CORRESPONDENCE

From:	McConnell, Erika B (CED)
To:	Jana Weltzin; Marijuana Licensing (CED sponsored); Valerie Mastolier
Cc:	Brenda Mills; bdking@acsalaska.net
Subject:	RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190
Date:	Monday, March 18, 2019 5:25:18 PM
Attachments:	Pages from 18190 Entity Documents.pdf image001.png image002.png

I've attached what I'm referring to. This is from the original entity documents submittal.

Erika McConnell
Director
Alcohol & Marijuana Control Office
State of Alaska

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Monday, March 18, 2019 4:28 PM
To: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Valerie Mastolier <valerie@jdwcounsel.com>
Cc: Brenda Mills <brenda@jdwcounsel.com>; bdking@acsalaska.net; Jana Weltzin <jana@jdwcounsel.com>
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Sorry – but I am confused what you mean with the CBPL page and not including the CBPL page you reference below – what is a "CBPL page"? are you referring to one of the CBPL pages on the notice of change of officials?

From: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>
Sent: Monday, March 18, 2019 11:22 AM
To: Jana Weltzin <jana@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Valerie Mastolier <valerie@jdwcounsel.com>
Cc: Brenda Mills <brenda@jdwcounsel.com>; bdking@acsalaska.net
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Jana,

Yes, it will all be provided to the MCB.

Jane's January 23 email noted that the entity documents would need to be re-done. In the original submittal, you included the CBPL page, although I note that the revised submittal did not include the CBPL page. As you are an experienced lawyer and consultant, you are very aware that re-doing the entity documents to remove an individual includes making the change at CBPL.

Erika

Erika McConnell
Director
Alcohol & Marijuana Control Office
State of Alaska

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Monday, March 18, 2019 9:44 AM
To: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Valerie Mastolier <valerie@jdwcounsel.com>
Cc: Brenda Mills <brenda@jdwcounsel.com>; bdking@acsalaska.net; Jana Weltzin <jana@jdwcounsel.com>
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Erika – pls confirm that the whole application, which has been provided to your office, will be provided to the MCB in the appeal tab, including this line of email correspondence.

Also, pls note that you did not provide any identification as to where, in any form of communication, AMCO informed us that one of the incomplete items was to include proof of intent to remove Matt from the LLC.

Thank you, jana

From: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>
Sent: Monday, March 18, 2019 9:40 AM
To: Jana Weltzin <jana@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Valerie Mastolier <valerie@jdwcounsel.com>
Cc: Brenda Mills <brenda@jdwcounsel.com>; bdking@acsalaska.net
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Good morning, Jana,

The bottom line is that there was not a valid lease submitted to AMCO by the 90 day deadline. The lease that had been submitted earlier had tracked changes in it, had blank sections, and was signed by someone who was to be taken off the license. You were informed in writing (with 47 days left in the 90 day period) that a new POPPP was required and that the 90 day deadline was not extended. The fact that you requested an extension (after close-of-business on a Friday when the deadline was Monday) and didn't hear back on Monday is immaterial. If you had been told on Monday that the extension was not granted and were thus able to submit a lease that day, why didn't you just submit a lease that day? And if you couldn't have submitted a lease if you were told Monday that the extension was not granted, why does it matter if you were told on Monday or on Tuesday?

This situation is entirely different from residency status. In those situations, the applicant has either submitted their PFD application or their MJ-18, and the state has not done its evaluation yet. In your situation, the applicant had 47 days to work with the landlord on a revised lease.

While you may be successful in your appeal, you also may not be. Please note Jacq's information in the third paragraph of her email on March 14.

