



## CITY OF ANN ARBOR, MICHIGAN

301 E. Huron St., P.O. Box 8647, Ann Arbor, Michigan 48107-8647

Phone (734) 794-6170

FAX (734) 994-4954

[www.a2gov.org](http://www.a2gov.org)

Office of The City Attorney

February 10, 2012

Matthew R. Newburg  
4112 W. St. Joe Highway, Suite C  
Lansing, MI 48917

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

Dear Mr. Newburg:

I have received your letter dated November 29, 2011. It is incomplete and does not provide enough information about OM's operational business model. From what it describes, it actually implies non-compliance with state law.

You imply that you are operating under a patient-to-patient transfer model. If so, please describe whether a qualifying patient/purchaser provides any monetary compensation in any manner in order to receive medical marijuana from your facility. If yes, please identify who receives the compensation.

Also, if you are using a patient-to-patient model, where does a qualifying patient/employee at your facility obtain the medical marijuana to transfer to another patient? Is this excess medical marijuana that your qualifying patient/employee has grown or received from his caregiver and then is transferred as a gift? If not, how does your facility obtain the medical marijuana in this first instance? Does your qualifying patient/employee have access to all of the medical marijuana on your premises? Who has access to all of the medical marijuana on your premises? How much medical marijuana is kept on the premises at any one time?

I am not sure what you are referring to as a "YMCA" model. If this is simply a membership fee model, that is still compensation for product and thus a sale of product.

I am also puzzled by your reference to a caregiver receiving compensation for costs. Are you implying that caregivers are receiving costs for assisting more than 5 patients at your facility?

Please provide this information to me by February 20, 2012. In the meantime, your client should cease and desist from operating a dispensary in violation of state law and city ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristen D. Larcom". The signature is fluid and cursive, with a large initial "K" and a distinct "D." before the last name.

Kristen D. Larcom  
Senior Assistant City Attorney

SKP/ja



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February 24, 2012

**BY MAIL & E-MAIL (matt@newburglaw.com)**

Matthew R. Newburg

NEWBURG LAW, PLLC

4112 West St. Joe Highway, Suite C

Lansing, MI 48917

RE: Operation of Medical Marijuana Dispensary at 112 South Main Street (OM of Medicine)

Dear Mr. Newburg:

We have reviewed your letter to us dated November 29, 2011. Our February 10, 2011, letter to you contained questions that related specifically to statements you made in your letter to us. We have sent similar letters to all other dispensaries, all of which contain general questions that we did not include in our letter to you. We have not yet received a response from you to our previous letter, but we also request that you answer the questions below by Friday, March 2, 2012. **Please explain your answers.**

The following questions are being posed to all dispensaries.

Are all caregivers at OM of Medicine required to be registered primary caregivers? Are all patients at OM of Medicine required to be registered qualifying patients?

Approximately how many caregivers serve their patients at OM of Medicine? Approximately how many patients does OM of Medicine have?

Is marijuana ever transferred at OM of Medicine to a patient by a person who is not the registered primary caregiver connected to the patient through the state's registration process provided for in the Michigan Medical Marihuana Act?

If a patient physically transfers marijuana to another patient where does the registered qualifying patient get the marijuana from to transfer?

Does any patient to whom marijuana is transferred at OM of Medicine ever pay, donate, or in any way give money to OM of Medicine or to anyone else? If so, to whom is the money given and how much? If the amount varies, how is the amount determined?

Does any caregiver who transfers marijuana to a patient at OM of Medicine ever pay, donate, or in any way give money to OM of Medicine or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

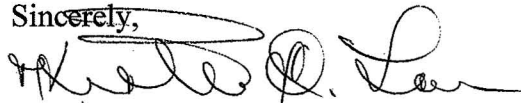
Does OM of Medicine or anyone else ever receive a payment, donation, or any other type of monetary compensation for assisting a registered qualifying patient with preparing marijuana for consumption or by physically aiding a patient to consume marijuana? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Who has the ability to gain access to marijuana kept at OM of Medicine? If access is limited by OM of Medicine, please describe how unauthorized access is prevented.

