CORRESPONDENCE

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 9, 2020

E & M Holdings, LLC
DBA: The Stoney Moose
Via email: torsch2@gmail.com

Re: Retail Marijuana Store License #10873

Dear applicant,

AMCO has reviewed the documents submitted for the transfer of controlling interest 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 3:
    - The Titles on this form must match the Titles with the Division of Corporations, Business & Professional Licensing's (CBPL) website. Please correct each individual's title to reflect their title with CBPL (whether it's "Member" or "Member/Manager" or something similar). You may want to contact CBPL to make sure that the titles are accurate.
    - Additionally, there are discrepancies throughout the application concerning the % owned. We need the most accurate information to be consistent throughout your application documents. The % owned on the first page of Section 3 shows, for example, 4.91802. But on the second page the percentages only show, for example, 4.9. The publisher's affidavit and the Operating Agreement show the more detailed percentages (4.91802); while the draft Notice of Change of Officials (NOCOO) shows the percentages rounded up or down. Please correct the MJ-17c % Owned to show the more detailed percentages, and to match your other documents (for example, 4.91802).
  - Section 6: Please have one of the new members sign this section.
  - Section 7: This section was not signed, and it must be signed and notarized for it to be considered a true copy of the application. The signatures in this section must represent a controlling interest of the current licensee. Please have either Mark Woodward and Eric Riemer sign. Or there are other combinations of individuals that could sign to represent a controlling interest (50.01% +) of the current licensees (preferably at least one member that is being transferred off the license).

- Refer to the requested corrections below under MJ-07 and MJ-08.

- **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 <u>after</u> the posting period has ended.

- **MJ-08 Local Government Notice Affidavit**
  - After correcting the MJ-17c, please re-notify the local government by submitting to them the corrected MJ-17c, and then submit a new MJ-08 completed and signed in front of a notary.
  - Additionally, the MJ-08 that was submitted only showed that you notified the City of Ketchikan. Please make sure to notify both the City of Ketchikan and the Ketchikan Gateway Borough, and reflect this on the MJ-08.

- **Publisher's Affidavit**
  - You will need to do a one-time correction advertisement because there are a few errors throughout the advertisement. The regulatory reference (3 AAC 306.300) and the license type (Retail Marijuana Store) were omitted, and some individuals on the current license are missing, etc. Please correct accordingly before re-advertising one time, not for the entire three weeks. The advertisement should say (the ***bolded*** wording is for you to fill in):
    - E & M Holdings, LLC, doing business as The Stoney Moose, located at 127 Stedman St., Ketchikan, AK 99901 is applying under 3 AAC 306.045 for transfer of controlling interest in a Retail Marijuana Store (3 AAC 306.300), license #10873. The transfer involves a change in ownership percentage from **(*list all 9 of the current owners and their percentages)*** to ***(list all 10 of the new members and their percentages)***. Interested persons may object to the application by submitting a written statement of reasons for the objection to their local government, the applicant, and the Alcohol & Marijuana Control Office (AMCO) not later than 30 days after the director has determined the application to be complete and has given written notice to the local government. Once an application is determined to be complete, the objection deadline and a copy of the application will be posted on AMCO's website at https://www.commerce.alaska.gov/web/amco. Objections should be sent to AMCO at marijuana.licensing@alaska.gov or to 550 W 7th Ave, Suite 1600, Anchorage, AK 99501.

- **Entity Documents**
  - The Operating Agreement shows the exact ownership percentage (for example, 4.91802%), but the draft Notice of Change of Officials (NOCOO) shows the % owned to be rounded up or down (for example, 5%). My understanding is that the ownership percentages must match. Please correct accordingly on the NOCOO (if necessary, because CBPL may have different requirements). You may want to contact the Division of Corporations, Business & Professional Licensing (CBPL) to see if they allow you to round up and down or whatnot. However, AMCO needs the most accurate information to be consistent throughout your application documents.

- **Alaska Residency**
    - Shane Jasper, did you apply for the Permanent Fund Dividend this year? If you did not apply, then let us know as soon as possible so that we can send you form MJ-18: Applicant Residency Verification.

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

From:	Marijuana Licensing (CED sponsored)
To:	"torsch2@gmail.com"
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Transfers - The Stoney Moose #10873 & Stoney Moose Kitchens #16991
Date:	Wednesday, December 9, 2020 4:40:00 PM
Attachments:	10873 Incomplete Transfer Notice.pdf 16991 Incomplete Transfer Notice.pdf image001.png

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Good afternoon,

Your transfer applications have 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: March 9, 2021

Let us know if you require copies of any submitted documents, and feel free to 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