



## CITY OF ANN ARBOR, MICHIGAN

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Office of The City Attorney

November 9, 2011

OM of Medicine  
Mark Passerini  
Christian Davis  
112 S. Main St., Suite B1  
Ann Arbor, MI 48104

Re: Operation of Medical Marijuana Dispensary at 112 S. Main St.

Dear Mr. Passerini and Mr. Davis:

We have learned that you have re-opened your medical marijuana dispensary business at 112 S. Main St. after you had closed down. The City requires that you cease and desist the operation of this dispensary.

The City's zoning and licensing ordinances concerning medical marijuana dispensaries require, among other things, that they comply with the Michigan Medical Marihuana Act.

As you know, the Michigan Court of Appeals in *State v McQueen*, issued on August 23, 2011, stated that "the MMMA does not authorize marihuana dispensaries." (If you believe that you nevertheless are somehow in compliance with state law, please state your rationale.)

Thus, by operating a dispensary in the City of Ann Arbor, you are violating City ordinances, violating state law, and creating a public nuisance. You must cease operation of this business immediately. If you do not, the City will take appropriate legal action against you.

Please have your attorney contact Kristen Larcom upon receipt of this letter.

Sincerely,

Stephen K. Postema  
City Attorney

cc: Retro Development, LLC, Property Owner  
Jon A. Carlson, Registered Agent