



# Massachusetts Cannabis Control Commission

## Marijuana Retailer

### General Information:

**License Number:** MR283001  
**Original Issued Date:** 06/30/2020  
**Issued Date:** 07/15/2021  
**Expiration Date:** 07/17/2022

## ABOUT THE MARIJUANA ESTABLISHMENT

**Business Legal Name:** CommCan, Inc

**Phone Number:** 508-376-2041 **Email Address:** ellen@rosenfeld-law.com

**Business Address 1:** 730 Main Street

**Business Address 2:** Suite 2A

**Business City:** Millis

**Business State:** MA

**Business Zip Code:** 02054

**Mailing Address 1:** 730 Main Street

**Mailing Address 2:** Suite 2A

**Mailing City:** Millis

**Mailing State:** MA

**Mailing Zip Code:** 02054

## CERTIFIED DISADVANTAGED BUSINESS ENTERPRISES (DBES)

**Certified Disadvantaged Business Enterprises (DBEs):** Woman-Owned Business, Lesbian, Gay, Bisexual, and Transgender Owned Business

## PRIORITY APPLICANT

**Priority Applicant:** yes

**Priority Applicant Type:** RMD Priority

**Economic Empowerment Applicant Certification Number:**

**RMD Priority Certification Number:** RPA201907

## RMD INFORMATION

**Name of RMD:** CommCan, Inc.

**Department of Public Health RMD Registration Number:** 022

**Operational and Registration Status:** Obtained Final Certificate of Registration and is open for business in Massachusetts

**To your knowledge, is the existing RMD certificate of registration in good standing?:** yes

**If no, describe the circumstances below:**

## PERSONS WITH DIRECT OR INDIRECT AUTHORITY

### Person with Direct or Indirect Authority 1

**Percentage Of Ownership:** 51

**Percentage Of Control:** 51

**Role:** Owner / Partner

**Other Role:** Director on 3-Member Board of Directors, President and Treasurer

**First Name:** Ellen

**Last Name:** Rosenfeld

**Suffix:**

Gender: Female

User Defined Gender:

What is this person's race or ethnicity?: White (German, Irish, English, Italian, Polish, French)

Specify Race or Ethnicity:

Person with Direct or Indirect Authority 2

Percentage Of Ownership: 24.5

Percentage Of Control: 24.5

Role: Owner / Partner

Other Role: Director on 3-Member Board of Directors, and Secretary

First Name: Jon

Last Name: Rosenfeld

Suffix:

Gender: Male

User Defined Gender:

What is this person's race or ethnicity?: White (German, Irish, English, Italian, Polish, French)

Specify Race or Ethnicity:

Person with Direct or Indirect Authority 3

Percentage Of Ownership: 24.5

Percentage Of Control: 24.5

Role: Owner / Partner

Other Role: Director on 3-Member Board of Directors, Chief Executive Officer, and Chief Financial Officer

First Name: Marc

Last Name: Rosenfeld

Suffix:

Gender: Male

User Defined Gender:

What is this person's race or ethnicity?: White (German, Irish, English, Italian, Polish, French)

Specify Race or Ethnicity:

ENTITIES WITH DIRECT OR INDIRECT AUTHORITY

No records found

CLOSE ASSOCIATES AND MEMBERS

No records found

CAPITAL RESOURCES - INDIVIDUALS

Individual Contributing Capital 1

First Name: Ellen

Last Name: Rosenfeld

Suffix:

Types of Capital: Monetary/Equity

Other Type of Capital:

Total Value of the Capital Provided: \$7000

Percentage of Initial Capital: 33.33

Capital Attestation: Yes

Individual Contributing Capital 2

First Name: Jon

Last Name: Rosenfeld

Suffix:

Types of Capital: Monetary/Equity

Other Type of Capital:

Total Value of the Capital Provided: \$7000

Percentage of Initial Capital: 33.33

Capital Attestation: Yes

Individual Contributing Capital 3

First Name: Marc

Last Name: Rosenfeld

Suffix:

Types of Capital: Monetary/Equity

Other Type of Capital:

Total Value of the Capital Provided: \$7000

Percentage of Initial Capital: 33.33

Capital Attestation: Yes

CAPITAL RESOURCES - ENTITIES

No records found

BUSINESS INTERESTS IN OTHER STATES OR COUNTRIES

No records found

## DISCLOSURE OF INDIVIDUAL INTERESTS

### Individual 1

<b>First Name:</b> Ellen	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Retailer	
<b>Marijuana Establishment City:</b> Millis	<b>Marijuana Establishment State:</b> MA	

### Individual 2

<b>First Name:</b> Ellen	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Cultivator	
<b>Marijuana Establishment City:</b> Medway	<b>Marijuana Establishment State:</b> MA	

### Individual 3

<b>First Name:</b> Ellen	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Product Manufacture	
<b>Marijuana Establishment City:</b> Medway	<b>Marijuana Establishment State:</b> MA	

### Individual 4

<b>First Name:</b> Marc	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Retailer	
<b>Marijuana Establishment City:</b> Millis	<b>Marijuana Establishment State:</b> MA	

### Individual 5

<b>First Name:</b> Marc	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Cultivator	
<b>Marijuana Establishment City:</b> Medway	<b>Marijuana Establishment State:</b> MA	

### Individual 6

<b>First Name:</b> Marc	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Product Manufacture	
<b>Marijuana Establishment City:</b> Medway	<b>Marijuana Establishment State:</b> MA	

### Individual 7

<b>First Name:</b> Jon	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Retailer	
<b>Marijuana Establishment City:</b> Millis	<b>Marijuana Establishment State:</b> MA	

### Individual 8

<b>First Name:</b> Jon	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Cultivator	
<b>Marijuana Establishment City:</b> Medway	<b>Marijuana Establishment State:</b> MA	

### Individual 9

<b>First Name:</b> Jon	<b>Last Name:</b> Rosenfeld	<b>Suffix:</b>
<b>Marijuana Establishment Name:</b> CommCan, Inc.	<b>Business Type:</b> Marijuana Product Manufacture	
<b>Marijuana Establishment City:</b> Medway	<b>Marijuana Establishment State:</b> MA	

## MARIJUANA ESTABLISHMENT PROPERTY DETAILS

**Establishment Address 1:** 150 Barney Avenue

Establishment Address 2:

Establishment City: Rehoboth

Establishment Zip Code: 02769

Approximate square footage of the establishment: 4000

How many abutters does this property have?: 3

Have all property abutters been notified of the intent to open a Marijuana Establishment at this address?: Yes

### HOST COMMUNITY INFORMATION

Host Community Documentation:

Document Category	Document Name	Type	ID	Upload Date
Certification of Host Community Agreement	CommCan_Host Community Agreement.pdf	pdf	5db9c921e3decf2b0b0d5318	10/30/2019
Community Outreach Meeting Documentation	CommCan Community Outreach Meeting Notice.pdf	pdf	5db9c92363788d2fee317358	10/30/2019
Plan to Remain Compliant with Local Zoning	CommCan _ Rehoboth _ Plan to Remain Compliant with Local Bylaws.pdf	pdf	5e287a01d43df3043d4b5030	01/22/2020

Total amount of financial benefits accruing to the municipality as a result of the host community agreement. If the total amount is zero, please enter zero and provide documentation explaining this number.: \$3

### PLAN FOR POSITIVE IMPACT

Plan to Positively Impact Areas of Disproportionate Impact:

Document Category	Document Name	Type	ID	Upload Date
Plan for Positive Impact	CommCan - Plan for Positive Impact (updated 1.22.20).pdf	pdf	5e2860db7b9883042b36e0ee	01/22/2020

### ADDITIONAL INFORMATION NOTIFICATION

Notification: I understand

### INDIVIDUAL BACKGROUND INFORMATION

Individual Background Information 1

Role: Other Role:  
First Name: Ellen Last Name: Rosenfeld Suffix:  
RMD Association: RMD Owner  
Background Question: no

Individual Background Information 2

Role: Other Role:  
First Name: Jon Last Name: Rosenfeld Suffix:  
RMD Association: RMD Owner  
Background Question: no

Individual Background Information 3

Role: Other Role:  
First Name: Marc Last Name: Rosenfeld Suffix:  
RMD Association: RMD Owner

Background Question: no

### ENTITY BACKGROUND CHECK INFORMATION

No records found

### MASSACHUSETTS BUSINESS REGISTRATION

Required Business Documentation:

Document Category	Document Name	Type	ID	Upload Date
Secretary of Commonwealth - Certificate of Good Standing	CommCan Certificate of Good Standing SOC.pdf	pdf	5db9e8b6d5c8962b282dca5a	10/30/2019
Department of Revenue - Certificate of Good standing	CommCan Certificate of Good Standing DOR.pdf	pdf	5db9e8ed4b00122fe39a03c6	10/30/2019
Bylaws	CommCan_For-Profit Bylaws.pdf	pdf	5db9e8fccdbfc22fc658e22f	10/30/2019
Articles of Organization	CommCan_Articles of Entity Conversion.pdf	pdf	5db9e91b4b00122fe39a03ca	10/30/2019
Articles of Organization	Certificate_Department of Unemployment Assistance 01.15.2020.pdf	pdf	5e20ac08a6a6c4073730f56d	01/16/2020

Certificates of Good Standing:

Document Category	Document Name	Type	ID	Upload Date
Department of Revenue - Certificate of Good standing	DOR Certificate of Good Standing.pdf	pdf	60cb6f384e2e5a08784e631f	06/17/2021
Department of Unemployment Assistance - Certificate of Good standing	DUA Certificate of Good Standing.pdf	pdf	60cb6f3f13c6e40892bb9ea1	06/17/2021
Secretary of Commonwealth - Certificate of Good Standing	SOC Good Standing.pdf	pdf	60cb6f46f5829808d536512b	06/17/2021

Massachusetts Business Identification Number: 001326676

Doing-Business-As Name:

DBA Registration City:

### BUSINESS PLAN

Business Plan Documentation:

Document Category	Document Name	Type	ID	Upload Date
Business Plan	CommCan Rehoboth Business Plan .pdf	pdf	5db9ea7de3decf2b0b0d5481	10/30/2019
Plan for Liability Insurance	CommCan_Plan for Obtaining Liability Insurance.pdf	pdf	5e285dc8d29b0704447d3641	01/22/2020
Proposed Timeline	CommCan _ Rehoboth Retailer _ Proposed Timeline (updated).pdf	pdf	5e28601d1c3b1d04a32ae506	01/22/2020

### OPERATING POLICIES AND PROCEDURES

Policies and Procedures Documentation:

Document Category	Document Name	Type	ID	Upload Date
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Security plan	CommCan - Security Plan (updated).pdf	pdf	5e2861734dd5bb0494102673	01/22/2020
Transportation of marijuana	CommCan - Transportation Plan (updated).pdf	pdf	5e2861c269dc9d0456db4cb3	01/22/2020
Restricting Access to age 21 and older	CommCan - Restricting Access to 21+ (updated).pdf	pdf	5e28621b64339304b08fb409	01/22/2020
Personnel policies including background checks	CommCan - Personnel Policies (updated).pdf	pdf	5e2862881c3b1d04a32ae516	01/22/2020
Diversity plan	CommCan - Diversity Plan (updated).pdf	pdf	5e2862d2d29b0704447d3666	01/22/2020
Plan for obtaining marijuana or marijuana products	CommCan_Obtaining Marijuana and Marijuana Products.pdf	pdf	5e2863de813339048c3f89e3	01/22/2020
Prevention of diversion	CommCan_Prevention of Diversion.pdf	pdf	5e2864f27225f00469654e41	01/22/2020
Storage of marijuana	CommCan_Storage of Marijuana.pdf	pdf	5e2865427225f00469654e45	01/22/2020
Inventory procedures	CommCan_Inventory Procedures.pdf	pdf	5e28661502a6e70453528bbb	01/22/2020
Quality control and testing	CommCan_Quality Control and Testing.pdf	pdf	5e28669d02a6e70453528bc9	01/22/2020
Dispensing procedures	CommCan - Dispensing Procedures.pdf	pdf	5e28687cd29b0704447d3697	01/22/2020
Record Keeping procedures	CommCan_Recordkeeping Procedures.pdf	pdf	5e2868db7b9883042b36e12a	01/22/2020
Maintaining of financial records	CommCan_Maintaining Financial Records.pdf	pdf	5e286cf81c3b1d04a32ae58c	01/22/2020
Qualifications and training	CommCan_Qualifications and Training.pdf	pdf	5e286d31d29b0704447d36c9	01/22/2020
Separating recreational from medical operations, if applicable	CommCan _ Rehoboth _ Plan for Separating Medical and Adult Use Operations.pdf	pdf	5e287e1402a6e70453528c79	01/22/2020