Erika McConnell
Director
Alcohol & Marijuana Control Office
State of Alaska

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Friday, March 15, 2019 6:02 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Valerie Mastolier <valerie@jdwcounsel.com>
Cc: Brenda Mills <brenda@jdwcounsel.com>; bdking@acsalaska.net; Jana Weltzin <jana@jdwcounsel.com>; McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

HI Director McConnel & Jacque – thank you for your email – I still do not think this action is appropriate or justified under the regulations – I am going to outline my reasons why below - I do not believe this action is supported by the regulations:

- Basis of denial identified in the failed to complete correspondence: (1) failed to show "intent" to remove Matt Smith as a member with the corporations division; (2) Failed to provide an adequate lease.
    - Failed to show intent to remove Matt – the Incomplete letter dated Dec. 11 2018 never once mentioned or requested any documentation showing intent to remove Matt. This simply was NOT on the incomplete letter therefore, it CANNOT be a basis for denial under 3AAC306.025(e)(2);
        - Additionally, on Jan. 23th 2018 – we received an email from Jane indicating what we would need to do regarding the removal of Matt. There was no request for any type of showing for the "intent" to remove Matt. There is no communication from AMCO that would have alerted the applicants that a showing of intent was needed to complete the application. Therefore, we sent the NOCOO in to the corporation commission on Jan. 24th and we contacted them to see why it wasn't showing up on the corp commission database when we received the failed to complete notice and it appears that the

corporation commission could not locate the filing. So, we immediately went to the Anchorage Corp Commission office and filed it in person (which we try to save clients money and we have to bill for mileage and time when we file in person so that is why we didn't do it on Jan. 24th as there was no request from amco to provide such proof so we didn't want to incur the expense for our client.)

- Second item, lack of an adequate lease – the lease was revised and sent to the landlord for signature, but the landlord was out of town until the day after the deadline – I emailed Jacque three days BEFORE the deadline to (1) submit all of the documents addressing all of the incomplete items except for the lease; and (2) explained the situation regarding the lease and notified her that the landlord was out of town. I didn't hear back from AMCO until Monday the 11th (the deadline) and Jane responded that AMCO received all the attachments but that Jacque was out of the office – therefore we received no response regarding our request that the license been deemed complete and that as soon as the lease was signed by the landlord we would provide it. This is and was a reasonable request because there was no lacking regulatory requirements such as default and possession of marijuana or lack of approval of the use of the building for marijuana cultivation.

The original lease simply didn't represent clearly that Nugz has possession of the whole building so we needed to make that clear and we have no control over the landlord's travel schedule and what access he or she has to printers and signing and scanning – it seems completely unjust and arbitrary to deny an application and fail to complete it based on a requirement that was never communicated to the application (ie the show of "intent" to remove Matt) or because we simply needed to have landlord in town to have him sign the revised lease (attached). Please consider the efficiency of the board meetings – is this really something we need to debate in front of the board and spend precious board time figuring out. AMCO needs to be reasonable – we gave timely notice (ie before the deadline) we could not get the lease signed before the deadline and we requested approval for the application to be deemed complete – and we got no response on that until AFTER the deadline. This just doesn't seem right to injure a company that had no notice in any correspondence that an "intent" to show removal of Matt was a incomplete requirement (because it wasn't ever communicated that it needed to be part of the incomplete response bc I would've sent my team to file it in person and then I would've given AMCO a stamped NOCOO if it were communicated to us or the applicant); and it seems completely unfair to find an application failed to complete when we gave notice before the deadline that the landlord was out of town and requested to be deemed complete with the understanding that the item would be resolved once he returned and then we receive notice AFTER the complete deadline that the request to deem it complete was otherwise ignored or rejected.

This group has been paying rent for months on this space. This set back is devastated and completely over the top. Your office has repeatedly deemed applications complete even though something as vital to even having the ability to hold a license, such as PFD residency status, had not been confirmed was still outstanding, the application was still deemed complete and set for the board meeting. How can AMCO deem an application complete pending residency status and not do the same in this situation? What is the efficiency and rationale for failing a license application under these circumstances. None. Its not right and its not fair – and I respectfully request you reconsider.

