CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE
550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 19, 2018

Higher by Bad Gramm3r, LLC
DBA: Higher by Bad Gramm3r, LLC
Via email: teri@badgramm3r.com

Re: Higher by Bad Gramm3r, LLC #19178

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.**

- **Online Application**
  - I rolled the application back to 'New' status because you need to enter your full First name. Access your online application via your myAlaska and enter your full First name, and resubmit your online application.

- **MJ-00 Application Certifications**
  - The context of 'Licensee' on page 1, section1, is the name of the LLC applying for the marijuana establishment license, in this case Higher by Bad Gramm3r, LLC.
  - Section 2, please enter your First name in full (Teresa, not Teri).
  - You answered 'Yes' to the question "Do you currently have or plan an ownership interest in, or a direct or indirect financial interest establishment license". Then, your explanation in the box below is that your husband is the owner of license 11121. So my question to you is, how does your answer of 'Yes' correlate to your answer in the box.

- **MJ-01 Operating Plan**
  - The context of 'Licensee' on page 1, section1, is the name of the LLC applying for the marijuana establishment license, in this case Higher by Bad Gramm3r, LLC.
  - Page 2, 2.1: the question is asking you to describe how you will prevent persons under the age of 21 from gaining access to any portion of the **licensed premises**. Your answer talks about preventing access to **restricted access area(s)** within the licensed premises, but it does not necessarily describe preventing access to the entire licensed premises. Please add to your question in this box and describe it.

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- **MJ-01 Operating Plan**
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- Page 5, 3.5: Are you sure you want all the very specific details about your security system such as the panic buttons and sensors referenced in this box, because it does not need to be described here and you should remove it. AT THE SAME TIME, please review 3 AAC 306.715(e) and describe in this box how you will meet that requirement.

- **MJ-02 Premises Diagram**
  - The context of 'Licensee' on page 1, section1, is the name of the LLC applying for the marijuana establishment license, in this case Higher by Bad Gramm3r, LLC.
  - Diagram 1:
    - Please remove or cross out the number 14364 on this diagram.
    - Label the surveillance equipment secured area.
    - The your label 'Restricted Area' on your legend that depicts the restricted access area of the retail needs to be labeled as Restricted Access Area.
    - Take a different color, color/shade the bathroom and label that color/shade licensed but not restricted access area.
  - Diagram 4:
    - How many buildings are on this property, and are they clearly shown on this diagram?
    - I get the green color is the proposed licensed retail marijuana store, but the brown color is labeled as 'Licensed property'. It seems as you are confused as to what really needs to be licensed, and in this case it should not be the entire property. Please relabel the brown color as depiction of the property line (which I think is what you are trying to show). Call me if you have questions.
    - This diagram also needs the doing-business-as written on it.
  - Diagram 5:
    - On this diagram it appears that there are more than one building on the property. Are there multiple buildings on the same property? On this diagram, which one is the proposed retail store? Please clearly single it out.
    - You state the blue outline is the proposed licensed premises, but in this case it should not be the entire property. Please relabel the blue color as depiction of the property line (which I think is what you are trying to show). Call me if you have questions.

- **MJ-03 Retail Supplemental**
  - The context of 'Licensee' on page 1, section1, is the name of the LLC applying for the marijuana establishment license, in this case Higher by Bad Gramm3r, LLC.

- **MJ-07 Public Notice Posting Affidavit**
  - The context of 'Licensee' on page 1, section1, is the name of the LLC applying for the marijuana establishment license, in this case Higher by Bad Gramm3r, LLC.
  - Please correct the marijuana license number on this form.

- **MJ-08 Local Government Notice Affidavit**
  - The context of 'Licensee' on page 1, section1, is the name of the LLC applying for the marijuana establishment license, in this case Higher by Bad Gramm3r, LLC.
  - Please correct the marijuana license number on this form.

- **MJ-09 Statement of Financial Interest**
  - The context of 'Licensee' on page 1, section1, is the name of the LLC applying for the marijuana establishment license, in this case Higher by Bad Gramm3r, LLC.
  - Section 2, please enter your First name in full (Teresa, not Teri).