#### MARIJUANA RETAILER SPECIFIC REQUIREMENTS

No documents uploaded

No documents uploaded

#### ATTESTATIONS

I certify that no additional entities or individuals meeting the requirement set forth in 935 CMR 500.101(1)(b)(1) or 935 CMR 500.101(2)(c)(1) have been omitted by the applicant from any marijuana establishment application(s) for licensure submitted to the Cannabis Control Commission.: I Agree

I understand that the regulations stated above require an applicant for licensure to list all executives, managers, persons or entities having direct or indirect authority over the management, policies, security operations or cultivation operations of the Marijuana Establishment; close associates and members of the applicant, if any; and a list of all persons or entities contributing 10% or more of the initial capital to operate the Marijuana Establishment including capital that is in the form of land or buildings.: I Agree

I certify that any entities who are required to be listed by the regulations above do not include any omitted individuals, who by themselves, would be required to be listed individually in any marijuana establishment application(s) for licensure submitted to the Cannabis Control Commission.: I Agree

Notification: I Understand

I certify that any changes in ownership or control, location, or name will be made pursuant to a separate process, as required under 935 CMR 500.104(1), and none of those changes have occurred in this application.: I Agree

I certify that to the best knowledge of any of the individuals listed within this application, there are no background events that have arisen since the issuance of the establishment's final license that would raise suitability issues in accordance with 935 CMR 500.801.: I Agree

I certify that all information contained within this renewal application is complete and true.: I Agree

## ADDITIONAL INFORMATION NOTIFICATION

**Notification:** I Understand

### COMPLIANCE WITH POSITIVE IMPACT PLAN

#### Progress or Success Goal 1

##### Description of Progress or Success: Overview

CommCan, Inc. is dedicated to serving and supporting populations falling within areas of disproportionate impact, which the Commission has identified as the following:

1. Past or present residents of the geographic "areas of disproportionate impact," which have been defined by the Commission and identified in its Guidance for Identifying Areas of Disproportionate Impact;
2. Commission-designated Economic Empowerment Priority applicants;
3. Commission-designated Social Equity Program participants;
4. Massachusetts residents who have past drug convictions; and
5. Massachusetts residents with parents or spouses who have drug convictions are classified as areas of disproportionate impact.

##### Goals

In order for CommCan to positively impact Mansfield, CommCan has established the following goals:

- Reducing barriers to entry in the commercial adult-use cannabis industry
- Providing business assets towards endeavors in the Town of Mansfield that will have a positive impact on the members of that community or the community as a whole

### COMPLIANCE WITH DIVERSITY PLAN

#### Diversity Progress or Success 1

##### Description of Progress or Success: Overview

CommCan, Inc. is dedicated to promoting equity in its operations for diverse populations, which the Commission has identified as the following:

1. Minorities;
2. Women;
3. Veterans;
4. People with disabilities; and
5. People of all gender identities and sexual orientations.

##### Goal

In order for CommCan to promote equity for the above-listed groups in its operations, CommCan's goal is to increase the number of individuals falling into the above-listed demographics working at CommCan and provide tools to ensure their success.

CommCan also believes strongly in maintaining gender diversity in its ownership structure and in the highest levels of management. Ellen Rosenfeld is the majority shareholder of the company and serves as a Director on the Board of Directors, President and Treasurer. CommCan is proud to be one of a limited number of woman-owned and operated marijuana businesses in the Commonwealth, and CommCan will continue to prioritize gender diversity in its ownership and management, provided they meet employment qualifications.

### HOURS OF OPERATION

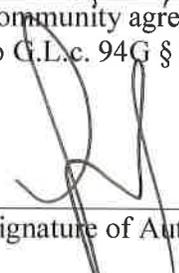
<b>Monday From:</b> 10:00 AM	<b>Monday To:</b> 8:00 PM
<b>Tuesday From:</b> 10:00 AM	<b>Tuesday To:</b> 8:00 PM
<b>Wednesday From:</b> 10:00 AM	<b>Wednesday To:</b> 8:00 PM
<b>Thursday From:</b> 10:00 AM	<b>Thursday To:</b> 8:00 PM
<b>Friday From:</b> 10:00 AM	<b>Friday To:</b> 8:00 PM
<b>Saturday From:</b> 10:00 AM	<b>Saturday To:</b> 8:00 PM
<b>Sunday From:</b> 10:00 AM	<b>Sunday To:</b> 8:00 PM

## Host Community Agreement Certification Form

The applicant and contracting authority for the host community must complete each section of this form before uploading it to the application. Failure to complete a section will result in the application being deemed incomplete. Instructions to the applicant and/or municipality appear in italics. Please note that submission of information that is “misleading, incorrect, false, or fraudulent” is grounds for denial of an application for a license pursuant to 935 CMR 500.400(1).

### Applicant

I, Ellen Rosenfeld, (*insert name*) certify as an authorized representative of CommCan, Inc. (*insert name of applicant*) that the applicant has executed a host community agreement with Town of Rehoboth (*insert name of host community*) pursuant to G.L.c. 94G § 3(d) on 9/30/19 (*insert date*).

 Pres.  
Signature of Authorized Representative of Applicant

### Host Community

I, GERALD V. SCHWALL, (*insert name*) certify that I am the contracting authority or have been duly authorized by the contracting authority for TOWN OF REHOBOTH (*insert name of host community*) to certify that the applicant and TOWN OF REHOBOTH (*insert name of host community*) has executed a host community agreement pursuant to G.L.c. 94G § 3(d) on 9/30/19 (*insert date*).

  
Signature of Contracting Authority or  
Authorized Representative of Host Community

CHAIRMAN  
REHOBOTH BOARD OF SELECTMEN

## Community Outreach Meeting Attestation Form

The applicant must complete each section of this form and initial each page before uploading it to the application. Failure to complete a section will result in the application being deemed incomplete. Instructions to the applicant appear in italics. Please note that submission of information that is “misleading, incorrect, false, or fraudulent” is grounds for denial of an application for a license pursuant to 935 CMR 500.400(1).

I, Ellen Rosenfeld, (*insert name*) attest as an authorized representative of Comm Can, Inc. (*insert name of applicant*) that the applicant has complied with the requirements of 935 CMR 500 and the guidance for licensed applicants on community outreach, as detailed below.

1. The Community Outreach Meeting was held on October 29, 2019 (*insert date*).
2. A copy of a notice of the time, place, and subject matter of the meeting, including the proposed address of the Marijuana Establishment, was published in a newspaper of general circulation in the city or town on October 18, 2019 (*insert date*), which was at least seven calendar days prior to the meeting. A copy of the newspaper notice is attached as Attachment A (*please clearly label the newspaper notice in the upper right hand corner as Attachment A and upload it as part of this document*).
3. A copy of the meeting notice was also filed on October 18, 2019 (*insert date*) with the city or town clerk, the planning board, the contracting authority for the municipality, and local licensing authority for the adult use of marijuana, if applicable. A copy of the municipal notice is attached as Attachment B (*please clearly label the municipal notice in the upper right-hand corner as Attachment B and upload it as part of this document*).
4. Notice of the time, place and subject matter of the meeting, including the proposed address of the Marijuana Establishment, was mailed on October 18, 2019 (*insert date*), which was at least seven calendar days prior to the community outreach meeting to abutters of the proposed address of the Marijuana Establishment, and residents within 300 feet of the property line of the petitioner as they appear on the most recent applicable tax list, notwithstanding that the land of any such owner is located in another city or town. A copy of one of the notices sent to abutters and parties of interest as described in this section is attached as Attachment C (*please clearly label the municipal notice in the upper right hand corner as Attachment C and upload it as part of this document; please only include a copy of one notice and please black out the name and the address of the addressee*).

5. Information was presented at the community outreach meeting including:
  - a. The type(s) of Marijuana Establishment to be located at the proposed address;
  - b. Information adequate to demonstrate that the location will be maintained securely;
  - c. Steps to be taken by the Marijuana Establishment to prevent diversion to minors;
  - d. A plan by the Marijuana Establishment to positively impact the community; and
  - e. Information adequate to demonstrate that the location will not constitute a nuisance as defined by law.
  
6. Community members were permitted to ask questions and receive answers from representatives of the Marijuana Establishment.

ATTACHMENT A

**Legal Notices**

**Legal Notices**

OUTREACH MEETING 10/29/19

**LEGAL NOTICE**

**Notice of Community Outreach Meeting**

Notice is hereby given that a Community Outreach Meeting for a proposed marijuana establishment is scheduled for October 29, 2019 from 7:00 PM to 8:00 PM at the Goff Memorial Hall located at 124 Bay State Road, Rehoboth, MA. The proposed adult-use retail store is anticipated to be located at 150 Barney Avenue in Rehoboth, Massachusetts. The proposed used will be described and there will be an opportunity for the public to ask questions.

AD# 13842188  
TDG 10/18/19

**LEGAL NOTICE**  
**TOWN OF DIGHTON**  
**SPECIAL TOWN MEETING**  
**OCTOBER 28, 2019**  
**COMMONWEALTH OF MASSACHUSETTS**

BRISTOL, SS.

To notify and warn the inhabitants of the Town of Dighton qualified to vote in elections and Town Affairs to meet at the Dighton Middle School Auditorium on Monday, October 28, 2019, at 7:00 p.m. then and there to act on 31 articles. Warrants have been posted at each of the post offices, Town Hall, Main Street fire station and on the town website for review.

**BOARD OF SELECTMEN**  
Kenneth J. Pacheco, Chairman  
Brett R. Zografos, Ph.D., Clerk  
Nancy J. Goulart, Member



AD#13841873  
TDG 10/18/19

Interest of Austin

**LEGAL NOTICE**  
Commonwealth of Massachusetts  
The Trial Court  
Probate and Family Court  
Bristol Probate and Family Court  
Office of Register Suite 240  
40 Broadway  
Taunton MA 02780



**Additions**

**WE BUY REAL ESTATE**  
Houses & Land, Any Condition  
Same Day Offers  
2 week closings  
**508-469-0157**

**Alterations**

**ABSOLUTE RESTORATION SERVICES, INC.**  
**Got Soot?**  
A. Have you noticed a discoloration in your walls & ceilings?  
B. Do you have a smell of oil?  
C. Does your house seem like it just got dirty?  
If you answer YES to any of these things you may have a puff back.  
Not Sure? Just Call for a FREE INSPECTION  
Commercial and Residential Cleanings  
508-824-4444  
**www.absolute911.com**

**Asphalt Paving**

**BRENO & SON CONSTRUCTION**  
14 yrs in Business  
Concrete, Asphalt, Stonework  
Driveways, Parking lots, Patios, etc.  
Free Estimates. Work Guaranteed.