In the event that you do not reconsider and deem this application complete, to not further injure my clients any further, we would like the entire application to be a tab document under the appeal so that if the MCB resolves this issue in our favor, my client will not be further injured by being set back months and months until the July meeting. Please confirm whether you will reverse your decision and if you do not reverse pls confirm you will provide the entire tab for the board's review in the event they rule in our favor in May.

Jana D. Weltzin, Esq.
JDW, LLC
Principal Owner
3003 Minnesota Drive Suite 201
ANC, AK
jana@jdwcounsel.com
630-913-1113
*Licensed in Alaska and Arizona

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Thank you.

Think green, please don't print unnecessarily

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Thursday, March 14, 2019 3:37 PM
To: Jana Weltzin <jana@jdwcounsel.com>; Valerie Mastolier <valerie@jdwcounsel.com>
Cc: Brenda Mills <brenda@jdwcounsel.com>; bdking@acsalaska.net; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Hi Jana,

I discussed your email with the Director. The date from the screenshot in your email was based on the rollback that occurred, which generated a new public notice. The 90-day deadline does not start over with a rollback. The application was first initiated on 5/22/18. But, the Failed to Complete notice was based on the 90 days from the date that the incomplete letter was sent (12/11/18); the 90-day deadline for the application to be deemed complete was on 3/11/19. According to 3 AAC 306.025(f), when the director informs an applicant that its application is incomplete as provided in (e) of this section, the applicant must complete the application not later than 90 days after the date of the director's notice. If an applicant fails to complete its application during the 90-day period after the director's notice, the applicant must file a new application and pay a new application fee to obtain a marijuana establishment license.

The Failed to Complete notice is not retracted. However, your appeal was added to the May agenda.

Additionally, something for you to keep in mind, the deadline for an application to be deemed complete for the May meeting is April 12th, 2019. Our queue has been significantly reduced. It is possible to make the agenda for the May meeting if a new application is initiated, and if it is submitted to us after the postings and the advertisements etc. have been completed; we definitely cannot guarantee that the application would make the May meeting based on a variety of reasons (mainly the corrections needed, if any, and the timeframe that the corrections are submitted to us, if needed).

Let me know if you have any questions or concerns.

Respectfully,

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

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Thursday, March 14, 2019 1:46 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Valerie Mastolier <valerie@jdwcounsel.com>
Cc: Brenda Mills <brenda@jdwcounsel.com>; bdking@acsalaska.net; Jana Weltzin <jana@jdwcounsel.com>
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Hi Jacq – I am going to ask you to re look at this issue again, according to the public notice generated by My Alaska – this license is NOT 90 days old – see below – with this new information, can you pls confirm the failed to complete notice will be retracted? We just got the lease from the landlord (as my email explained before the landlord was out of town and we didn't provide the revised lease and stated we would submit it once he returned to town.) Please let me know – thanks! jana

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Wednesday, March 13, 2019 10:46 AM
To: Valerie Mastolier <valerie@jdwcounsel.com>
Cc: Brenda Mills <brenda@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>; bdking@acsalaska.net; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Good morning,

Received, thank you. I have forwarded this on to the Director.

I am not sure if the Director responded to your email appealing the failed to complete notice yesterday, but your appeal was added to the agenda to be heard by the Marijuana Control Board for the May meeting.

Respectfully,

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

From: Valerie Mastolier <valerie@jdwcounsel.com>
Sent: Wednesday, March 13, 2019 10:04 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Brenda Mills <brenda@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>; bdking@acsalaska.net
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Good Morning,

Attached is the stamped copy of the NOCOO for Nugz, LLC. Our office didn't see that the SOA had cashed our check for the initial submission of the NOCOO when we mailed it, so we went down in person to submit the document in order to obtain the stamped copy immediately.

Thank you!

