CORRESPONDENCE

Drulis, Jacqlene M (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Wednesday, January 22, 2020 4:41 PM
To: snowtz@aol.com
Cc: Marijuana Licensing (CED sponsored)
Subject: Incomplete Transfer Application- Denali Grass Company- License #20221
Attachments: 20221 Incomplete Transfer Application Letter.pdf

Good afternoon,

Your transfer 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 notice. If the submitted corrections for your application are inadequate to deem your application complete, or your application is still incomplete after ninety (90) days from the date of this notice, your application will be returned to you in accordance with 3 AAC 306.025(e)(1) and 3 AAC 306.025(f). Should you wish to continue pursuing licensure, it would be necessary to file a new application and pay new fees.

Ninety-day Due Date: April 21, 2020

Let us know if you require copies of any submitted documents, and feel free to call or email if you need clarification on any items in the Incomplete Notice. Correspondence should be sent 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

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

January 22, 2020

NOMO Gold, LLC
DBA: Denali Grass Company
Via email: snowtz@aol.com

Re: Retail Marijuana Store License #20221

Dear applicant,

AMCO has reviewed the documents submitted for the transfer of ownership for the license referenced above. This letter is notice under 3 AAC 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-17c License Transfer Application**
  - Section 1:
    - Please correct the Doing Business As to say, Denali Grass Company.
    - Make sure to include Suite A in the Premises Address (it is written in pen, and I just want to make sure it is not forgotten on the corrected MJ-17c).
  - Section 2:
    - Based on the other components of the application, I am assuming that your intension is to keep the Doing Business As the same (Denali Grass Company). If my assumption is correct, please correct the Doing Business As to say, Denali Grass Company.
    - The Business License Number provided (1100487) is for Denali Grass Company, owned by Susan Nowland. We need the business license for Denali Grass Company, owned by NOMO Gold, LLC. You may need to get a new business license through the Division of Corporations, Business, and Professional Licensing (CBPL). Please contact CBPL for guidance: https://www.commerce.alaska.gov/web/cbpl
      - Additionally, please correct the Business License Number on the MJ-17c once you have resolved the issue with CBPL.
  - Section 3:
    - For Susan's Title, please correct it to say, "Manager, Member", since that is what NOMO Gold, LLC's entity documents say.
  - Please refer to the requested corrections below under MJ-07, MJ-08, and Publisher's Affidavit.

- **MJ-00 Application Certifications**
  - Section 1: Please correct the Licensee to say, NOMO Gold, LLC.

- **MJ-07 Public Notice Posting Affidavit**
  - After correcting the MJ-17c, please repost the application at both, the location of the proposed premises and another conspicuous location for ten days, and then submit a new MJ-07 completed and signed in front of a notary after the posting period has ended.
  - On the MJ-07, make sure the Doing Business As is corrected to say, Denali Grass Company.

- **MJ-08 Local Government Notice Affidavit**
  - After correcting the MJ-17c, please re-notify the Denali Borough by submitting to them the application, and then submit a new MJ-08 completed and signed in front of a notary.
  - On the MJ-08, make sure to include Suite A in the Premises Address.

- **Publisher's Affidavit**
  - You will need to do a one-time correction advertisement because the incorrect regulatory reference was used. The regulatory reference should have been 3 AAC 306.300, not 3 AAC 306.020. Please correct accordingly before re-advertising one time, not for the entire three weeks.

- **Entity Documents**
  - Please submit a copy of your business license for Denali Grass Company, owned by NOMO Gold, LLC. The wrong business license was submitted.
  - Provide a list of all partners with the percentage of ownership of each partner.

- **Proof of Possession for Proposed Premises**
  - Please provide Suite A in the premises address for the sublease.
  - Because the Transfer has not been effectuated, and essentially, the current licensee should still have legal right of possession to the premises, please correct the term dates on the lease. If preferred, the sublease can say something along the lines of, "effective not earlier than the effectuation of the transfer.", or something similar.
  - Please provide the Master Lease and make sure that it includes the following:
    - A disclaimer that the landlord/lessor may not take possession of or remove marijuana from the premises, and that AMCO will be contacted in the event that this is necessary.
    - Include written permission to further sublet to NOMO Gold, LLC.

- **Alaska Residency**
  - We were unable to verify your Alaskan residency for 2020; if you intend to apply for the Permanent Fund Dividend, you are encouraged to apply sooner and provide proof of eligibility prior to this application being brought to the Board for consideration.
  - If you do not intend to apply for the PFD, please notify us via email at marijuana.licensing@alaska.gov.