**Home Improvement**

**Affordable Home Improvement**  
\*Roofing\* Siding\* Windows  
Honest & Professional  
**508-977-1900**  
Free estimates. \* Lic. & Ins.  
**www.affordablehi.com**

**MIKE'S HANDYMAN SERVICE**  
For all your home repairs.  
Over 25 yrs carpentry exp.  
\* Insured \* Workmanship Guaranteed  
508-824-7085

**Landscaping**

**AFFORDABLE Lawn and Yard Maintenance Fall Cleanups**  
Licensed and Insured  
Call Tony or Marianne for Estimate  
**508-944-8475**

**WEATHERTITE ROOFING**

Many roof repairs under \$200.  
30 year New Roofs.  
Free roof/gutter inspection. Porches  
All rotted wood replaced. Ins.  
Reg#168929.  
508-942-4200  
weathertiteroofingma.com

**BOB LANNIGAN CONSTRUCTION**  
Title V Septic Systems Installed and Inspected  
**508-958-7889**

**WHEELS**

**REYNOLDS**

Attachment B



dan@legacy-ce.com  
508-376-8883(o)  
508-868-8353(c)  
730 Main Street  
Suite 2C  
Millis, MA 02054

October 10, 2019

Town Clerk  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769

Ref: 150 Barney Avenue  
Community Outreach Meeting

19 OCT 10 AM 10:34  
-REHOBOTH, MA  
-LEGACY ENGINEERING

Dear Ms. Schwall:

As required by 935 CMR 500 and the guidance for licensed applicants on community outreach, please find enclosed a copy of a Community Outreach Meeting Notice for the 150 Barney Avenue dispensary facility. Do not hesitate to contact me should you have any questions or comments.

Yours Truly,

LEGACY ENGINEERING LLC

Digitally signed by Daniel J.  
Merrikin, P.E.  
Date: 2019.10.10 18:10:05 -04'00'

Daniel J. Merrikin, P.E.  
President

cc: File

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Notice is hereby given that a Community Outreach Meeting for a proposed marijuana establishment is scheduled for October 29, 2019 from 7:00 PM to 8:00 PM at the Goff Memorial Hall located at 124 Bay State Road, Rehoboth, MA. The proposed adult-use retail store is anticipated to be located at 150 Barney Avenue in Rehoboth, Massachusetts. The proposed used will be described and there will be an opportunity for the public to ask questions.

ATTACHMENT B



[dan@legacy-ce.com](mailto:dan@legacy-ce.com)  
508-376-8883(o)  
508-868-8353(c)  
730 Main Street  
Suite 2C  
Millis, MA 02054



October 10, 2019

Board of Selectmen  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769

Ref: 150 Barney Avenue  
Community Outreach Meeting

Dear Members of the Selectmen:

As required by 935 CMR 500 and the guidance for licensed applicants on community outreach, please find enclosed a copy of a Community Outreach Meeting Notice for the 150 Barney Avenue dispensary facility. Do not hesitate to contact me should you have any questions or comments.

Yours Truly,

LEGACY ENGINEERING LLC

Digitally signed by Daniel J.  
Merrikin, P.E.  
Date: 2019.10.10 18:08:07 -04'00'

Daniel J. Merrikin, P.E.  
President

cc: File

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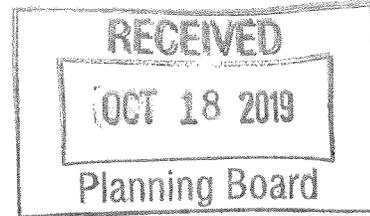
Attachment B



[dan@legacy-ce.com](mailto:dan@legacy-ce.com)  
508-376-8883(o)  
508-868-8353(c)  
730 Main Street  
Suite 2C  
Millis, MA 02054

October 10, 2019

Planning Board  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769



Ref: 150 Barney Avenue  
Community Outreach Meeting

Dear Members of the Board:

As required by 935 CMR 500 and the guidance for licensed applicants on community outreach, please find enclosed a copy of a Community Outreach Meeting Notice for the 150 Barney Avenue dispensary facility. Do not hesitate to contact me should you have any questions or comments.

Yours Truly,

LEGACY ENGINEERING LLC

Digitally signed by Daniel J.  
Merrikin, P.E.  
Date: 2019.10.10 18:06:40 -04'00'

Daniel J. Merrikin, P.E.  
President

cc: File

### Notice of Community Outreach Meeting

Notice is hereby given that a Community Outreach Meeting for a proposed marijuana establishment is scheduled for October 29, 2019 from 7:00 PM to 8:00 PM at the Goff Memorial Hall located at 124 Bay State Road, Rehoboth, MA. The proposed adult-use retail store is anticipated to be located at 150 Barney Avenue in Rehoboth, Massachusetts. The proposed use will be described and there will be an opportunity for the public to ask questions.

Attachment B



[dan@legacy-ce.com](mailto:dan@legacy-ce.com)  
508-376-8883(o)  
508-868-8353(c)  
730 Main Street  
Suite 2C  
Millis, MA 02054

October 10, 2019

Conservation Commission  
Town Offices  
148 Peck Street  
Rehoboth, MA 02769

RECEIVED

OCT 18 2019

Conservation Commission

Ref: 150 Barney Avenue  
Community Outreach Meeting

Dear Members of the Commission:

As required by 935 CMR 500 and the guidance for licensed applicants on community outreach, please find enclosed a copy of a Community Outreach Meeting Notice for the 150 Barney Avenue dispensary facility. Do not hesitate to contact me should you have any questions or comments.

Yours Truly,

LEGACY ENGINEERING LLC

Digitally signed by Daniel J.  
Merrikin, P.E.  
Date: 2019.10.10 18:05:38 -04'00'

Daniel J. Merrikin, P.E.  
President

cc: File

ATTACHMENT B

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730 Main Street, Suite 2A  
Millis, MA 02054  
Tel: 508 376 2041 Fax: 508 376 8563  
Email: [ellen@rosenfeld-law.com](mailto:ellen@rosenfeld-law.com)

**PLAN TO REMAIN COMPLIANT WITH  
LOCAL BYLAWS**

CommCan, Inc. (“CommCan”) will remain compliant at all times with the local bylaws and regulations applicable to CommCan’s Retailer Establishment.

In accordance with the Zoning Bylaws, CommCan’s proposed Marijuana Retailer Establishment located at 150 Barney Avenue is in the Industrial Zoning District designated for Marijuana Retailers. In compliance with the Zoning Bylaws, the proposed establishment is also not located within 500 feet of a public or private school, daycare center, or any facility in which minors commonly congregate as enumerated in the Zoning Bylaws.

CommCan will apply for a Special Permit from the Rehoboth Planning Board. The Special permit will become invalid if CommCan fails to maintain a Final License from the Commission in good standing or ceases operating.

CommCan will also apply for a Building Permit and Certificate of Occupancy from the Rehoboth Building Department. CommCan will comply with all conditions and standards set forth in any local permit or approval.

CommCan has engaged municipal officials and the local community to discuss its plans for a proposed Marijuana Retailer Establishment. CommCan has executed the required Host Community Agreement with the Town and conducted a community outreach meeting.

CommCan will continue to work cooperatively with various municipal departments, boards, and officials to ensure that the establishment is compliant with all local laws, regulations, rules, and codes with respect to design, operation, and security.

CommCan, Inc. is not yet operational in Rehoboth, and as such has not requested this information.



730 Main Street, Suite 2A  
Millis, MA 02054  
Tel: 508 376 2041 Fax: 508 376 8563  
Email: ellen@rosenfeld-law.com

## **PLAN TO POSITIVELY IMPACT AREAS OF DISPROPORTIONATE IMPACT**

### Overview

CommCan, Inc. (“CommCan”) is dedicated to serving and supporting populations falling within areas of disproportionate impact, which the Commission has identified as the following:

1. Past or present residents of the geographic “areas of disproportionate impact,” which have been defined by the Commission and identified in its Guidance for Identifying Areas of Disproportionate Impact;
2. Commission-designated Economic Empowerment Priority applicants;
3. Commission-designated Social Equity Program participants;
4. Massachusetts residents who have past drug convictions; and
5. Massachusetts residents with parents or spouses who have drug convictions are classified as areas of disproportionate impact.

To support such populations, CommCan has created the following Plan to Positively Impact Areas of Disproportionate Impact (the “Plan”) and has identified and created goals/programs to positively impact residents of the Town of Mansfield, which the Commission has designated as an area of disproportionate impact.

### Goals

In order for CommCan to positively impact Mansfield, CommCan has established the following goals:

- Providing economic and employment opportunities for qualified residents of Mansfield, with the goal of ensuring that at least 5% of all staff are past or present residents of Mansfield; and
- Providing business assets in the form of quarterly \$1,000.00 donations to Mansfield’s Food Pantry—Our Daily Bread (the “Pantry”), which will have a positive impact on the members of that community in need.

### Programs

CommCan has developed specific programs to effectuate its stated goals to positively impact Mansfield. Such programs will include the following:

- Giving hiring preference to residents of the Town of Mansfield, whereby qualified candidates for open job postings with equal qualifications will be selected if they demonstrate they are a past or present resident of Mansfield;

- Participating in at least one (1) career fair annually in Mansfield;
- Advertising available positions in publications that have general circulation in Mansfield, which will include the Mansfield News, no less than annually; and
- Providing assistance to the Pantry through quarterly \$1,000.00 donations.

CommCan has met with the director of the Pantry, Kathy Deely and was informed that financial contributions would be appreciated. Pursuant to that information, CommCan committed to a financial contribution in the amount of \$1,000.00 to be paid quarterly, which began after CommCan commenced adult-use sales at its Millis dispensary in November 2019.

### Measurements

The Director of Operations will administer the Plan and will be responsible for developing measurable outcomes to ensure CommCan continues to meet its commitments. Such measurable outcomes, in accordance with CommCan's goals and programs described above, include:

- Documenting the number of qualified past or present residents of Mansfield interviewed and hired as employees;
- Documenting the number of career fairs in Mansfield that CommCan has participated in;
- Documenting the number of job postings placed in publications that have general circulation in Mansfield; and
- Documenting all monetary donations made to the Pantry.

Beginning upon receipt of CommCan's Provisional License from the Commission to operate a marijuana establishment in the Commonwealth, CommCan will utilize the proposed measurements to assess its Plan and will account for demonstrating proof of success or progress of the Plan upon the yearly renewal of the license. The Director of Operations will review and evaluate CommCan's measurable outcomes no less than twice a year to ensure that CommCan is meeting its commitments. Such evaluation will include a staffing analysis, which will include a comprehensive review of CommCan's human resources files. The staffing analysis will include the number of past or present residents of Mansfield who were hired and retained for a period of no less than six months. Said review will also include a review of the contributions given to the Pantry to ensure that the relationship is current and beneficial to all parties. CommCan is mindful that demonstration of the Plan's progress and success will be submitted to the Commission upon renewal.

In the event that CommCan is not meeting its commitments, CommCan will issue a survey to poll its workforce to solicit company-wide input on the success and failures of existing positive impact programs and ways to better serve the needs of Mansfield residents.

### Acknowledgements

- As identified above, CommCan will support the Pantry. CommCan acknowledges that the Pantry has been contacted regarding CommCan's proposed support and a donation confirmation letter from the Pantry is included with this Plan.
- CommCan will adhere to the requirements set forth in 935 CMR 500.105(4) which provides the permitted and prohibited advertising, branding, marketing, and sponsorship practices of every Marijuana Establishment.

- Any actions taken, or programs instituted, by CommCan will not violate the Commission's regulations with respect to limitations on ownership or control or other applicable state laws.



**Our Daily Bread**  
Mansfield's Food Pantry

**Our Daily Bread: Friends Caring and Sharing**  
**Mansfield's Community Food Pantry**  
15A West Street, Mansfield, MA 02048

April 13, 2019

Cannabis Control Commission  
Commonwealth of Massachusetts  
[CannabisCommission@State.MA.US](mailto:CannabisCommission@State.MA.US)

\*\*\*Via email\*\*\*

RE: Commcan Inc. MRN282205

To whom it may concern,

I am writing at the request of Ellen Rosenfeld of Commcan, Inc. Commcan is opening a medical marijuana dispensary in Mansfield, Massachusetts. Ms. Rosenfeld contacted Our Daily Bread in February inquiring about establishing a relationship to give back to the community.