--

Valerie Mastolier
JDW, LLC
Office Manager & Paralegal
3003 Minnesota Drive Suite 201
Anchorage, Alaska 99503
907-231-3750
info@jdwcounsel.com
valerie@jdwcounsel.com

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From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Tuesday, March 12, 2019 3:52 PM
To: Jana Weltzin <jana@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; bdking@acsalaska.net
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; Brenda Mills <brenda@jdwcounsel.com>
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Good afternoon,

I have forwarded your email to Director McConnell.

Respectfully,

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

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Tuesday, March 12, 2019 3:46 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; bdking@acsalaska.net
Cc: Valerie Mastolier <valerie@jdwcounsel.com>; Brenda Mills <brenda@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>
Subject: RE: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Hi – this is our notice per 3AAC 306.095 appealing this failed to complete notice – pls let us know when we our appeal is scheduled to be heard by the Control Board.

Additionally, we have filed the notice of change of officials to remove Matt, the corporation commission just hasn't processed and posted the change yet – if it would change the analysis we can run a new NOCOO down to Corp Commission and provide AMCO w a stamped copy of the submitted NOCOO. Thank you, jana

---

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Tuesday, March 12, 2019 3:39 PM
To: bdking@acsalaska.net
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Jana Weltzin <jana@jdwcounsel.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Brenda Mills <brenda@jdwcounsel.com>
Subject: Failed to Complete Application per 3 AAC 306.025(f): Nugz LLC license #18190

Hello,

Attached is correspondence regarding your marijuana establishment application. Please direct all correspondence to marijuana.licensing@alaska.gov.

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600

Anchorage, Alaska 99501

From: Drulis, Jacqlene M (CED)
To: Drulis, Jacqlene M (CED)
Subject: FW: NUGZ license number 18190 - Roll Back request
Date: Thursday, April 18, 2019 3:47:03 PM

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Wednesday, January 23, 2019 11:26 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Bryan <bdking@acsalaska.net>; Dave Smith <pizzadave@live.com>; Valerie Mastolier <valerie@jdwcounsel.com>
Subject: RE: NUGZ license number 18190 - Roll Back request

Hi – yes we understand what we need to do – thank you! jana

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Wednesday, January 23, 2019 11:20 AM
To: Jana Weltzin <jana@jdwcounsel.com>
Cc: Bryan <bdking@acsalaska.net>; Dave Smith <pizzadave@live.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: NUGZ license number 18190 - Roll Back request

Do you need an amended incomplete letter? You pretty much know what to do, right?

- Posting of public notice at the proposed premises and another conspicuous location for the full ten days. Is there a more conspicuous location other than the Valley Restaurant (Fred Meyer, Carrs, post office, where it can bu up for the ten full days). Jacq will need a brand new MJ-07.
- Notify the local government with the updated public notice. Jacq will need a brand new MJ-08.
- Any document that was signed by Matthew Smith and/or includes Matthew Smith will need to be re-done (POPPP, entity documents, etc.).
- The above is in addition to what the incomplete notice is asking for with the understanding that some of the items here supersede some of the items in the incomplete letter, and some are void.

This email does not extend the 90-day deadline given to you.

Thank you
Jane Sawyer
Occupational Licensing Examiner
Alcohol and Marijuana Control Office
907-269-0350

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Wednesday, January 23, 2019 11:00 AM
To: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Cc: Bryan <bdking@acsalaska.net>; Dave Smith <pizzadave@live.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: NUGZ license number 18190 - Roll Back request

Thank you! we will take care of that asap!

From: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Sent: Wednesday, January 23, 2019 10:42 AM
To: Jana Weltzin <jana@jdwcounsel.com>
Cc: Bryan <bdking@acsalaska.net>; Dave Smith <pizzadave@live.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: NUGZ license number 18190 - Roll Back request

I've rolled it back to New. The business license needs to also be renewed. You may not be able to submit if biz license is not renewed.