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,

Jacqlene Drulis, Occupational Licensing Examiner
For,
Glen Klinkhart, Interim Director
marijuana.licensing@alaska.gov

Drulis, Jacqlene M (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, April 16, 2020 2:57 PM
To: snowtz@aol.com
Cc: Marijuana Licensing (CED sponsored)
Subject: RE: Denali Grass Company #20221

Good afternoon, Sue,

I have reviewed your corrections to your Transfer Application, and there are a couple more corrections needed.

- **MJ-17c License Transfer Application**
  - Section 3: Thank you for fixing the Title, but it is now showing that the Email, Mailing Address, City, State, and Zip are blank. You should be able to make this correction to only Section 3 without getting the form re-notarized, unless you prefer to do so.

- **Alaska Residency**
  - Because the Licensing Examiners are working from home, we have limited access to certain databases, and cannot verify your Alaskan residency. Please provide proof of eligibility for the PFD by submitting a document showing "eligible status" for the 2020 PFD.

- **Request for Extension for the Leases**
  - I spoke with management and they essentially said that we do not have the authority to extend the 90-day deadline for completing an application set out in the regulations. However, due to the extenuating circumstances based on the recent pandemic, this may be something that could be considered by the Director or the Marijuana Control Board (as long as the other corrections outlined above are completed in time), and if you are actually unable to get the corrections to your leases by the 90-day deadline (April 21, 2020).
  - In other words, management said to suggest for you to try as hard as you can to get the final corrections submitted by your deadline (April 21, 2020), but if you absolutely cannot, they would like to consider your request at that time.
  - Furthermore, if the request for extension is denied and your application is returned to you, you can always appeal the Director's decision to the board at the next regularly scheduled board meeting.

Thank you,

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

From: snowtz@aol.com [mailto:snowtz@aol.com]
Sent: Wednesday, April 15, 2020 8:37 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Denali Grass Company #20221

Hello,

First and foremost I hope you are all being safe and well. With the pandemic and change of how we do business that keeps our employees safe as well as our customers, thing have been a bit hectic.

Please find the additional documents changes for the transfer of ownership from me to me.

It has been and still is a challenges to get the required proof of possession changes on the leases as my request has taken the back burner to the larger corporations that own the building as well as the sub lease.

I hope you will consider my request for an extension.

Take care, and always, I am sure I will hear from you.

Best Regards,
Sue Nowland
907 230 5069

March 12,2020

Dear Director of Amco and Staff,

I would like to request an extension on my paper work for a transfer of license from Susan Nowland Denali Grass Company #20221 which I am the sole owner to NOMO Gold LLC which I am also the sole owner.

I am working with the group that holds the Master Lease as well as the sub lease. There are multiple layers to this property that require signatures, and three of the four signatures are out of state as well as the two attorney groups that provide the input.

I am hoping I will have all the Proof of Possession lease language corrected soon, but this is basically out of my hands.

The last 30 – 45 days have been extremely difficult for everyone.

I thank you in advance for your consideration for this extension.

Respectfully Submitted,

Susan Nowland

Received 4/15/2020

Drulis, Jacqlene M (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Tuesday, April 21, 2020 2:02 PM
To: snowtz@aol.com
Cc: Marijuana Licensing (CED sponsored)
Subject: RE: Denali Grass Company #20221 to NOMO Gold transfer

Good afternoon, Sue,

After much deliberation, Management has denied your request for an extension because the 90-day deadline is set in the regulations:

3 AAC 306.025. Application procedure

(e) If an application for a marijuana establishment license or endorsement is incomplete,

the director shall notify the applicant by electronic mail at the address provided by the applicant and shall either

(1) return an incomplete application in its entirety; or

(2) request the applicant to provide additional identified items needed to complete the application.

(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 or endorsement.

Your 90-day deadline is today, 4/21/20, so you still have until the end of the day to submit corrections to the leases. All of the other corrections appear to be in order. If you are not able to get the leases corrected today, I will have to send you correspondence about failing to complete the transfer application, most likely tomorrow.

Sincerely,

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

From: Marijuana Licensing (CED sponsored)
Sent: Tuesday, April 21, 2020 9:33 AM
To: snowtz@aol.com; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: Denali Grass Company #20221 to NOMO Gold transfer

Good morning, Sue,

Thank you for the corrections. I will reach out to management again regarding your request for an extension. I will be in contact as soon as possible.