Our Daily Bread: Friends Caring and Sharing food pantry was established in 1997 to meet a need in our community. Since that time, the pantry has evolved into a clearinghouse for organized community giving in support of food relief and serves as the community vehicle for that food relief. We make information available about various area resources for food recipients. We are an all-volunteer organization serving approximately 100 families each week.

Maria Smith, our Distribution Coordinator, and I met with Ms. Rosenfeld at the food pantry on March 22, 2019 to show her around and explain our operation. She asked a number of questions in order to see what type of donation would have the most impact. We discussed a number of possibilities and decided that a monetary donation would be best. The Steering Committee, the governing board of the food pantry, also previously agreed that a monetary donation would be best.

Ms. Rosenfeld suggested a quarterly donation of \$1,000. Our Daily Bread would be grateful to receive an ongoing donation of this nature. Most of our food is purchased - either through the Greater Boston Food Bank, where we can purchase food for a cost between .19 and .25 cents per pound, or by shopping sales at local grocery stores. A financial contribution will go a long way to filling our shelves or helping in the face of an unexpected emergency expense.

I can be reached at [info@mansfieldfoodpantry.org](mailto:info@mansfieldfoodpantry.org) should you have any questions or require additional information.

Sincerely,

Kathy Deely  
Steering Committee Member



*The Commonwealth of Massachusetts*  
*Secretary of the Commonwealth*  
*State House, Boston, Massachusetts 02133*

William Francis Galvin  
Secretary of the  
Commonwealth

Date: September 16, 2019

To Whom It May Concern :

I hereby certify that according to the records of this office,  
**COMMCAN, INC.**

is a domestic corporation organized on **May 08, 2018** , under the General Laws of the Commonwealth of Massachusetts. I further certify that there are no proceedings presently pending under the Massachusetts General Laws Chapter 156D section 14.21 for said corporation's dissolution; that articles of dissolution have not been filed by said corporation; that, said corporation has filed all annual reports, and paid all fees with respect to such reports, and so far as appears of record said corporation has legal existence and is in good standing with this office.



In testimony of which,  
I have hereunto affixed the  
Great Seal of the Commonwealth  
on the date first above written.

*William Francis Galvin*

Secretary of the Commonwealth

Certificate Number: 19090340810

Verify this Certificate at: <http://corp.sec.state.ma.us/CorpWeb/Certificates/Verify.aspx>

Processed by:



## CERTIFICATE OF GOOD STANDING AND/OR TAX COMPLIANCE



COMMCAN INC  
730 MAIN STREET  
MILLIS MA 02054

000027

### *Why did I receive this notice?*

The Commissioner of Revenue certifies that, as of the date of this certificate, COMMCAN INC is in compliance with its tax obligations under Chapter 62C of the Massachusetts General Laws.

This certificate doesn't certify that the taxpayer is compliant in taxes such as unemployment insurance administered by agencies other than the Department of Revenue, or taxes under any other provisions of law.

**This is not a waiver of lien issued under Chapter 62C, section 52 of the Massachusetts General Laws.**

### *What if I have questions?*

If you have questions, call us at (617) 887-6400 or toll-free in Massachusetts at (800) 392-6089, Monday through Friday, 8:30 a.m. to 4:30 p.m..

### *Visit us online!*

Visit [mass.gov/dor](http://mass.gov/dor) to learn more about Massachusetts tax laws and DOR policies and procedures, including your Taxpayer Bill of Rights, and MassTaxConnect for easy access to your account:

- Review or update your account
- Contact us using e-message
- Sign up for e-billing to save paper
- Make payments or set up autopay

Edward W. Coyle, Jr., Chief  
Collections Bureau

BYLAWS  
OF  
COMMCAN, INC.

## BYLAWS OF COMMCAN, INC.

### ARTICLE I OFFICES

**Section 1.01 Principal Office.** The principal office of the Corporation shall be located at such place within the Commonwealth of Massachusetts as shall be fixed from time to time by the board of Directors, and if no place is fixed by the board of Directors, such place as shall be fixed by the President.

### ARTICLE II SHAREHOLDERS

**Section 2.01 Place of Meeting.** Meetings of the shareholders shall be held at any place within or without the Commonwealth of Massachusetts that may be designated by the board of Directors. Absent such designation, meetings shall be held at the principal office. The board of Directors may, in its discretion, determine that the meeting may be held solely by means of remote electronic communication. If authorized by the board of Directors, and subject to any guidelines and procedures adopted by the board of Directors, shareholders not physically present at a meeting of shareholders, may participate in a meeting of shareholders by means of electronic transmission by and to the Corporation or electronic video screen communication; and, may be considered present in person and may vote at a meeting of shareholders, whether held at a designated place or held solely by means of electronic transmission by and to the Corporation or electronic video screen communication, subject to the conditions imposed by applicable law.

**Section 2.02 Annual Meeting.** The annual meeting of shareholders of this Corporation shall be held on such date and at such time as may be designated from time to time by the board of Directors. At the annual meeting, Directors shall be elected, and any other business may be transacted that is within the power of the shareholders and allowed by law.

**Section 2.03 Special Shareholders' Meetings.** Special meetings of the shareholders, for any purpose whatsoever, may be called at any time by the President, the board of Directors, or by shareholders entitled to cast not less than ten percent (10%) of the corporation's voting power. Any person entitled to call a special meeting of shareholders (other than the board of Directors) may make a written request to the board of Directors and the shareholders, specifying the general purpose of such meeting and the date, time and place of the meeting, which date shall be not less than thirty-five (35) days nor more than sixty (60) days after the receipt by such officer of the request.

**Section 2.04 Notice of Shareholders' Meeting.** Except as otherwise provided by law, written notice stating the place, day, and hour of the meeting shall be given at least two (2) days (or, if sent by mail, four (4) days) and not more than sixty (60) days before the meeting. In the case of an annual meeting, notice will include matters the Corporation's board of Directors intends, at the time of the giving of the first of such notices, to present to the shareholders for action. It shall not be necessary to state in a notice of any meeting of shareholders as a purpose thereof any matter relating to the procedural aspects of the conduct of such meeting. Notice shall be given

personally, by electronic transmission, or by mail, by or at the direction of the secretary, or the officer or person calling the meeting, to each shareholder entitled to vote at the meeting.

If mailed, the notice shall be deemed to be given when deposited in the United States mail addressed to the shareholder at the shareholder's address as it appears on the share transfer records of the Corporation, with postage thereon prepaid. Notice may be given to the shareholder by electronic transmission. Notice by electronic transmission is deemed given when sent, provided that the sender does not receive notification that the transmission failed.

The participation or attendance at a meeting of a person entitled to notice constitutes waiver of notice, except where the person objects, at the beginning of the meeting, to the lawfulness of the convening of the meeting.

**Section 2.05 Persons Entitled to Vote.** Except as otherwise provided by law, and except when a record date has been fixed, only persons in whose names shares entitled to vote stand on the stock records of the Corporation at the close of business on the business day next preceding the day on which notice is given shall be entitled to notice of a shareholders' meeting, or to vote at such meeting. In the event notice is waived, only persons in whose names shares entitled to vote stand on the stock records of the Corporation at the close of business on the business day next preceding the day on which the meeting is held shall be entitled to vote. If no record date has been fixed, the record date shall be:

(a) For determining shareholders entitled to give consent to action by the Corporation without a meeting, the day on which the first written consent is given.

(b) For determining shareholders for any other purpose, the later of (i) the day on which the board of Directors adopts the resolution relating thereto, or (ii) the sixtieth (60<sup>th</sup>) day prior to the date of such other action.

**Section 2.06 Fixing the Record Date.** The board of Directors may fix a time in the future as a record date to determine the shareholders entitled to notice of, and to vote at, any meeting of shareholders or give written consent to action by the Corporation without a meeting or entitled to receive any dividend or distribution, or to any change, conversion, or exchange of shares.

A record date fixed under this Section may not be more than sixty (60) days or less than ten (10) days before the meeting or more than sixty (60) days before any other action requiring a determination of shareholders. When a record date is so fixed, only shareholders of record at the close of business on that date are entitled to notice of and to vote at the meeting or to receive the dividend, distribution, or allotment of rights, or to exercise the rights, as the case may be, notwithstanding any transfer of any shares on the books of the Corporation after the record date. In the event any meeting of shareholders is adjourned for more than forty-five (45) days from the date set for the original meeting, the board shall fix a new record date for purposes of giving notice of, and determining the holders of shares entitled to vote at, such adjourned meeting.

**Section 2.07 Quorum of and Action by Shareholders.** The presence at a meeting in person or by proxy of the persons entitled to vote a majority of the voting shares constitutes a quorum for the transaction of business. The shareholders present at a duly called or held meeting

at which a quorum is present may continue to do business until adjournment notwithstanding the withdrawal of such number of shareholders so as to leave less than a quorum, if any action taken, other than adjournment, is approved by at least a majority of the shares required to constitute a quorum, except as otherwise provided by law. Except as otherwise provided by law, herein or in the Articles of Organization, the affirmative vote of a majority of the shares represented at a meeting at which a quorum is present, shall be the act of the shareholders.

**Section 2.08 Adjourned Meetings and Notice Thereof.** Any shareholders' meeting, annual or special, whether or not a quorum is present, may be adjourned from time to time by a vote of the majority of the shares present, in person or proxy. When a meeting is adjourned for forty-five (45) days or more, or if a new record date for the adjourned meeting is fixed by the board of Directors, notice of the adjourned meeting shall be given to such shareholders of record entitled to vote at the adjourned meeting, as in the case of any original meeting. When a meeting is adjourned for less than forty-five (45) days, and a new record date is not fixed by the board of Directors, it shall not be necessary to give any notice of the time and place of the adjourned meeting or of the business to be transacted thereat other than by announcement at the meeting at which the adjournment is taken.

**Section 2.09 Conduct of Meetings.** The board of Directors may adopt by resolution rules and regulations for the conduct of meetings of the shareholders as it shall deem appropriate. At every meeting of the shareholders, the President, or in his or her absence or inability to act, a Director or officer designated by the board of Directors shall serve as the presiding officer. The secretary or, in his or her absence or inability to act, the person whom the presiding officer of the meeting shall appoint secretary of the meeting, shall act as secretary of the meeting and keep the minutes thereof.

The presiding officer shall determine the order of business and, in the absence of a rule adopted by the board of Directors, shall establish rules for the conduct of the meeting. The presiding officer shall announce the close of the polls for each matter voted upon at the meeting, after which no ballots, proxies, votes, changes, or revocations will be accepted. Polls for all matters before the meeting will be deemed to be closed upon final adjournment of the meeting.

**Section 2.10 Voting of Shares.** Unless otherwise provided by law or in the Articles of Organization, each shareholder entitled to vote is entitled to one (1) vote for each share of Common Stock. Any holder of shares entitled to vote on any matter may vote part of such shares in favor of the proposal and refrain from voting the remaining shares or vote them against the proposal. If a shareholder fails to specify the number of shares such shareholder is voting affirmatively, it will be conclusively presumed that the shareholder's approving vote is with respect to all shares such shareholder is entitled to vote.

**Section 2.11 Consent of Absentees.** The transactions of any meeting of shareholders, however called or noticed, are as valid as though had at a meeting duly held after regular call and notice, if a quorum is present either in person or by proxy, and if, either before or after the meeting, each of the persons entitled to vote, not present in person or by proxy, signs a written waiver of notice, or a consent to the holding of such meeting, or an approval of the minutes thereof. The waiver, notice, or consent need not specify the business transacted or purpose of the meeting,

except as required by G.L. c. 156D. All such waivers, consents, or approvals shall be filed with the corporate records or made a part of the minutes of the meeting.