Does any person or entity deliver marijuana to OM of Medicine? If so, does OM of Medicine ever pay, donate, or in any way give money to the person or entity who delivers the marijuana or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Feel free to e-mail your response to me at [klarcom@a2gov.org](mailto:klarcom@a2gov.org), or to fax your response to the City Attorney's Office at 734-994-4954. Also, do not hesitate to call me directly at 734-794-6185 or the City Attorney's Office general line at 734-794-6170.

Sincerely,



Kristen D. Larcom  
Senior Assistant City Attorney  
[klarcom@a2gov.org](mailto:klarcom@a2gov.org)



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Office of The City Attorney

February 24, 2012

**BY MAIL & E-MAIL (info@a2wellness.org)**

Ann Arbor Wellness Collective  
321 E. Liberty, Suite 1  
Ann Arbor, MI 48104

RE: Operation of Medical Marijuana Dispensary at 321 East Liberty Street (Ann Arbor Wellness Collective)

Dear Medical Marijuana Dispensary License Applicant:

We have reviewed the document you provided entitled "Ann Arbor Wellness Collective – Statement of Compliance." In order to clarify our understanding of your business, we have the following questions, which we ask that you answer by Friday, March 2, 2012. **Please explain your answers.**

We begin with questions that relate specifically to statements you have made and follow with general questions that we are asking all dispensaries.

You have stated that the collective collects member fees "to cover associated with patient orientations, classes, caregiver consultations and low income patient support." How much and how often is the membership fee paid and if it varies how is the amount determined?

You have stated that the "membership fees are collected in addition to donations for services provided to patients." What services do the donations cover? How much are the donations and if they vary, how is the amount determined?

You state that the collective "uses lab testing to test for potency, mold, pesticides and any potentially harmful content." Please explain the process by which the collective provides this service. Does the collective receive a payment, donation, or any other type of monetary compensation for this service? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

**The following questions are being posed to all dispensaries.**

Are all caregivers at the collective required to be registered primary caregivers? Are all patients at the collective required to be registered qualifying patients?

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Approximately how many caregivers serve their patients at the collective? Approximately how many patients does the collective have?

Is marijuana ever transferred at the collective to a patient by a person who is not the registered primary caregiver connected to the patient through the state's registration process provided for in the Michigan Medical Marihuana Act?

If a patient physically transfers marijuana to another patient where does the registered qualifying patient get the marijuana from to transfer?

Does any patient to whom marijuana is transferred at the collective ever pay, donate, or in any way give money to the collective or to anyone else? If so, to whom is the money given and how much? If the amount varies, how is the amount determined?

Does any caregiver who transfers marijuana to a patient at the collective ever pay, donate, or in any way give money to the collective or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

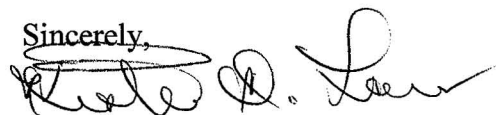
Does the collective or anyone else ever receive a payment, donation, or any other type of monetary compensation for assisting a registered qualifying patient with preparing marijuana for consumption or by physically aiding a patient to consume marijuana? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Who has the ability to gain access to marijuana kept at the collective? If access is limited by the collective, please describe how unauthorized access is prevented.

Does any person or entity deliver marijuana to the collective? If so, does the collective ever pay, donate, or in any way give money to the person or entity who delivers the marijuana or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Feel free to e-mail your response to me at [klarcom@a2gov.org](mailto:klarcom@a2gov.org), or to fax your response to the City Attorney's Office at 734-994-4954. Also, do not hesitate to call me directly at 734-794-6185 or the City Attorney's Office general line at 734-794-6170.