Jane Sawyer
Occupational Licensing Examiner
Alcohol and Marijuana Control Office
907-269-0350

From: Jana Weltzin <jana@jdwcounsel.com>
Sent: Wednesday, January 23, 2019 9:57 AM
To: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>
Cc: Bryan <bdking@acsalaska.net>; Dave Smith <pizzadave@live.com>; Valerie Mastolier <valerie@jdwcounsel.com>; Jana Weltzin <jana@jdwcounsel.com>
Subject: NUGZ license number 18190 - Roll Back request

Hi Jane – thanks for taking my call this am – would you pls roll back this application as we need to remove Mathew from the license – as I understand it we need to renotice local gov and re do the postings. Please let me know when the license has been rolled back – thank you!!

Jana D. Weltzin, Esq.
JDW, LLC
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3003 Minnesota Drive Suite 201
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630-913-1113

*Licensed in Alaska and Arizona

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Thank you.

Think green, please don't print unnecessarily

From:	Marijuana Licensing (CED sponsored)
To:	"bdking@acsalaska.net"
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application- Nugz, LLC license #18190
Date:	Tuesday, December 11, 2018 1:07:00 PM
Attachments:	image001.png 18190 Incomplete Application Notice.pdf 18190 POPPP.pdf MJ-18 ApplicantResidencyVerification.pdf

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Hello,

Your application has been reviewed, and 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 any of the documents I have for this application. I want to make sure you receive this email and incomplete letter attached first.

Please send any documents/correspondence to marijuana.licensing@alaska.gov

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
Direct: (907) 754-3588
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

December 11, 2018

Nugz, LLC
DBA: Nugz, LLC
Via email: bdking@acsalaska.net

Re: Standard Marijuana Cultivation Facility #18190

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**
  - On page 1, section 1, of each of the MJ-00s the 'License Type' needs to be Standard Marijuana Cultivation Facility (you only entered "Cultivation Facility").
  - ALSO, Bryan King, you initialed all the boxes on page 3 of this form. Please re-read the statements, one of them should not apply. Correct the form accordingly.

- **MJ-01 Operating Plan**
  - Page 4, 3.5: please add to your answer in this box and describe how you will comply with 3 AAC 306.715(e).
  - Page 9, 9.1: you did not answer the question. Please re-read it and provide an answer.
  - Your last page, on your 'Continued' answer to question 8.1, the answer was cut off. Please resend it make sure the paragraph does not get cut off.

- **MJ-02 Premises Diagram**
  - The premises diagram submitted with this application does not fully meet the requirements needed. Please carefully follow the directions on form MJ-02 and submit another MJ-02 that meets all of the requirements needed. Please be very detailed and specific. The diagrams submitted are difficult to decipher. Much of the information is blurry and illegible. The following are examples of what to watch out for when re-doing your premises diagram (**these are examples but they may not be the only things you need to address**):

- Please refer to the requested corrections below under **Proof of Possession for Proposed Premises** regarding a possible unit/suite number. Your MJ-02 makes it difficult to tell if a unit/suite # is necessary.
- Remove the cameras from any/all of the diagrams.
- Clearly label the storage area(s).
- On all applicable diagrams, outline the entire perimeter of the proposed licensed premises and restricted access area (use separate colors and labels). **OR**, if applicable, you may use one color and label it Restricted Access Area and Licensed Premises.
- Diagram #1a: much of the wording is blurry, illegible, and difficult to decipher.
    - What is the green non restricted area? Please label it.
- Diagram #1B: This appears to be an apartment. Are you planning on licensing the apartment? If so, there will most likely be more questions that arise, and ultimately it will be up to the Board to decide if you are meeting the requirements.
    - Additionally, what is the big space that is not outlined on the northwest side of the diagram? Please label it.
    - And, what is the space on the northeast side of the diagram that is mostly outlined in red? Please label it.
    - Also, there appears to be two entrances with stairs. Are there stairs outside? Please label the outside stairs.
- Both Diagram #2s: Please differentiate between these two diagrams by assigning them as Diagram #2a and #2b, like you did for Diagram #1.
    - Additionally, I understand what your red outlines (even though the red outline is not labeled on these diagrams, please label) are intending to show; however, since the outlines go outside of the building, as is, it shows that you are requesting for a portion of the outside of the building to be licensed. The outline must be tightly around the perimeter of the proposed licensed premises.
    - Furthermore, please make the labels consistent on all applicable diagrams, and use different colors to represent different things; such as, it seems that you are using red to represent the restricted access area, emergency exit, leased area, egress, etc. The color red should only represent one item.
- Diagram #3: I do not see that there was a Diagram #3 submitted with this application. Am I missing it somewhere?
- For the aerial diagram provided, the label is cut off. I can't tell if this is Diagram #4. Please correct the label of which diagram this is.
- Both Diagram #5s: Please differentiate between these two diagrams by assigning them as Diagram #5a and #5b, like you did for Diagram #1.
    - Please remove the cameras.
    - Part of the requirements for this diagram is to clearly distinguish the licensed premises from unlicensed areas. Please adjust accordingly.