Sincerely,

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

From: snowtz@aol.com [mailto:snowtz@aol.com]
Sent: Monday, April 20, 2020 12:11 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Denali Grass Company #20221 to NOMO Gold transfer

Hello,
Here are the corrections. I am still working on the leases,, and have not heard anything today.
Please let me know if there is an additional corrections that will be required.
Thank you so much for what you do.

Best Regards,
Sue Nowland
9007 230 5069

Drulis, Jacqlene M (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Wednesday, April 22, 2020 3:46 PM
To: snowtz@aol.com
Cc: Marijuana Licensing (CED sponsored)
Subject: Failed to Complete Transfer Application per 3 AAC 306.025(f): Denali Grass Company, License #20221
Attachments: 20221 Failed to Complete Letter.pdf

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

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

April 22, 2020

NOMO Gold, LLC
Via Email: snowtz@aol.com

Re: Return of Marijuana License Transfer Application, DBA: Denali Grass Company, License #20221

Dear Applicant,

The time to complete your retail marijuana store transfer application per 3 AAC 306.025(f) has expired, and your application has been moved to Failed to Complete status. If you wish to continue pursuing licensure, it will be necessary for you to file a new transfer application and pay new fees.

For your reference, the following corrections were not made to your application:

- **Proof of Possession for Proposed Premises**
  - o Please provide Suite A in the premises address for the sublease.
  - o Because the Transfer has not been effectuated, and essentially, the current licensee should still have legal right of possession to the premises, please correct the term dates on the lease. If preferred, the sublease can say something along the lines of, "effective not earlier than the effectuation of the transfer.", or something similar.
  - o Please provide the Master Lease and make sure that it includes the following:
    - A disclaimer that the landlord/lessor may not take possession of or remove marijuana from the premises, and that AMCO will be contacted in the event that this is necessary.
    - Include written permission to further sublet to NOMO Gold, LLC.

The application and all supporting documentation will be emailed to you via the State of Alaska Drop Box called ZendTo.

If you have any questions, please direct your correspondence to marijuana.licensing@alaska.gov.

Respectfully,

Carrie Craig
Records and Licensing Supervisor
Alcohol and Marijuana Control Office
marijuana.licensing@alaska.gov

Drulis, Jacqlene M (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, April 23, 2020 11:14 AM
To: snowtz@aol.com
Cc: Marijuana Licensing (CED sponsored)
Subject: RE: Denali Grass Company

Categories: Green Category

Good morning, Sue,

I presented your Sublease Amendment to Management and, unfortunately, we would not be able to accept this document for your Transfer application because it is beyond the 90-day deadline (4/21/2020) set out in the regulations, and the "Failed to Complete" notice was emailed yesterday, 4/22/2020. Additionally, the master lease was not submitted with the requested amendments.

I understand your predicament and it is very unfortunate that the deadline could not be extended and that you were unable to get all of the lease documents in time.

I hope all is well otherwise, and that you and yours are staying safe.

Sincerely,

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

From: snowtz@aol.com [mailto:snowtz@aol.com]
Sent: Wednesday, April 22, 2020 5:34 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Denali Grass Company

Hello,
Please find the Prof of Possession documentation for the license transfer from Susan Nowland to NOMO Gold LLC which is owned by Susan Nowland
Please let me know if you need any additional information.

Regards,
Sue Nowland

Drulis, Jacqlene M (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, April 30, 2020 4:20 PM
To: snowtz@aol.com
Cc: jana@jdwcounsel.com; Marijuana Licensing (CED sponsored)
Subject: RE: Denali Grass Company 20221
Attachments: 20221 Complete POPPP After 90 Day Deadline.pdf

Good afternoon, Sue,

I presented your Lease corrections to Management and, unfortunately, we would not be able to accept this document for your Transfer application because it is beyond the 90-day deadline (4/21/2020) set out in the regulations. However, I did review the corrections and the it seems that your leases had all of the required information. I have attached a copy of it to this email.

Additionally, your appeal of the "Failed to Complete" notice is on the agenda for the June 2020 meeting.

Sincerely,

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

From: snowtz@aol.com [mailto:snowtz@aol.com]
Sent: Wednesday, April 29, 2020 1:44 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: jana@jdwcounsel.com
Subject: Denali Grass Company 20221

Hello,

I hope this find you and your families safe and well. With these these challenging times, we are all learning how to do things differently.

Well, this document started on the East Coast, made it to the West Coast for review and finally to Alaska for signature.

Please let me know if there is any additional information that will be required.

Best Regards,
Susan Nowalnd
907 230 5069