

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 2, Section 2.1:
    - It is unclear in your response if you understand Restricted Access Areas as defined by the regulations for a retail marijuana store, but they are not areas that everyday customers should be accessing on a regular basis. Areas where marijuana and/or marijuana product are stored and dispensed for sale are required to be restricted access areas (such as the sales counter and the area behind the counter), but the sales floor itself should not be.
  - Page 4, Section 3.5:
    - The requirements under 3 AAC 306.715 have been updated since your application was submitted. Please review 3 AAC 306.715(e) and expand upon your response to include when AMCO is contacted in the event of an unauthorized breach.
  - Page 5, Sections 3.9 to 3.12:
    - You must be able to certify each statement in these sections by signing your initials.
  - Page 8, Sections 7.5 and 7.6:
    - You answered "Yes" to questions asking if toilet facilities and handwashing facilities are clearly indicated on your Form MJ-02: Premises Diagram. However, neither are depicted on the diagrams that you submitted.
  - Page 10, Section 9.2:
    - Your response does not provide the information being requested, which is to describe any advertising that your establishment intends to distribute. The types of mediums and sample business logos must also be provided.

- **MJ-02 Premises Diagram**
  - Diagram 1:
    - It is unclear where the boundaries of the licensed premises are. Please outline the boundary in color and label as appropriate. Using a different color, outline and label the boundaries of the restricted access areas. Note that in the Retail Sales Area, only the areas where marijuana/marijuana product is stored and dispensed should be restricted access.
  - Diagram 2:
    - The boundaries of the licensed premises and restricted access areas have not been clearly labeled. Note that if Diagram 2 is the same as Diagram 1, Diagram 2 is not required.
  - Diagram 4:
    - Please highlight and label the lot, and then clearly indicate where the licensed premises is located within that lot.
- **MJ-03 Retail Supplemental**
  - Page 2, Section 2.1:
    - Your response states that after a customer's ID has been verified, they will be allowed entrance into a Restricted Access Area. Please re-review 3 AAC 306.710 for the required protocol of admitting visitors into Restricted Access Areas. Please also see the corrections required in Section 1 of your MJ-01: Operating Plan.
  - Page 2, Section 3.1:
    - Portions of your response have been cut off. Please edit your response so that it fits within the box provided or attach additional copies of Page 6 for additional space as needed.
  - Page 4, Section 6.1:
    - Your response in this section is inadequate to show that you have a clear understanding of the packaging and labeling requirements under 3 AAC 306.345.
  - Page 5, Section 7.1:
    - Portions of your response have been cut off. Please edit your response so that it fits within the box provided or attach additional copies of Page 6 for additional space as needed.
  - Page 5, Section 8.1:
    - Expand upon your response in this section to describe what processes will be used to render marijuana waste unusable.
- **MJ-08 Local Government Notice Affidavit**
  - *Amended on 10/16/2018, no corrections are necessary for this form.
- **Proof of Possession for Proposed Premises**
  - A least 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 effective date on the first page of your Operating Agreement has been left blank. Please provide a copy with this information present.

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:	alaskamarysgarden@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application - Mary"s Garden License #17204
Date:	Friday, October 05, 2018 11:38:03 AM
Attachments:	17204 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:	Fred West
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Mary"s Garden License #17204
Date:	Monday, October 15, 2018 8:56:10 AM
Attachments:	image001.png

Good morning Fred,

Thank you for your email. The corrections for your application are due within ninety (90) days from the date that I sent the Incomplete Notice, giving a deadline of **January 3, 2019**.

Feel free to call (at 907-269-0350) or email this address if you have questions about any of the corrections required on your application.

Sincerely,

TJ Zielinski

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

From: Fred West <alaskamarysgarden@gmail.com>
Sent: Monday, October 15, 2018 8:22 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Mary's Garden License #17204

Good morning MR. Zielinshi. my name Fred West, Incomplete Marys Garden number 17204 Date of letter Oct. 5 th. 2018 @ 11.38 AM.. What is my dead line ? We are all most ready now , but need the dead line date. I am sorry that we did not complete the application properly. We will do application this time properly. Again thank you Fred West

On Fri, Oct 5, 2018 at 11:38 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

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

From:	Marijuana Licensing (CED sponsored)
To:	Fred West
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Mary"s Garden License #17204
Date:	Tuesday, October 16, 2018 10:57:38 AM
Attachments:	17204 Incomplete Notice - Amended.pdf image001.png

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Good morning Fred,

Thank you for checking on that. I updated our records to clarify that the location is not within the city, so the correction for Form MJ-08 will no longer be necessary. Please see attached for an amended Incomplete Notice for your application with the correction listed for Form MJ-08 removed.