**Section 2.12 Voting by Proxy or Nominee.** Every person entitled to vote or execute consents may do so either in person or by one or more agents authorized by a written proxy executed by the person or such person's duly authorized agent and filed with the secretary of the Corporation. A proxy is not valid after the expiration of eleven (11) months from the date of its execution, unless the person executing it specifies therein the length of time for which it is to continue in force. Except as set forth below, any proxy duly executed is not revoked, and continues in full force and effect, until an instrument revoking it, or a duly executed proxy bearing a later date, executed by the person executing the prior proxy and presented to the meeting is filed with the secretary of the Corporation, or unless the person giving the proxy attends the meeting and votes in person, or unless written notice of the death or incapacity of the person executing the proxy is received by the Corporation before the vote by such proxy is counted. A proxy that states on its face that it is irrevocable will be irrevocable for the period of time specified in the proxy, if held by a person (or nominee of a person) specified by law to have sufficient interest to make such proxy irrevocable and only so long as he shall have such interest, subject to G.L. c. 156D, § 7.22.

**Section 2.13 Action by Shareholders Without a Meeting.** Any action, that, under any provision of G.L. c. 156D may be taken at a meeting of the shareholders, may be taken without a meeting and without prior notice if a consent in writing, setting forth the action so taken, shall be signed by the holders of the outstanding shares having not less than the minimum number of votes that would be necessary to authorize or take such action at a meeting at which all shares are entitled to vote thereon were present and voted; provided, however, that unless the consents of all shareholders entitled to vote have been solicited in writing, notice shall be given (in the same manner as notice of meetings is to be given), and within the time limits prescribed by law, of such action to all shareholders entitled to vote who did not consent in writing to such action; and provided, further, that Directors may be elected by written consent only if such consent is unanimously given by all shareholders entitled to vote, except that action taken by shareholders to fill one or more vacancies on the board other than a vacancy created by the removal of a Director, may be taken by written consent of a majority of the outstanding shares entitled to vote.

### **ARTICLE III DIRECTORS**

**Section 3.01 Number of Directors; Identity of Initial Directors.** The authorized number of Directors of the Corporation shall be three (3) until changed by an amendment to these Bylaws duly adopted in accordance with these Bylaws by the vote or written consent of a majority of the outstanding shares entitled to vote. The initial Directors shall be Ellen Rosenfeld, Marc Rosenfeld, and Jon Rosenfeld.

**Section 3.02 Powers.** All corporate power shall be exercised by or under the authority of, and the business and affairs of the Corporation shall be managed under the direction of, the board of Directors, except such powers expressly conferred upon or reserved to the shareholders, and subject to any limitations set forth by law, by the Articles of Organization or by these Bylaws.

Without limiting the generality of the foregoing, and subject to the same limitations, it is hereby expressly declared that the Directors shall have the power and, to the extent required by law the duty to:

(a) Appoint and remove at pleasure of the board, all officers, managers, management companies, agents, and employees of the Corporation, prescribe their duties in addition to those prescribed in these Bylaws, supervise them, fix their compensation, and require from them security for faithful service. Such compensation may be increased or diminished at the pleasure of the Directors;

(b) Conduct, manage, and control the affairs and business of the Corporation; make rules and regulations not inconsistent with the Articles of Organization or applicable law or these Bylaws; make all lawful orders on behalf of the Corporation; and prescribe in the manner of executing the same;

(c) Incur indebtedness and borrow money on behalf of the Corporation and designate from time to time the person or persons who may sign or endorse checks, drafts, or other orders of payment of money, notes, or other evidences of indebtedness, issued in the name of, or payable to, the Corporation, and prescribe the manner of collecting or depositing funds of the Corporation, and the manner of drawing checks thereon;

(d) Appoint by resolution of a majority of the authorized number of Directors an executive committee and other committees and delegate to the executive committee any of the powers and authorities of the board in the management of the business and affairs of the Corporation, except the powers to (i) fill vacancies on the board or any committee, (ii) fix compensation of Directors; (iii) adopt, amend, or repeal these Bylaws; (iv) amend or repeal resolutions of the board that are expressly nonamendable or repealable; (v) declare a dividend or distribution to shareholders or authorize the repurchase of the Corporation's shares except at a rate, in a periodic amount or within a range, determined by the board; (vi) establish other committees of the board; or (vii) approve any action that in addition to board approval requires shareholder approval. The executive committee shall be composed of two (2) or more Directors. The provisions of these Bylaws regarding notice and meetings of Directors shall apply to all committees;

(e) Authorize the issuance of stock of the Corporation from time to time, upon such terms as may be lawful; and

(f) Prepare an annual report to be sent to the shareholders after the close of the fiscal or calendar year of this Corporation, which report shall comply with the requirements of law. To the extent permitted by law, the requirements that an annual report be sent to shareholders and the time limits for sending such reports are hereby waived, the Directors, nevertheless, having the authority to cause such report to be sent to shareholders.

**Section 3.03 Term of Office.** Directors shall hold office until the next annual meeting of shareholders and until their successors are elected.

**Section 3.04 Vacancies and Newly Created Directorships.** A vacancy on the board of Directors exists in case of the occurrence of any of the following events:

- (a) The death, resignation, or removal of any Director.
- (b) The removal or declaration of vacancy by the board of Directors of a Director who has been declared of unsound mind by a court order or convicted of a felony.
- (c) The Director is a shareholder who is divested from ownership of the marijuana business by a decision of either the state or local licensing authority.
- (d) The authorized number of Directors is increased.
- (e) At any annual, regular, or special meeting of shareholders at which any Director is elected, the shareholders fail to elect the full authorized number of Directors to be voted for at that meeting.

All vacancies (other than vacancies created by removal of a Director) may be filled by the approval of the board of Directors or, if there is less than a quorum of Directors, by (i) a vote of the majority of the remaining Directors at a meeting held pursuant to notice or waivers of notice complying with G.L. c. 156D, (ii) unanimous written consent or (iii) a sole remaining Director. Each Director so elected shall hold office until his successor is elected at an annual, regular, or special meeting of the shareholders. The shareholders may, by vote or written consent of a majority of outstanding shares entitled to vote in the election of Directors, elect a Director at any time to fill any vacancy not filled by the Directors. The shareholders may, by vote of a majority of outstanding shares entitled to vote in the election of Directors or unanimous written consent, elect a Director at any time to fill any vacancy created by removal of a Director, except that a vacancy created pursuant to clause (b) of this Section may be filled by the board of Directors. If the board of Directors accepts the resignation of a Director tendered to take effect at a future time, the board or the shareholders may elect a successor to take office when the resignation becomes effective. A reduction of the authorized number of Directors does not remove any Director prior to the expiration of that Director's term of office.

**Section 3.05 Removal.** The board of Directors may declare vacant the office of a Director who has been declared of unsound mind by an order of the court or convicted of a felony, or who has been barred from ownership of a marijuana business by a final decision of an applicable state or local licensing authority, or otherwise in a manner provided by law.

Any or all of the Directors may be removed from office at any duly called meeting without cause by a vote of the shareholders entitled to elect them. If one or more Directors are so removed at a meeting of shareholders, the shareholders may elect new Directors at the same meeting.

**Section 3.06 Resignation.** A Director may resign effective on giving written notice to the President, unless the notice specifies a later effective date.

**Section 3.07 Meetings of Directors.**

- (a) Regular Meetings. A regular annual meeting of the board shall be held immediately after, and at the same place as, the annual meeting of shareholders for the purpose of electing officers and transacting any other business. The board may provide for other regular meetings from time to time by resolution.

(b) Special Meetings. Special meetings of the board for any purpose or purposes may be called at any time by at least one Director. Notice of the time and place of special meetings shall be delivered by mail, electronic delivery, or orally. If notice is mailed, it shall be deposited in the United States mail at least three (3) days before the time of the meeting. In the case the notice is delivered either orally or by electronic delivery shall be delivered at least forty-eight (48) hours before the time of the meeting. Any oral notice given personally or by telephone may be communicated either to the Director or to a person at the office of the Director whom the person giving notice has reason to believe will promptly communicate it to the Director. The notice need not specify the purpose of the meeting nor the place if it is to be held at the principal office of the Corporation.

(c) Place of Meetings. Meetings of the Board may be held at any place within or without the Commonwealth of Massachusetts that has been designated in the notice. If a place has not been stated in the notice or there is no notice, meetings shall be held at the principal office of the Corporation unless another place has been designated by a resolution duly adopted by the board.

**Section 3.08 Electronic Participation.** Members of the board may participate in a meeting through conference telephone, electronic video screen communication, or other electronic transmission by and to the Corporation. Participation in a meeting by conference telephone or electronic video screen communication constitutes presence in person as long as all Directors participating can hear one another. Participation by other electronic transmission by and to the Corporation (other than conference telephone or electronic video screen communication) constitutes presence in person at the meeting as long as participating Directors can communicate with other participants concurrently, each Director has the means to participate in all matters before the board, including the ability to propose or object to a specific corporate action, and the Corporation implements some means of verifying that each person participating is entitled to participate and all votes or other actions are taken by persons entitled to participate.

**Section 3.09 Quorum of and Action by Directors.** A majority of the authorized number of Directors constitutes a quorum of the board for the transaction of business. Every act or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present is the act of the board of Directors, unless G.L. c. 156D or the Articles of Organization require a greater number. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Directors, if any action is approved by at least a majority of the Directors who constitute the required quorum for such meeting. A quorum of the Directors may adjourn any Directors' meeting to meet again at a stated time and place. In the absence of quorum, a majority of the Directors present may adjourn from time to time. Notice of the time and place of a meeting that has been adjourned for more than twenty-four (24) hours shall be given to the Directors not present at the time of the adjournment.

**Section 3.10 Compensation.** Directors shall not receive compensation in connection with his or her service as a Director, provided, however, that Directors shall not be prohibited from holding any other position with the Corporation or providing any other services to the Corporation and receiving compensation from the Corporation in connection with such employment or services. Directors may receive reimbursement for reasonable costs incurred in connection with his or her service as a Director.

**Section 3.11 Action by Directors Without a Meeting.** Any action required or permitted to be taken by the board of Directors or any committee thereof under G.L. c. 156D may be taken without a meeting if, prior or subsequent to the action, a consent or consents thereto by all of the Directors in office, or all the committee members then appointed, is filed with the secretary to be filed with the minutes of the proceedings of the board of Directors. Such action by written consent shall have the same force and effect as a unanimous vote of such Directors.

**Section 3.12 Committees of the Board of Directors.** The board of Directors, by resolution adopted by a majority of authorized Directors, may designate one or more committees, each consisting of two or more Directors, to serve at the pleasure of the board and to exercise the authority of the board of Directors to the extent provided in the resolution establishing the committee and permitted by law. The board of Directors may adopt governance rules for any committee consistent with these Bylaws. The provisions of these Bylaws applicable to meetings and actions of the board of Directors shall govern meetings and actions of each committee, with the necessary changes made to substitute the committee and its members for the board of Directors and its members.

A committee of the board of Directors does not have the authority to:

- (a) Approve actions that require approval of the shareholders or the outstanding shares.
- (b) Fill vacancies on the board or in any committee.
- (c) Fix compensation of the Directors for serving on the board or on any committee.
- (d) Amend or repeal bylaws or adopt new bylaws.
- (e) Amend or repeal any resolution of the board of Directors that by its terms is not so amendable or repealable.
- (f) Make a distribution to shareholders, except at a rate, in a periodic amount or within a price range set forth in the Articles of Organization or determined by the board.
- (g) Appoint other committees or board members.

The board of Directors, by resolution adopted by the majority of authorized Directors, may designate one or more Directors as alternate members of any committee who may replace any absent or disqualified member at any meeting of the committee or for the purposes of any written action by the committee.

The designation of a committee of the board of Directors and the delegation thereto of authority shall not operate to relieve the board of Directors, or any member thereof, of any responsibility imposed by law.

## **ARTICLE IV OFFICERS**

**Section 4.01 Positions and Election.** The officers of the Corporation shall be elected by the board of Directors and shall be a chair of the board or a President or both, a secretary and a treasurer. At the discretion of the board of Directors, the Corporation may also have other officers, including but not limited to one or more vice Presidents or assistant vice Presidents, one or more assistant secretaries, a chief financial officer, and a chief operations officer, as may be appointed by the board of Directors, with such authority as may be specifically delegated to such officers by the board of Directors. Any two or more offices may be held by the same person.

Officers shall be elected annually at the meeting of the board of Directors held after each annual meeting of shareholders. Each officer shall serve until a successor is elected and qualified or until the earlier death, resignation or removal of that officer. Vacancies or new offices shall be filled at the next regular or special meeting of the board of Directors.

**Section 4.02 Removal and Resignation.** Any officer elected or appointed by the board of Directors may be removed with or without cause by the affirmative vote of the majority of the board of Directors. Removal shall be without prejudice to the contract rights, if any, of the officer so removed.

Any officer chosen by the board of Directors may resign at any time by giving written notice to the Corporation. Unless a different time is specified in the notice, the resignation shall be effective upon its receipt by the chair, the President, the secretary, or the board.

**Section 4.03 Powers and Duties of Officers.** The powers and duties of the officers of the Corporation shall be as provided from time to time by resolution of the board of Directors or by direction of an officer authorized by the board of Directors to prescribe the duties of other officers. In the absence of such resolution, the respective officers shall have the powers and shall discharge the duties customarily and usually held and performed by like officers of corporations similar in organization and business purposes to the Corporation subject to the control of the board of Directors.

## **ARTICLE V INDEMNIFICATION OF DIRECTORS AND OFFICERS**

**Section 5.01 Indemnification of Officers or Directors.** The Corporation shall, to the extent permitted by G.L c. 156D, indemnify all persons who have served or may serve at any time as officers or Directors of the Corporation and their heirs, executors, administrators, successors, and assigns, from and against any and all loss and expense, including amounts paid in settlement before or after suit is commenced, and reasonable attorney's fees, actually and necessarily incurred as a result of any claim, demand, action, proceeding, or judgment that may have been asserted against any such persons, or in which these persons are made parties by reason of their being or having been officers or Directors of the Corporation. This right of indemnification shall not exist in relation to matters as to which it is adjudged in any action, suit or proceeding that these persons are liable for negligence or misconduct in the performance of duty.

**Section 5.02 Non-Exclusivity of Indemnification Rights and Authority to Insure.**

The foregoing rights of indemnification and advancement of expenses shall be in addition to and not exclusive of any other rights to which any person may be entitled pursuant to any agreement with the Corporation, or under any statute, provision of the Articles of Organization or any action taken by the Directors or shareholders of the Corporation.

The Corporation may buy and maintain insurance to protect itself and any agent against any expense asserted against them or incurred by an agent, whether or not the Corporation could indemnify the agent against the expense under applicable law or the provisions of this Article V.

**ARTICLE VI  
SHARE CERTIFICATES AND TRANSFER**

**Section 6.01 Share Certificates.** Shares of the Corporation may, but need not, be represented by certificates. Each certificate issued shall bear all statements or legends required by law to be affixed thereto. For all shares issued or transferred without certificates, the Corporation shall within a reasonable time after such issuance or transfer send the shareholder a written statement of the information required on share certificates pursuant to G.L. c. 156D, § 6.25(b) & (c) and § 6.27. Shareholders can request and obtain a statement of rights, restrictions, preferences, and privileges regarding classified shares or a class of shares with two or more series, if any, from the Corporation's principal office. Each certificate issued shall bear all statements or legends required by law to be affixed thereto.

Every certificate for shares shall be signed by (i) the chair of the board, if any, a vice chair, if any, the President, or a vice President and (ii) the chief financial officer, an assistant treasurer, the secretary, or any assistant secretary.

**Section 6.02 Transfers of Shares.** Transfer of shares of the Corporation shall be made only on the books of the Corporation by the registered holder thereof or by such other person as may under law be authorized to endorse such shares for transfer, or by such shareholder's attorney thereunto authorized by power of attorney duly executed and filed with the secretary or transfer agent of the Corporation. Except as otherwise provided by law, upon surrender to the Corporation or its transfer agent of a certificate for shares duly endorsed or accompanied by proper evidence of succession, assignment, or authority to transfer, it shall be the duty of the Corporation to issue a new certificate to the person entitled thereto, cancel the old certificate, and record the transaction upon its books. Shareholders shall not transfer or attempt to transfer any shares to any person or entity that is prohibited from holding such interest in the Corporation or to a person or entity whose ownership of such shares would jeopardize any license held by the Corporation. Any purported transfer that would violate the preceding sentence shall be null and void.

**Section 6.03 Registered Shareholders.** The Corporation may treat the holder of record of any shares issued by the Corporation as the holder in fact thereof, for purposes of voting those shares, receiving distributions thereon or notices in respect thereof, transferring those shares, exercising rights of dissent with respect to those shares, exercising or waiving any preemptive right with respect to those shares, entering into agreements with respect to those shares in accordance with the laws of the Commonwealth of Massachusetts, or giving proxies with respect to those shares.

**Section 6.04 Lost, Stolen, or Destroyed Certificates.** The board of Directors may issue a new share certificate in place of any certificate it previously issued that the shareholder alleges to have been lost, stolen, or destroyed provided that the shareholder or the shareholder's legal representative of the lost, stolen, or destroyed certificate shall give the Corporation a bond or other adequate security sufficient to indemnify the Corporation against any potential claim against the Corporation because of the alleged loss, theft, or destruction of any such certificate or the issuance of such new certificate.

## **ARTICLE VII CORPORATE RECORDS AND INSPECTION**

**Section 7.01 Records.** The Corporation shall maintain adequate and correct books and records of account, minutes of the proceedings of the shareholders, board of Directors, and committees of the board of Directors, and a record of its shareholders, including names and addresses of all shareholders and the number and class of shares held, along with any other records required by law. The Corporation shall keep such record of its shareholders at its principal office, as fixed by the board of Directors from time to time, or at the office of its transfer agent or registrar. The Corporation shall keep its books and records of account and minutes of the proceedings of the shareholders, board of Directors, and committees of the board of Directors at its principal office, or such other location as shall be designated by the board of Directors from time to time.

**Section 7.02 Inspection of Books and Records.** The Corporation's accounting books and records and minutes of proceedings of the shareholders, board of Directors, and committees of the board of Directors shall, to the extent provided by law, be open to inspection of Directors, shareholders, and voting trust certificate holders, in the manner provided by law.

**Section 7.03 Certification and Inspection of Bylaws.** The Corporation shall keep in its principal office the original or a copy of these Bylaws as amended or otherwise altered to date, which shall be open to inspection by the shareholders at all reasonable times during office hours.

## **ARTICLE VIII MISCELLANEOUS**

**Section 8.01 Checks, Drafts, Etc.** All checks, drafts or other instruments for payment of money or notes of the Corporation shall be signed by an officer or officers or any other person or persons as shall be determined from time to time by resolution of the board of Directors.

**Section 8.02 Fiscal Year.** The fiscal year of the Corporation shall commence on January 1 of each year.

**Section 8.03 Conflict with Applicable Law or Articles of Organization.** Unless the context requires otherwise, the general provisions, rules of construction, and the definitions of G.L. c. 156D shall govern the construction of these Bylaws. These Bylaws are adopted subject to any applicable law and the Articles of Organization. Whenever these Bylaws may conflict with any applicable law or the Articles of Organization, such conflict shall be resolved in favor of such law or the Articles of Organization.

**Section 8.04 Invalid Provisions.** If any one or more of the provisions of these Bylaws, or the applicability of any provision to a specific situation, shall be held invalid or unenforceable, the provision shall be modified to the minimum extent necessary to make it or its application valid and enforceable, and the validity and enforceability of all other provisions of these Bylaws and all other applications of any provision shall not be affected thereby.

**Section 8.05 Emergency Management of the Corporation.** In anticipation of or during an emergency, as defined in G.L. c. 156D, § 3.03(d), the board, in order to conduct the ordinary business affairs of the Corporation, shall modify procedures, including, but not limited to, calling a board meeting, quorum requirements for such board meeting, and designation of additional or substitute Directors; provided that such modifications may not conflict with the Articles of Organization.

In anticipation of or during an emergency, the Corporation shall be able to take any and all of the following actions to conduct the Corporation's ordinary business affairs and operations:

- (a) Modify lines of succession to accommodate the incapacity of any Director, officer, employee, or agent resulting from the emergency.
- (b) Relocate the principal office, or designate alternative principal offices or regional offices.
- (c) Give notice to Directors in any practicable matter under the circumstances, including but not limited to publication and radio, when notice of a board meeting cannot be given in a manner prescribed by these Bylaws.
- (d) Deem that one or more officers present at a board meeting is a Director as necessary to achieve a quorum for that meeting.

**Section 8.06 Reports.** At the request of shareholders holding a majority of the outstanding shares of the Corporation, the Corporation shall provide all shareholders with notice of the availability of annual financial reports of the Corporation before the earlier the annual meeting of shareholders or 120 days after the close of the fiscal year. Such financial reports shall be prepared and provided to shareholders upon request in compliance with G.L. c. 156D, § 16.20.

**Section 8.07 Advisement of Counsel.** THE CULTIVATION, PRODUCTION AND SALE OF CANNABIS IS ILLEGAL UNDER FEDERAL LAW. NEITHER PARTY, NOR ATTORNEYS FOR COMPANY, HAVE MADE ANY REPRESENTATION TO THE CONTRARY.

## ARTICLE IX AMENDMENT OF BYLAWS

**Section 9.01 Amendment by Shareholders.** Shareholders may adopt, amend or repeal bylaws by the vote or written consent of the holders of a majority of the outstanding shares entitled to vote, except as otherwise provided by law, these Bylaws, or the Articles of Organization.

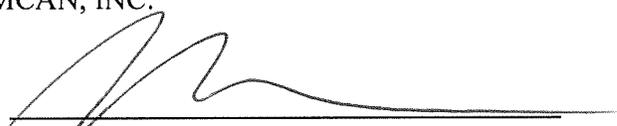
**Section 9.02 Amendment by Directors.** Subject to the rights of shareholders as provided in Section 9.01, and the statutory limitations of G.L. c. 156D, the board of Directors may adopt, amend, or repeal bylaws.

**CERTIFICATE OF SECRETARY  
OF  
CommCan, Inc., a Massachusetts corporation**

The undersigned, Jon Rosenfeld, hereby certifies that he is the duly elected and acting Secretary of CommCan, Inc., a Massachusetts corporation (the "**Corporation**"), and that the foregoing Bylaws were adopted as the Bylaws of the Corporation as of April 20, 2018, and that the same do now constitute the Bylaws of the Corporation.

IN WITNESS WHEREOF, the undersigned has executed this certificate on behalf of the Corporation as of this 18<sup>th</sup> day of April, 2018.

COMMCAN, INC.

By:   
Name: Jon Rosenfeld  
Title: Secretary

D

# The Commonwealth of Massachusetts

William Francis Galvin

Secretary of the Commonwealth

One Ashburton Place, Boston, Massachusetts 02108-1512

FORM MUST BE TYPED

## Articles of Entity Conversion of a Domestic Non-Profit with a Pending Provisional or Final Certification to Dispense Medical Use Marijuana to a Domestic Business Corporation (General Laws Chapter 156D, Section 9.53; 950 CMR 113.30)

FORM

CommCan, Inc. is a registrant  
with the Department of Public Health  
in accordance with 105 CMR 725.100(C)  
as of May 2, 2018.

*Bryan Harter*  
Bryan Harter  
Director

Medical Use of Marijuana Program  
Bureau of Healthcare Safety and Quality  
Massachusetts Department of Public Health

(1) Exact name of the non-profit: CommCan, Inc.

001174552

(2) A corporate name that satisfies the requirements of G.L. Chapter 156D, Section 4.01:

CommCan, Inc.

(3) The plan of entity conversion was duly approved in accordance with the law.

(4) The following information is required to be included in the articles of organization pursuant to G.L. Chapter 156D, Section 2.02(a) or permitted to be included in the articles pursuant to G.L. Chapter 156D, Section 2.02(b):

### ARTICLE I

The exact name of the corporation upon conversion is:

CommCan, Inc.

### ARTICLE II

Unless the articles of organization otherwise provide, all corporations formed pursuant to G.L. Chapter 156D have the purpose of engaging in any lawful business. Please specify if you want a more limited purpose.\*

The corporation is organized to (a) cultivate, manufacture, market, promote, sell, distribute and otherwise provide products containing cannabis, products that enable persons to consume cannabis, and other related products, all for both medicinal and recreational uses, but only in accordance with the laws of the Commonwealth of Massachusetts; (b) engage in all activities incidental thereto; and (c) engage in any other activities in which a corporation formed under the laws of the Commonwealth of Massachusetts may lawfully engage.

5  
P.C.

**ARTICLE III**

State the total number of shares and par value, \* if any, of each class of stock that the corporation is authorized to issue. All corporations must authorize stock. If only one class or series is authorized, it is not necessary to specify any particular designation.

WITHOUT PAR VALUE		WITH PAR VALUE		
TYPE	NUMBER OF SHARES	TYPE	NUMBER OF SHARES	PAR VALUE
Common	270,000			

**ARTICLE IV**

Prior to the issuance of shares of any class or series, the articles of organization must set forth the preferences, limitations and relative rights of that class or series. The articles may also limit the type or specify the minimum amount of consideration for which shares of any class or series may be issued. Please set forth the preferences, limitations and relative rights of each class or series and, if desired, the required type and minimum amount of consideration to be received.

Each owner of record of Common Stock shall be entitled to one vote for each share of Common Stock. Subject to applicable law, the owners of Common Stock shall be entitled to receive dividends out of funds legally available therefore at such times and in such amounts as the Board of Directors of the Corporation may determine, declare, order to be paid and pay in its discretion. Upon any liquidation, dissolution or winding up of the Corporation, whether voluntary or involuntary, after the payment or provisions for payment of all debts and liabilities of the Corporation, all remaining assets of the Corporation available for distribution to its shareholders shall be distributed pro rata to the holders of Common Stock, subject to applicable law.

**ARTICLE V**

The restrictions, if any, imposed by the articles or organization upon the transfer of shares of any class or series of stock are:

**ARTICLE VI**

Other lawful provisions, and if there are no such provisions, this article may be left blank.  
See attached Article VI

*Note: The preceding six (6) articles are considered to be permanent and may be changed only by filing appropriate articles of amendment.*

## ARTICLE VI CONTINUATION SHEET

- A. Limitation of Director Liability. Except as required by applicable law, no Director of the corporation shall have any personal liability to the corporation or its stockholders for monetary damages for breach of fiduciary duty as a director. The preceding sentence shall not eliminate or limit the liability of a director for any act or omission occurring prior to the date upon which such provision becomes effective.
- B. Indemnification. The Corporation shall, to the extent permitted by G.L c. 156D, indemnify all persons who have served or may serve at any time as officers or Directors of the Corporation and their heirs, executors, administrators, successors, and assigns, from and against any and all loss and expense, including amounts paid in settlement before or after suit is commenced, and reasonable attorney's fees, actually and necessarily incurred as a result of any claim, demand, action, proceeding, or judgment that may have been asserted against any such persons, or in which these persons are made parties by reason of their being or having been officers or Directors of the Corporation. This right of indemnification shall not exist in relation to matters as to which it is adjudged in any action, suit or proceeding that these persons are liable for negligence or misconduct in the performance of duty. The indemnification rights provided herein (i) shall not be deemed exclusive of any other rights to which those indemnified may be entitled under any law, agreement, vote of shareholders or otherwise; and (ii) shall inure to the benefit of the heirs, executors and administrators of such persons entitled to indemnification. The Corporation may, to the extent authorized from time to time by the board of Directors, grant indemnification rights to other employees or agents of the Corporation or other persons serving the Corporation and such rights may be equivalent to, or greater or less than, those set forth herein.
- C. Partnership. The corporation may be a partner to the maximum extent permitted by law.
- D. Minimum number of directors. The board of directors may consist of two or more individuals, notwithstanding the number of shareholders.
- E. Shareholder action without a meeting by less than unanimous consent. Action required or permitted by Chapter 156D of the General Laws of Massachusetts to be taken at a shareholders' meeting may be taken without a meeting by shareholders having not less than the minimum number of votes necessary to take the action at a meeting at which all shareholders entitled to vote on the action are present and voting.
- F. Authorization of directors to make, amend or repeal Bylaws. The board of directors may make, amend or repeal the Bylaws in whole or in part, except with respect to any provision thereof which by virtue of an express provision in Chapter 156D of the General Laws of Massachusetts, the Articles of Organization or the Bylaws requires action by the shareholders.

**ARTICLE VII**

The effective date of organization of the corporation is the date and time the articles were received for filing if the articles are not rejected within the time prescribed by law. If a later effective date is desired, specify such date, which may not be later than the 90th day after the articles are received for filing:

**ARTICLE VIII**

The information contained in this article is not a permanent part of the articles of organization.

- a. The street address of the initial registered office of the corporation in the commonwealth:  
730 Main Street, Suite 2A, Millis, MA 02054
- b. The name of its initial registered agent at its registered office:  
Ellen Rosenfeld
- c. The names and addresses of the individuals who will serve as the initial directors, president, treasurer and secretary of the corporation (an address need not be specified if the business address of the officer or director is the same as the principal office location):

President: Ellen Rosenfeld

Treasurer: Ellen Rosenfeld

Secretary: Jon Rosenfeld

Director(s): Ellen Rosenfeld, Marc Rosenfeld, and Jon Rosenfeld

- d. The fiscal year end of the corporation:  
December 31st
- e. A brief description of the type of business in which the corporation intends to engage:  
Cultivate, manufacture, market, sell and distribute cannabis and related products.
- f. The street address of the principal office of the corporation:  
730 Main Street, Suite 2A, Millis, MA 02054
- g. The street address where the records of the corporation required to be kept in the commonwealth are located is:  
730 Main Street, Suite 2A, Millis, MA 02054, which is  
*(number, street, city or town, state, zip code)*

- its principal office;
- an office of its transfer agent;
- an office of its secretary/assistant secretary;
- its registered office.

Signed by: \_\_\_\_\_  
*(signature of authorized individual)*

- Chairman of the board of directors,
- President,
- Other officer,
- Court-appointed fiduciary.

on this 20th day of April, 2018

COMMONWEALTH OF MASSACHUSETTS

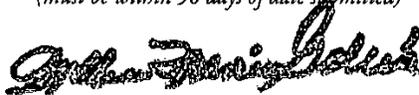
William Francis Galvin  
Secretary of the Commonwealth  
One Ashburton Place, Boston, Massachusetts 02108-1512

Articles of Entity Conversion of a  
Domestic Non-Profit with a Pending Provisional or  
Final Certification to Dispense Medical Use Marijuana  
to a Domestic Business Corporation  
(General Laws Chapter 156D, Section 9.53; 950 CMR 113.30)

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I hereby certify that upon examination of these articles of conversion, duly submitted to me, it appears that the provisions of the General Laws relative thereto have been complied with, and I hereby approve said articles; and the filing fee in the amount of \$ 475 having been paid, said articles are deemed to have been filed with me this 8 day of May, 20 18, at 12:50 a.m./6.m time

Effective date: \_\_\_\_\_  
(must be within 90 days of date submitted)



WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

Filing fee: Minimum \$250

BB  
Examiner  
A  
Name approval

\_\_\_\_\_  
C  
\_\_\_\_\_  
M

TO BE FILLED IN BY CORPORATION  
Contact Information:

Ellen Rosenfeld

730 Main Street, Suite 2A

Millis, MA 02054

Telephone: 508-376-4600

Email: ellen@rosenfeld-law.com

Upon filing, a copy of this filing will be available at [www.sec.state.ma.us/cor](http://www.sec.state.ma.us/cor). If the document is rejected, a copy of the rejection sheet and rejected document will be available in the rejected queue.

SECRETARY OF THE  
COMMONWEALTH  
2018 MAY -8 PM 12:50  
CORPORATIONS DIVISION

5870131



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT  
DEPARTMENT OF UNEMPLOYMENT ASSISTANCE

Charles D. Baker  
GOVERNOR

Karyn E. Polito  
LT. GOVERNOR



172455589

Rosalin Acosta  
SECRETARY

Richard A. Jeffers  
DIRECTOR

Commcan, Inc.  
730 MAIN STREET  
MILLIS, MA 02054

EAN: 22100755  
January 15, 2020

Certificate Id:34310

The Department of Unemployment Assistance certifies that as of 1/15/2020 ,Commcan, Inc. is current in all its obligations relating to contributions, payments in lieu of contributions, and the employer medical assistance contribution established in G.L.c. 149, §189.

This certificate expires in 30 days from the date of issuance.

Richard A. Jeffers, Director

Department of Unemployment Assistance

# COMMCAN, INC.



## Business Plan

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1. EXECUTIVE SUMMARY

1.1 Mission Statement

CommCan, Inc. (“CommCan”) is an established, vertically-integrated medical and adult use

marijuana company that is committed to operating compliant, safe, and high-quality Marijuana Establishments (“MEs”) in the Commonwealth of Massachusetts. CommCan seeks to establish itself as an industry leader through excellence in operational protocol, security systems, product quality, and community integration.

## 1.2 Product

CommCan will offer high-grade cannabis and extract products compliant with the guidelines and regulations set out by the Commission. In addition to traditional sativa, indica, and hybrid cannabis flower, CommCan will offer a wide range of products and services that will allow CommCan to serve customers with a wide variety of needs and preferences. The products CommCan intends to offer include, but will not be limited to:

1. Topical Salves
2. Creams and Lotion
3. Patches
4. Oral Mucosal/Sublingual Dissolving Tablets
5. Tinctures
6. Oral Sprays
7. Inhalation Ready to Use CO2 Extracted Hash Oils
8. Pre-Dosed Oil Vaporizers
9. Ingestion Capsules
10. Food and Beverages

## 1.3 Customers

CommCan’s target customers are registered medical marijuana patients and consumers who are twenty- one (21) years of age or older who live and work in the MetroWest and the southeastern Massachusetts areas and who are seeking to purchase high-quality marijuana and marijuana products in a secure, professional, welcoming and conveniently-located retail establishment.

## 1.4 What Drives Us

CommCan’s goals include providing safe and high-grade cannabis and extract products to qualified patients and consumers above the age of twenty-one (21). CommCan strives to contribute to the local economy and community in which its facilities are located by providing jobs, organizing employee volunteer days and industry specific training classes to prospective employees.

## 2. COMPANY DESCRIPTION

### 2.1 Corporate and Application Status

CommCan is a Massachusetts domestic profit corporation in good standing that is applying for licenses from the Massachusetts Cannabis Control Commission (the “Commission”) to operate adult-use Retailer Establishments that obtain the majority of their marijuana and marijuana products from CommCan’s licensed Cultivator and Product Manufacturer facility in Medway.

CommCan will file, in a form and manner specified by the Commission, applications for licensure as a ME consisting of three (3) packets: an Application of Intent packet; a Background Check packet; and a Management and Operations Profile packet, in addition to submission of the required fees.