Sincerely,



Kristen D. Larcom  
Senior Assistant City Attorney  
[klarcom@a2gov.org](mailto:klarcom@a2gov.org)

cc: Dennis M. Hayes, Esq. (by e-mail: [dennismh@earthlink.net](mailto:dennismh@earthlink.net))



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Office of The City Attorney

February 24, 2012

**BY MAIL & E-MAIL (ordwayaz@comcast.net)**

Greenbee Co-Op

Attn: Douglas Ordway

401 South Maple Road

Ann Arbor, MI 48103

RE: Operation of Medical Marijuana Dispensary at 401 South Maple Road (Greenbee)

Dear Mr. Ordway:

We have reviewed your e-mail to Jill Thacher dated December 13, 2011, which Ms. Thacher forwarded to us. In order to clarify our understanding of your business, we have the following questions, which we ask that you answer by Friday, March 2, 2012. **Please explain your answers.**

We begin with questions that relate specifically to statements you have made and follow with general questions that we are asking all dispensaries.

You state that "[a]ll medical cannabis exchanges take place between a caregiver and his/her patient[s]." Does this mean that at Greenbee each caregiver only transfers marijuana to a maximum of five registered qualifying patients to whom the caregiver is connected through the state's registration process provided for in the Michigan Medical Marihuana Act?

You indicate that there are secured safes at Greenbee that "only caregivers have access to for their patients." Does this mean that more than one caregiver could have access to one safe? Is the marijuana of more than one caregiver ever stored in the same safe?

**The following questions are being posed to all dispensaries.**

Are all caregivers at Greenbee required to be registered primary caregivers? Are all patients at Greenbee required to be registered qualifying patients?

Approximately how many caregivers serve their patients at Greenbee? Approximately how many patients does Greenbee have?

Is marijuana ever transferred at Greenbee to a patient by a person who is not the registered primary caregiver connected to the patient through the state's registration process provided for in the Michigan Medical Marihuana Act?

If a patient physically transfers marijuana to another patient where does the registered qualifying patient get the marijuana from to transfer?

Does any patient to whom marijuana is transferred at Greenbee ever pay, donate, or in any way give money to Greenbee or to anyone else? If so, to whom is the money given and how much? If the amount varies, how is the amount determined?

Does any caregiver who transfers marijuana to a patient at Greenbee ever pay, donate, or in any way give money to Greenbee or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Does Greenbee or anyone else ever receive a payment, donation, or any other type of monetary compensation for assisting a registered qualifying patient with preparing marijuana for consumption or by physically aiding a patient to consume marijuana? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Who has the ability to gain access to marijuana kept at Greenbee? If access is limited by Greenbee, please describe how unauthorized access is prevented.

Does any person or entity deliver marijuana to Greenbee? If so, does Greenbee ever pay, donate, or in any way give money to the person or entity who delivers the marijuana or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Feel free to e-mail your response to me at [klarcom@a2gov.org](mailto:klarcom@a2gov.org), or to fax your response to the City Attorney's Office at 734-994-4954. Also, do not hesitate to call me directly at 734-794-6185 or the City Attorney's Office general line at 734-794-6170.

Sincerely,



Kristen D. Larcom  
Senior Assistant City Attorney  
[Klarcom@a2gov.org](mailto:Klarcom@a2gov.org)

KDL/ja

cc: Dennis M. Hayes, Esq. (by e-mail: [dennismh@earthlink.net](mailto:dennismh@earthlink.net))





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Office of The City Attorney

February 24, 2012

**BY MAIL & E-MAIL (dennismh@earthlink.net)**

Patient's Resource Center  
3820 Varsity Drive  
Ann Arbor, MI 48108

RE: Operation of Medical Marijuana Dispensary at 3820 Varsity Drive (Patient's Resource Center)

Dear Medical Marijuana Dispensary License Applicant:

We have reviewed the document you provided entitled "3820 Varsity Drive – Patient's Resource Center." In order to clarify our understanding of your business, we have the following questions, which we ask that you answer by Friday, March 2, 2012. **Please explain your answers.**

We begin with questions that relate specifically to statements you have made and follow with general questions that we are asking all dispensaries.

You have stated that PRC provides "analytical and testing services to assure both patients and caregiver members that their medical marijuana is free of pesticides, fungus, fertilizers residues or other possible contaminants." Please explain the process by which PRC provides this service. Does PRC receive a payment, donation, or any other type of monetary compensation for this service? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

**The following questions are being posed to all dispensaries.**

Are all caregivers at PRC required to be registered primary caregivers? Are all patients at PRC required to be registered qualifying patients?