- **MJ-04 Cultivation Supplemental**
  - Page 2, 4.1: I am having a hard time understanding your answer in this box. Are the cloning and greening areas within the 2400 sq. ft.? Or are they separate? Please provide a detailed answer that is congruent with the diagram(s) from MJ-02; be very specific. This box on the MJ-04 is to describe what is outlined on the MJ-02 and it must be easily decipherable and comparable. Please correct accordingly.
  - Page 3: there is a new version of MJ-04 on our website because we added a section for pesticides. I am not requesting that you to fill out the entire application, but you do need to take page 3 of this new form and basically transfer the information from your old one to this new page. The new section is 4.6 which needs to be filled out with the requested information, and of course, you can attach separate pages as continuation. Here is the link to the form:

  https://www.commerce.alaska.gov/web/Portals/9/pub/MCB/MarijuanaApplication/MJ-04.pdf

  - Page 6 and 7, Section 8: For the sample labels provided, the wording on the labels must be clear, legible, and in a large enough font to read. I must be able to review the warning statements to make sure that they are verbatim with the regulations; as is, the label is too blurry to read. Please correct accordingly. Here is an example of the wording in the regulations:
    (1) Marijuana has intoxicating effects and may be habit forming and addictive.
    (2) Marijuana impairs concentration, coordination, and judgment. Do not operate a vehicle or machinery under its influence.
    (3) There are health risks associated with consumption of marijuana.
    (4) For use only by adults twenty-one and older. Keep out of the reach of children.
    (5) Marijuana should not be used by women who are pregnant or breast feeding.

- **MJ-07 Public Notice Posting Affidavit**
  - The 'License Type' needs to be Standard Marijuana Cultivation Facility (you only entered "Cultivation Facility").

- **MJ-09 Statement of Financial Interest**
  - On page 1, section 1, of each of the MJ-09s the 'License Type' needs to be Standard Marijuana Cultivation Facility (you only entered "Cultivation Facility").

- **Entity Documents**
  - Provide Nugz, LLC's Operating Agreement.

- **Proof of Possession for Proposed Premises**
  - The lease you submitted is a version of your lease with track changes/notes (not sure what they are called, but I can send it to you so you can see it). Anyway, do you want this lease to be in your file like this?
  - Please enter a date in the 'Term' section of the lease (it is blank).
  - Does the '2400 square feet of space being leased' constitute the entire building with address 9331 Glacier Highway? If it does not, then a unit number needs to be designated to that 2400 square feet of space, and the lease must reflect the unit number. Furthermore, if there are more buildings on the property with the same address, then

your cultivation will need a unit number designated. We will administratively add the unit number to our system. Please clarify.

- **Alaska Residency**
  - Matthew, it does not appear you applied for a permanent fund dividend for 2018. Please fill out the attached MJ-18, and submit to me as soon as possible for an investigation on your Alaskan residency. If you did apply for the 2018 dividend, then please let me know.

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,

Jacqlene Drulis, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov