



## 10(B) Dispensary Application Applicant Attestation

I, \_\_\_\_\_ am a representative of \_\_\_\_\_ (“Applicant”), and I am authorized to certify on behalf of Applicant the following in furtherance of its application for a 10(B) Dispensary license (“Application”) with the Ohio Department of Commerce, Division of Cannabis Control (“Division”), as defined by rules 1301:18-1-01 and 1301:18-2-06 of the Ohio Administrative Code.

1. Applicant reviewed all applicable provisions of chapters 3780 and 3796 of the Ohio Revised Code and the rules promulgated pursuant to chapters 3780 and 3796 of the Ohio Revised Code pertaining to the requirements for licensure with the Division and the application instructions.
2. The Division determined that Applicant is authorized to apply for 10(B) licensure and received Confirmation Number \_\_\_\_\_ for the present Application.
3. **Ownership:**
  - a. Applicant reviewed all provisions of the Ohio Revised Code and Ohio Administrative Code relating to the requirements of and restrictions on ownership, financial interest, and control in the cannabis licenses administered by the Ohio Division of Cannabis Control, including, but not limited, to the definitions and provisions in division 1301:18 of the Ohio Administrative Code, and the provisions prohibiting ownership of, or control in, more than one cultivator license, more than one processor license, or more than eight dispensary licenses as referenced in Ohio Revised Code 3780.10.
  - b. On or before June 7, 2024, Applicant provided true, accurate, and complete documentation evidencing the following to the Division:
    - i. Applicant’s current organizational chart showing all owners, officers, and board members of the dispensary, regardless of ownership interest.
    - ii. Applicant’s current ownership list and capitalization table.
    - iii. Documentation of any other Person who has financial interest in, or exercises influence or control over, your dispensary that is not identified in the organizational chart your entity provided in paragraph (4)(b)(i) of this Attestation.
    - iv. A list of all People with a direct or indirect financial interest or control of or influence over Applicant.
    - v. A copy of any pending or executed merger, sale, option to purchase, letter of intent (LOI), consulting, management, support, administrative services, or other similar agreements between Applicant and any other person or entity or any of that entity’s affiliates.
    - vi. A copy of any pending or executed merger, sale, option to purchase, letter of intent (LOI), consulting, management, support, administrative services, or other similar agreements with any other Person.
    - vii. If applicable, License’s current Operating Agreement, if applicable.
    - viii. Any other document that evidences the ownership, influence, or control of Applicant by any person other than the people provided in the

documentation outlined in paragraphs (4)(b)(i) through (4)(b)(vii) of this Attestation.

- c. On or before June 7, 2024, each owner and each individual that controls Applicant submitted complete and accurate Affidavits to the Division.
- d. Applicant does not have an ownership or investment interest, or compensation arrangement with either of the following:
  - i. A testing laboratory licensed pursuant to chapter 3796 of the Revised Code; or
  - ii. An applicant for a license to conduct laboratory testing pursuant to chapter 3796 of the Revised Code.
- e. Applicant does not share any corporate officers or employees with either of the following:
  - i. A testing laboratory licensed pursuant to chapter 3796 of the Revised Code; or
  - ii. An applicant for a license to conduct laboratory testing pursuant to chapter 3796 of the Revised Code.

#### **4. Employee Badging**

- a. Applicant reviewed all requirements of and restrictions on disqualifying offenses, including, but not limited to, sections 3708.01 and 3780.11 of the Ohio Revised Code and none of the following individuals disqualify Applicant from licensure:
  - i. Any owner, officer, and board member, of Applicant;
  - ii. Any person who significantly influences or controls the activities of Applicant;
  - iii. Any administrator or individual responsible for the daily operation of Applicant's facility; and
  - iv. Any employee or agent of Applicant.

#### **5. State of Ohio Conflicts**

- a. None of the following people associated with Applicant are employed by a regulatory agency or governmental entity within the state of Ohio that within that role may significantly influence or control entities licensed under chapters 3796 or 3780 of the Revised Code:
  - i. Any owner, officer, and board member, of Applicant;
  - ii. Any person who significantly influences or controls the activities of Applicant;
  - iii. Any administrator or individual responsible for the daily operation of Applicant's facility; and
  - iv. Any employee or agent of Applicant.

#### **6. Tax Compliance**

- a. Applicant reviewed section 3780.22 of the Ohio Revised Code and understands its ongoing duty to comply with all applicable adult-use sales tax requirements.
- b. Applicant, and all owners, officers, board members, and any person who has significant influence or control of Applicant, are in compliance with all applicable federal, state, and local taxes.
- c. Applicant reviewed and accurately completed the required tax waiver and submitted the waiver contemporaneously with this Attestation.

7. Applicant understands that the present Attestation does not outline all requirements for Applicant to obtain a 10(B) provisional dispensary license.

#### **8. Waiver of Claims**

- a. The present Application constitutes a true, accurate, and complete representation of all information, documentation, and attestations of Applicant as of the date of execution of this Attestation.
  - b. Applicant understands that it has a duty to immediately notify the Division in writing of any changes or modifications of the information provided in this Application.
  - c. Applicant understands that the event that any information, documentation, or attestation, is incomplete, inaccurate, or untruthful, and as determined by the Division, the Applicant will be required within ten business to cure all deficiencies by submitting a complete Application.
  - d. Applicant understands that the Division's approval of this Application is based upon the documents and attestations submitted to the Division. Division approval of this Application does not constitute a waiver of any violations of the Ohio Administrative Code, and that the Division reserves the right to take any enforcement action authorized under Chapter 3796 of the Ohio Administrative Code in the event that a violation is discovered.
9. No representations or promises have been made by the Division regarding the issuance or non-issuance of additional licenses.
  10. Applicant obtained legal counsel where necessary to review the present Attestation in furtherance of Applicant's 10(B) dispensary license application as defined by rules 1301:18-1-01 and 1301:18-2-06 of the Ohio Administrative Code.

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Signature of Applicant

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Date