Approximately how many caregivers serve their patients at PRC? Approximately how many patients does PRC have?

Is marijuana ever transferred at PRC to a patient by a person who is not the registered primary caregiver connected to the patient through the state's registration process provided for in the Michigan Medical Marihuana Act?

If a patient physically transfers marijuana to another patient where does the registered qualifying patient get the marijuana from to transfer?

Does any patient to whom marijuana is transferred at PRC ever pay, donate, or in any way give money to PRC or to anyone else? If so, to whom is the money given and how much? If the amount varies, how is the amount determined?

Does any caregiver who transfers marijuana to a patient at PRC ever pay, donate, or in any way give money to PRC or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Does PRC or anyone else ever receive a payment, donation, or any other type of monetary compensation for assisting a registered qualifying patient with preparing marijuana for consumption or by physically aiding a patient to consume marijuana? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Who has the ability to gain access to marijuana kept at PRC? If access is limited by PRC, please describe how unauthorized access is prevented.

Does any person or entity deliver marijuana to PRC? If so, does PRC ever pay, donate, or in any way give money to the person or entity who delivers the marijuana or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

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Sincerely,



Kristen D. Larcom  
Senior Assistant City Attorney  
[klarcom@a2gov.org](mailto:klarcom@a2gov.org)

cc: Dennis M. Hayes, Esq. (by e-mail: [dennismh@earthlink.net](mailto:dennismh@earthlink.net))



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February 24, 2012

Office of The City Attorney

**BY MAIL & E-MAIL (daryl.peopleschoicea2@gmail.com)**

People's Choice Alternative Medicine

2245 West Liberty Street

Ann Arbor, MI 48103

Harry Cayce

Daryl Mynes, II

4120 Kelsey Avenue

Adrian, MI 49221

RE: Operation of Medical Marijuana Dispensary at 2245 West Liberty Street (People's Choice Alternative Medicine)

Dear Mr. Mynes and Mr. Cayce:

We have received and reviewed an undated document entitled "People's Choice Alternative Medicine Business Model." In order to clarify our understanding of your business, we have the following questions, which we ask that you answer by Friday, March 2, 2012. **Please explain your answers.**

We begin with questions that relate specifically to statements you have made and follow with general questions that we are asking all dispensaries.

You indicate that a patient donates \$10 for annual dues "'in addition to per visit fees.'" How much are the "per visit fees" and what does a patient receive for the "per visit fee?"

You indicate that marijuana is locked in a safe at times. How many safes do you have? Who has the ability to open the safe(s)?

How does People's Choice obtain the "medications coming into the business," which you state are tested? Please identify in general terms the source(s) of the marijuana that comes into your business.

You indicated that "caregivers are compensated as permitted by the medical marijuana act." Are these registered primary caregivers? If so, who compensates them? What are they compensated for?

**The following questions are being posed to all dispensaries.**

Are all caregivers at People's Choice required to be registered primary caregivers? Are all patients at People's Choice required to be registered qualifying patients?

Approximately how many caregivers serve their patients at People's Choice? Approximately how many patients does People's Choice have?

Is marijuana ever transferred at People's Choice to a patient by a person who is not the registered primary caregiver connected to the patient through the state's registration process provided for in the Michigan Medical Marihuana Act?

If a patient physically transfers marijuana to another patient where does the registered qualifying patient get the marijuana from to transfer?

Does any patient to whom marijuana is transferred at People's Choice ever pay, donate, or in any way give money to People's Choice or to anyone else? If so, to whom is the money given and how much? If the amount varies, how is the amount determined?

Does any caregiver who transfers marijuana to a patient at People's Choice ever pay, donate, or in any way give money to People's Choice or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?


Does People's Choice or anyone else ever receive a payment, donation, or any other type of monetary compensation for assisting a registered qualifying patient with preparing marijuana for consumption or by physically aiding a patient to consume marijuana? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Who has the ability to gain access to marijuana kept at People's Choice? If access is limited by People's Choice, please describe how unauthorized access is prevented.