- **Entity Documents**

- Please provide Higher by Bad Gramm3r, LLC's Operating Agreement.
- Division of Corporations lists Higher by Bad Gramm3r as the 100 percent member/manager of Higher by Bad Gramm3r, LLC **not** Teresa Zell. https://www.commerce.alaska.gov/cbp/main/Search/EntityDetail/10082379 . If Teresa Zell is who the 100 percent member/manager of this LLC should be, as what your online marijuana application shows, you need to contact Division of Corporations and change it. I will need copies of the paperwork you submit to that office to get this corrected.

- **Proof of Possession for Proposed Premises**
  - The document titled Lease 1204 North Hyer Spur is inadequate proof of possession for proposed premises.
  - Please provide a legally binding commercial lease (contact an attorney if necessary, our office does not provide legal advice) that includes the following:
    - The tenant on the lease must be the LLC applying for the license, in this case, Higher by Bad Gramm3r, LLC.
    - If the square footage being leased constitutes a very specific building on the property, that specific building will need to have a unit number designated (call me if you have questions on this particular point).
    - An acknowledgment that the premises is being used for a marijuana establishment; and
    - The landlord/lessor will not remove from the premises or take possession of marijuana or marijuana product, and AMCO enforcement will be contacted. Usually under the 'Default' section of the lease.

It is very important that you submit the above corrections and/or documents as soon as possible 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,

Jane Sawyer, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

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From:	Marijuana Licensing (CED sponsored)
To:	"teri@badgramm3r.com"
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Follow up on corrections received 1.30.19-Higher By Bad Gramm3r, LLC license 19178
Date:	Thursday, January 31, 2019 1:50:00 PM
Attachments:	contradics the original MJ-07 Public Notice Posting Affidavit.pdf more work needed-19178 MJ-02 Premises Diagram.....pdf needs dated submitted- 19178 MJ-08 Local Government Notice.pdf original - 19178 MJ-07 Public Notice Posting Affidavit.....pdf

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Teri,

I reviewed the corrections received 1.30.19. The application is still incomplete:

- On your operating plan (MJ-01 and/or MJ-03), you state you will be checking IDs at the door, which is what you are supposed to do, BUT your diagram shows a pretty large entrance room as part of your licensed premises, yet, the ID check point is well into the store.....so, will you please call me so we can talk about this (my apologies I didn't mention this earlier).
- Look at the two MJ-07s I attached here, the original has different dates and conspicuous location than your brand new one. Why the discrepancy? Call me. All I needed is the 'licensee' box to be corrected on the original and initialed.
- The new MJ-08 needs the 'Date Submitted' to the local government.

This email does not extend the 90-day deadline to get this application complete which is 3.19.19, you will start over if deadline is not met. However, the application is subject to get returned altogether if corrections are not adequate second time around. Furthermore, I need the above addressed and submitted to me by COB tomorrow 2.1.19.

Thank you

Jane P Sawyer
Occupational Licensing Examiner|Alcohol & Marijuana Control Office
550 W 7th Avenue, Ste. 1600, Anchorage, AK 99501| 907-269-0350

From:	Marijuana Licensing (CED sponsored)
To:	"teri@badgramm3r.com"
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application Notice-Higher by Bad Gramm3r, LLC license 19178
Date:	Wednesday, December 19, 2018 11:46:00 AM
Attachments:	19178 Incomplete Application Notice.pdf

Hello,

Your marijuana establishment license application has been reviewed, attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

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 Letter.

Please let me know if you need copies of the transfer paperwork I have. I want to make sure you receive this email and its attachment first. Send any documents/correspondence to marijuana.licensing@alaska.gov

Respectfully,
Jane Sawyer
Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 W 7th Avenue Ste. 1600
Anchorage, AK 99501
907-269-0350

From:	Marijuana Licensing (CED sponsored)
To:	"teri@badgramm3r.com"
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Higher By Bad Gramm3r, LLC license 19178
Date:	Friday, February 01, 2019 9:01:00 AM
Attachments:	MJ08dated.pdf needs dated submitted- 19178 MJ-08 Local Government Notice.pdf 19178 MJ-08 Local Government Notice.pdf

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Teri,

I need you call me please. The most recent version of your MJ-08 is still not correct. This application is subject to be returned altogether, and you will need to file a new application and pay new fees if you wish to continue pursuing licensure, per 3 AAC 306.025(e)(1), if you cannot get this Hello,

Thanks

Jane P Sawyer
Occupational Licensing Examiner|Alcohol & Marijuana Control Office
550 W 7th Avenue, Ste. 1600, Anchorage, AK 99501| 907-269-0350