Sincerely,

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

From: Fred West <alaskamarysgarden@gmail.com>
Sent: Tuesday, October 16, 2018 10:22 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Mary's Garden License #17204

Good morning again MR. Zielinski Fred West Marys Garden, MJ-08 Local Government Notice Affidavit.3Aac 306.025 (b) (3). I went to the City of Soldotna office.showed them the Local Government Notice Affidavit for them. they told me you do not need one from us your business is in the Borough not the city. Please what do I do know ? thank you again for helping me Fred West

On Mon, Oct 15, 2018 at 8:56 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

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> If you have any questions or concerns, please address them to marijuana.licensing@alaska.gov.
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> **TJ Zielinski**
> Occupational Licensing Examiner
> Alcohol & Marijuana Control Office
> 550 West 7th Avenue, Suite 1600
> Anchorage, Alaska 99501

From:	Marijuana Licensing (CED sponsored)
To:	Fred West
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Mary"s Garden License #17204
Date:	Wednesday, November 14, 2018 11:00:14 AM
Attachments:	image001.png

Good morning,

Either regular mail or email is fine to submit your corrections. You can send them by email to marijuana.licensing@alaska.gov. Copies of your certificate from METRC and the State Fire Marshal will not be necessary.

Sincerely,

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

From: Fred West <alaskamarysgarden@gmail.com>
Sent: Wednesday, November 14, 2018 10:18 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application - Mary's Garden License #17204

Good morning Mr. Zielinski, Fred West, Mary's Garden, Marijuana Retail store Facility #17204. This Monday 19 th. of November I am ready to submit to you the corrections of my incomplete applications. How do I give you this ? Do I E-mail this to you or do I Mail it to you using cover sheets? Also do you want a copy of my Certificate AK Metrc Test, also a copy of my Certificate from State Fire Marshal Div. of Fire and Safety? Thank you again for helping me Fred West

On Tue, Oct 16, 2018 at 10:57 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

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

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Sent: Tuesday, October 16, 2018 10:22 AM
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Subject: Re: Incomplete Application - Mary's Garden License #17204

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> Occupational Licensing Examiner
> Alcohol & Marijuana Control Office
> 550 West 7th Avenue, Suite 1600
> Anchorage, Alaska 99501
>
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> **Sent:** Monday, October 15, 2018 8:22 AM
> **To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
> **Subject:** Re: Incomplete Application - Mary's Garden License #17204

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

From:	Marijuana Licensing (CED sponsored)
To:	Fred West
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Mary"s Garden License #17204
Date:	Wednesday, November 28, 2018 3:42:07 PM
Attachments:	Entity Doc Correction - Incomplete.pdf 17204 First Incomplete Operating Agreement.pdf image001.png

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Good afternoon,

I have finished reviewing the revisions you submitted and see that many of the corrections have been made. However, there are some additional revisions that will be necessary for your application to be deemed complete, which will be detailed below. Note that if these revisions are still inadequate to deem your application complete, your application will be returned to you and you will need to file a new application if you wished to pursue licensure.

Form MJ-01: Operating Plan

- Statements that must be certified by signing your initials have been left blank on Pages 4 and 8.
- In the warning statements listed on Page 10 and the logo in Exhibit A, the word "the" has been omitted from "Keep out of the reach of children".

Form MJ-02: Premises Diagram

There are no additional corrections required on this form, but I wanted to note that the revised Diagram 4 will not be included because it is not an aerial photo. However, upon closer review of the Diagram 4 you originally submitted, it will not need corrections and will be included.

Form MJ-03: Retail Supplemental

Statements that must be certified by signing your initials have been left blank on Pages 2 and 5.

Entity Documents

The page that you provided from your Operating Agreement (attached as "Entity Doc Correction – Incomplete) is a different document than the Operating Agreement that was first provided. I have the original Operating Agreement attached for reference. You have submitted Page 3 of the new Operating Agreement, but please provide the rest as well.

Let me know if you have any questions or need copies of any documents.

Sincerely,

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

From: Fred West <alaskamarysgarden@gmail.com>
Sent: Wednesday, November 28, 2018 12:58 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Fwd: Marijuana Docs

---------- Forwarded message ---------
From: **Aspen Love** <aspen@907legal.com>
Date: Wed, Nov 28, 2018 at 12:37 PM
Subject: Marijuana Docs
To: alaskamarysgarden@gmail.com <alaskamarysgarden@gmail.com>

Thank you,

Aspen Love
907 Legal

From:	Marijuana Licensing (CED sponsored)
To:	Fred West
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Mary"s Garden License #17204
Date:	Friday, November 30, 2018 8:08:22 AM
Attachments:	image001.png

Good morning,

Please submit your corrections for Page 10 and Exhibit A of Form MJ-01.

Sincerely,

TJ Zielinski

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

From: Fred West <alaskamarysgarden@gmail.com>
Sent: Thursday, November 29, 2018 2:39 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Fwd: FW: Cover and Documents

---------- Forwarded message ---------
From: **Tustumena Smokehouse** <tustumenasmokehouse@alaska.net>
Date: Thu, Nov 29, 2018 at 2:36 PM
Subject: FW: Cover and Documents
To: <alaskamarysgarden@gmail.com>

From: David Niccum [mailto:david@purecannabisconsulting.com]
Sent: Thursday, November 29, 2018 12:46 PM
To: Tustumena Smokehouse
Subject: Cover and Documents

David J Niccum

Pure Cannabis
CONSULTING

CONFIDENTIALITY NOTICE:
The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and may be legally protected from disclosure. If you are not the intended recipient of this message or their agent, or if this message has been addressed to you in error, please immediately alert the sender by reply email and then delete this message and any attachments. If you are not the intended recipient, you are hereby notified that any use, dissemination, copying, or storage of this message or its attachments is strictly prohibited.