Does any person or entity deliver marijuana to People's Choice? If so, does People's Choice ever pay, donate, or in any way give money to the person or entity who delivers the marijuana or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Feel free to e-mail your response to me at [klarcom@a2gov.org](mailto:klarcom@a2gov.org), or to fax your response to the City Attorney's Office at 734-994-4954. Also, do not hesitate to call me directly at 734-794-6185 or the City Attorney's Office general line at 734-794-6170.

Sincerely,



Kristen D. Larcom  
Senior Assistant City Attorney

cc: Dennis M. Hayes, Esq. (by e-mail: [dennismh@earthlink.net](mailto:dennismh@earthlink.net))



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Office of The City Attorney

**BY MAIL & E-MAIL ([peace@annarborhealthcollective.com](mailto:peace@annarborhealthcollective.com))** February 24, 2012

Amanda Joslin

Ann Arbor Health Collective

3060 Packard Road, Suite F

Ann Arbor, MI 48108

RE: Operation of Medical Marijuana Dispensary at 3060 Packard Road (Ann Arbor Health Collective)

Dear Ms. Joslin:

We have reviewed your undated document entitled "To: Ann Arbor Licensing Board," which was forwarded to us. In order to clarify our understanding of your business, we have the following questions, which we ask that you answer by Friday, March 2, 2012. **Please explain your answers.**

We begin with questions that relate specifically to statements you have made and follow with general questions that we are asking all dispensaries.

You state that you collect donations from patients and caregivers "to assist with...Expenses incurred to grow and cure medical grade, pesticide, mold and mildew free cannabis." Where and by whom is the marijuana grown and cured? How much are the donations? If the amount varies, how is the amount determined?

You state that you "[p]rovide a drop-off location for caregivers to have their medicine tested for potency, harmful molds, mildews and pesticides." Please explain how the drop-off service works and who handles the marijuana for testing. Does AAHC receive any payment or donation for this service? If so, how much money does AAHC receive from the caregiver? If the amount varies, how is the amount determined?

Is the marijuana that is visibly displayed in apothecary jars at AAHC available to any registered qualifying patient at AAHC?

**The following questions are being posed to all dispensaries.**

Are all caregivers at AAHC required to be registered primary caregivers? Are all patients at AAHC required to be registered qualifying patients?

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Approximately how many caregivers serve their patients at AAHC? Approximately how many patients does AAHC have?

Is marijuana ever transferred at AAHC to a patient by a person who is not the registered primary caregiver connected to the patient through the state's registration process provided for in the Michigan Medical Marihuana Act?

If a patient physically transfers marijuana to another patient where does the registered qualifying patient get the marijuana from to transfer?

Does any patient to whom marijuana is transferred at AAHC ever pay, donate, or in any way give money to AAHC or to anyone else? If so, to whom is the money given and how much? If the amount varies, how is the amount determined?

Does any caregiver who transfers marijuana to a patient at AAHC ever pay, donate, or in any way give money to AAHC or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

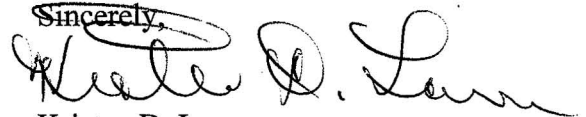
Does AAHC or anyone else ever receive a payment, donation, or any other type of monetary compensation for assisting a registered qualifying patient with preparing marijuana for consumption or by physically aiding a patient to consume marijuana? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

Who has the ability to gain access to marijuana kept at AAHC? If access is limited by AAHC, please describe how unauthorized access is prevented.

Does any person or entity deliver marijuana to AAHC? If so, does AAHC ever pay, donate, or in any way give money to the person or entity who delivers the marijuana or to anyone else? If so, to whom is the money paid, donated, or given and how much? If the amount varies, how is the amount determined?

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Sincerely,



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Senior Assistant City Attorney  
[Klarcom@a2gov.org](mailto:Klarcom@a2gov.org)

cc: Dennis M. Hayes, Esq. (by e-mail: [dennismh@earthlink.net](mailto:dennismh@earthlink.net))