



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Bureau of Health Care Safety and Quality  
**Medical Use of Marijuana Program**  
99 Chauncy Street, 11<sup>th</sup> Floor, Boston, MA 02111

CHARLES D. BAKER  
Governor

KARYN E. POLITO  
Lieutenant Governor

MARYLOU SUDDERS  
Secretary

MONICA BHAREL, MD, MPH  
Commissioner

Tel: 617-660-5370  
[www.mass.gov/medicalmarijuana](http://www.mass.gov/medicalmarijuana)

November 16, 2017

Re: Invitation to Submit *Siting Profile*

Brighton Health Advocates, Inc. is invited to submit a *Siting Profile* (Application 2 of 3) to the Department of Public Health ("Department"). Please note that in order to proceed, the applicant must receive a Provisional Certificate of Registration from the Department by November 16, 2018, which is one year from the date of this invitation. Please submit the *Siting Profile* so as to allow the Department sufficient time to review it, the applicant time to respond to any additional or revised information required, and the Department time to review any additional or revised information submitted.

Please note that the background checks into any individuals or entities identified to the Department are ongoing. Any identified background check issues must be resolved prior to obtaining a Provisional Certificate of Registration.

Please also note that the applicant must provide the following information as soon as possible, but before it may proceed with its registration for the Warcham RMD and before RMD applications (Applications 2 and 3) may result in Provisional Certificates of Registration. An application will not be deemed complete until all materials requested by the Department are submitted:

1. Please explain Massachusetts Recovery Services Inc.'s role as a Borrower in comparison to the applicant.
2. Please submit the "Letter of Intent" and the "Purchase Agreement" identified in the Dispensary Application Loan and Security Agreement and Trades Payable Loan and Security Agreement.

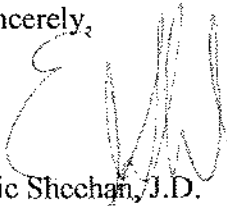
3. If not one of the aforementioned documents, please explain whether the Loan Agreement for up to \$66,000 with PharmaCann identified in the November 17, 2016 Letter from Hurwit & Associates includes revenue sharing. If so, please submit it for review.
4. Please note that the Department cannot and will not approve any assignment of registration rights or permission to co-locate a registered marijuana dispensary with a marijuana establishment operated by a different entity prior to the current registrant applying for such approval.
5. In its July 17, 2017 submission, in the table summarizing all of the applicant's agreements, the applicant states that it has a Promissory Note with Pharmacann of MA, LLC and that it submitted an independent legal opinion on this agreement on May 18, 2016. Please note that the independent legal opinion that the applicant submitted to the Department on May 18, 2016 was for a promissory note with Massachusetts Recovery Services, LLC. Please clarify whether the Promissory Note with Pharmacann of MA, LLC includes revenue sharing. If so, please submit a copy of the promissory note with Pharmacann of MA, LLC as well as an independent legal opinion that the agreement is in compliance with the non-profit requirements of 105 CMR 725.100(A)(1) and the Guidance for Registered Marijuana Dispensaries Regarding Non-Profit Compliance (<http://www.mass.gov/eohhs/docs/dph/quality/medical-marijuana/applications/non-profit-compliance-guidance.pdf>).

The *Siting Profile* must be submitted by U.S. mail or hand-delivered to:

Department of Public Health  
Medical Use of Marijuana Program  
RMD Applications  
99 Chauncy Street, 11<sup>th</sup> Floor  
Boston MA 02111

Please follow all directions posted on the Medical Use of Marijuana Program website when completing the application forms. Please remember to type all responses in the application forms. You may direct any questions regarding the application process to [RMDapplication@state.ma.us](mailto:RMDapplication@state.ma.us) or 617-660-5370.

Sincerely,



Eric Sheehan, J.D.  
Bureau Director  
Bureau of Health Care Safety and Quality  
Massachusetts Department of Public Health