In addition, CommCan has also applied for and has received three (3) Certificates of Registration from the Massachusetts Medical Use of Marijuana Program to operate vertically- integrated Medical Marijuana Treatment Centers (“MMTCs”). CommCan’s medical marijuana cultivation and product manufacturing facility in Medway and CommCan’s medical marijuana dispensary in Southborough are currently operational and have not received any regulatory infractions from the Medical Use of Marijuana Program. CommCan is also in the process of building out additional medical marijuana dispensaries in Millis and Mansfield.

## 2.2 Operations

CommCan intends to operate three (3) vertically-integrated MMTCs, as well as an adult use Marijuana Cultivator, Marijuana Product Manufacturer, and additional Marijuana Retailers in the Commonwealth.

CommCan has also secured properties in Millis and Mansfield for dispensaries and is in the process of applying for licenses to operate Retailer Establishments at these locations.

CommCan has executed a Commercial Lease for the property located at 2 Marc Road in Medway for use as a medical and adult-use marijuana cultivation and product manufacturing facility. The facility is a 60,000 square foot stand-alone building that has been custom built for CommCan’s operations. CommCan has invested in security, interior design, quality control, product testing, and staff training. There is also ample parking on site for staff and visitors.

CommCan plans to obtain the marijuana flower and marijuana products to be sold at its Retailer Establishments from CommCan’s cultivation and product manufacturing establishment in Medway. CommCan also intends to sell wholesale marijuana and marijuana products produced at its facility in Medway to other licensed Marijuana Establishments in the Commonwealth.

## 2.3 Inventory Procedures

CommCan will establish inventory controls and procedures for reviewing inventories of marijuana products; conduct a monthly inventory of finished, stored marijuana; conduct a comprehensive annual inventory at least once every year after the date of the previous comprehensive inventory and promptly transcribe inventories if taken by use of an oral recording device.

CommCan will track all marijuana products using a seed-to-sale methodology in a form and manner approved by the Commission. Such procedures have a well-established track record in the industry of preventing internal diversion of product.

CommCan will maintain records which will be available for inspection by the Commission and the host municipality upon request. The records will be maintained in

accordance with generally accepted accounting principles. Records will be maintained in compliance with state regulations.

Additional information on CommCan's inventory procedures are available in the Inventory Procedures document included with this submission.

## 2.4 Security

CommCan has designed and implemented a comprehensive security plan to ensure that the facility is a safe and secure environment for employees and the local community.

CommCan's security system will consist of duress, panic, and holdup alarms connected to local law enforcement for efficient notification and response in the event of a security threat. The system will also include a failure notification system that will immediately alert management if a system failure occurs. A redundant alarm system will be installed to ensure that active alarms remain operational if the primary system is compromised.

Interior and exterior HD video surveillance of all areas that contain marijuana, entrances, exits, and parking lots will be operational 24/7 and available to the municipal Police Department. These surveillance cameras will remain operational even in the event of a power outage. The exterior of the facility and surrounding area will be sufficiently lit, and foliage will be minimized to ensure clear visibility of the area at all times.

Only CommCan's registered agents, registered medical marijuana patients, consumers over the age of twenty-one, and other authorized visitors (e.g. contractors, vendors, state/local officials acting in accordance with their authority) will be allowed access to the facility, and a visitor log will be maintained in perpetuity. All agents and visitors will be required to visibly display an ID badge, and CommCan will maintain a current list of individuals with access.

On-site consumption of marijuana by CommCan's employees and visitors will be prohibited. CommCan will have security personnel on-site during business hours.

Additional information on CommCan's security plan is available in the Security Plan document included with this submission.

## 2.5 Benefits to the Municipality

CommCan looks forward to continuing to work cooperatively with the host municipality to ensure that CommCan operates as a responsible, contributing member of the local community. CommCan anticipates establishing a mutually beneficial relationship with the municipality in exchange for permitting CommCan to site and operate. The municipality stands to benefit in various ways, including but not limited to the following:

- a. **Jobs.** CommCan will provide full-time jobs for qualified local residents, in addition to hiring qualified, local contractors and vendors.
- b. **Host Community Agreement.** A Host Community Agreement under which CommCan

will make significant community impact payments to the municipality will provide additional financial benefits beyond local property taxes to fund a variety of community and local programs, services, or organizations.

- c. Access to Quality Legal Product for Consumers. CommCan will ensure only qualified consumers ages twenty-one (21) and over and registered patients and caregivers are able to purchase consistent, high-quality marijuana and marijuana products that are regulated and tested for cannabinoid content and contaminants. This will help to eliminate the current black market, in which consumers and patients are not required to verify their age and marijuana products are not tested.
- d. Local Sales Tax Revenue. A municipality can receive additional tax revenue through the adoption of a local sales tax of up to three (3%) percent on each retail sale to consumers.
- e. Control. In addition to the Commission, the municipal Police Department and other municipal departments will have oversight over CommCan's security systems and processes.
- f. Responsibility. CommCan is comprised of experienced professionals who will be thoroughly background checked and vetted by the Commission.
- g. Economic Development. CommCan's project will revitalize the surrounding area and contribute to the overall economic development of the local community.

## 2.6 Zoning and Local Compliance

CommCan, Inc. ("CommCan") will remain compliant at all times with the local zoning requirements set forth in the Rehoboth Zoning Bylaws. In accordance with the Zoning Bylaws, CommCan's proposed Marijuana Retailer Establishment located at 150 Barney Avenue is in the Industrial Zoning District designated for Marijuana Retailers. In compliance with the Zoning Bylaws, the proposed establishment is also not located within 500 feet of a public or private school, daycare center, or any facility in which minors commonly congregate as enumerated in the Zoning Bylaws.

CommCan will apply for a Special Permit from the Rehoboth Planning Board. CommCan will also apply for other local licenses, permits, approvals, registrations or certificates that are required to site and operate a Marijuana Retailer Establishment at the proposed location and will comply with all conditions and standards set forth in any such local license, permit or approval.

CommCan has engaged municipal officials and the local community to discuss its plans for a proposed Marijuana Retailer Establishment. CommCan has executed the required Host Community Agreement with the Town and conducted a community outreach meeting.

CommCan will continue to work cooperatively with various municipal departments, boards, and officials to ensure that the establishment is compliant with all local laws, regulations, rules, and codes with respect to design, operation, and security.

### 3. MARKET RESEARCH

#### 3.1 Industry

Twenty-nine (29) States and Washington D.C have laws broadly legalizing marijuana use. Approximately sixty (60%) percent of Americans support the legalization of marijuana with eighty-nine (89%) percent of Americans supporting the legalization of marijuana use for medical purposes.

According to a recent study released by the Massachusetts Department of Public Health over twenty-one (21%) percent of adults in Massachusetts have used marijuana within the last thirty (30) days. In Massachusetts, marijuana sales are expected to increase from \$106 million in 2017 to \$457 million in 2018, and eventually to \$1.4 billion in 2025, according to New Frontier Data.

#### 3.2 Customers

CommCan's target customers are registered medical marijuana patients and consumers who are twenty- one (21) years of age or older who live and work in the MetroWest and the southeastern Massachusetts areas and who are seeking to purchase high-quality marijuana and marijuana products in a secure, professional, welcoming and conveniently-located retail establishment.

#### 3.3 Competitors

CommCan's main competitors will include other licensed adult-use Cultivator and Product Manufacturing Establishments in the Commonwealth, as well as other licensed Retailer Establishments in the MetroWest and the southeastern Massachusetts areas.

#### 3.4 Competitive Advantage

CommCan currently holds one (1) Final Certificate of Registration, and two (2) Provisional Certificates of Registration ("PCRs") from the Medical Use of Marijuana Program to operate vertically-integrated Medical Marijuana Treatment Centers in the Commonwealth. CommCan has also received one (1) Provisional Certificate to operate a retail marijuana dispensary and two (2) orders to commence operations for their product manufacturing and cultivation facility in Medway, from the Commission. In order to obtain these, CommCan's diverse and experienced executive management team, facility properties, financing, business plans, and operational plans were highly scrutinized and ultimately approved by the Medical Use of Marijuana Program and the Cannabis Control Commission over a period of time. In addition, since CommCan obtained a PCR prior to the commencement of the adult-use application process and has already been fully vetted by the Medical Use of Marijuana Program, CommCan has been granted RMD Applicant Priority Status by the Commission. This priority status will allow CommCan's completed Marijuana Establishment applications to be reviewed by the Commission before those submitted by non-priority Marijuana Establishment applicants, which will enable CommCan to begin operations, serve consumers and contribute to the local community sooner.

CommCan also has leading dispensary operators, patient education specialists, experienced management, and cannabis cultivation, security, retail, and processing experts all aiming to

create a best-in-class establishment to better support the needs of its customers. CommCan feels confident that its highly qualified team will enable CommCan to stand out as a leading Marijuana Establishment in the Commonwealth.

#### 4. PRODUCT / SERVICE

##### 4.1 Products

CommCan intends to offer a variety of marijuana strains, concentrates and infused products to meet the wide-ranging needs and preferences of its customer base. The products available for purchase will include, but will not be limited to:

1. Sativa, Indica, and Hybrid Cannabis Flower
2. Creams and Lotions
3. Topical Salves
4. Patches
5. Tinctures
6. Pre-Dosed Oil Vaporizers
7. Concentrates
8. Infused Food Products and Beverages
9. Capsules

##### 4.2 Dispensary Procedures

In accordance with 935 CMR 500.140(3), access to CommCan's establishment will be limited to verified individuals who are twenty-one (21) years of age and older (and registered medical marijuana patients). Prior to entering the dispensary, a customer must present a valid, government-issued photo identification to a CommCan security agent to determine whether the customer is twenty-one (21) years of age or older. Once the customer's identity and age are verified, the security agent will permit the customer to enter the establishment's sales area.

Once inside the sales area, the customer will enter a queue to obtain individualized service from a CommCan agent who will help the customer select from the available products and complete the transaction. Prior to checkout, customers will be required to confirm their identities and ages a second time. The checkout also activates the seed-to-sale tracking system that will be compliant with 935 CMR 500.105(8). Sales will be limited to one (1) of marijuana flower or five (5) grams of marijuana concentrate per adult use consumer transaction. All required taxes will be collected at the point of sale.

Once a customer has selected products for purchase, a CommCan agent will collect the requested items from a secure product storage area. The agent will then scan each product's barcode into the Commission-approved point of sale system. All products will be packaged in tamper and child-resistant, resealable packaging that is compliant with 935 CMR 500.105(5) and properly labeled with warnings, strain information, cannabinoid profile, and other information detailed in 935 CMR 500.105.

In the event a CommCan agent determines a consumer would place themselves or the public at

risk, the agent will refuse to sell any marijuana products to the consumer. CommCan will use the point of sale system to accept payment and complete the sale.

In compliance with 935 CMR 501.140(8), CommCan will provide educational materials designed to help consumers make informed marijuana product purchases. The educational materials will describe the various types of products available, as well as the types and methods of responsible consumption. The materials will offer education on titration, which is the method of using the smallest amount of product necessary to achieve the desired effect. Additional topics discussed in the education materials will include potency, proper dosing, the delayed effects of edible marijuana products, substance abuse and related treatment programs, and marijuana tolerance, dependence, and withdrawal.

Additional information on CommCan's retail policies and procedures is available in the Dispensing Procedures document included with this submission.

#### 4.3 Pricing Structure

CommCan is applying for licenses to operate cultivation and product manufacturing facilities, in addition to retailer establishments, in the Commonwealth. This vertical integration capability will enable CommCan to offer a consistent supply of high-quality product at competitive prices. When determining the appropriate pricing structure, CommCan will continually strive to find the perfect balance between affordability for consumers and preventing the diversion of product to the black market.

### 5. MARKETING & SALES

#### 5.1 Growth Strategy

CommCan's plan to grow the company includes:

1. Strong and consistent branding;
2. Intelligent, targeted, and compliant marketing programs;
3. An exemplary customer in-store experience; and
4. A caring and thoughtful staff made of highly-trained, consummate professionals.

CommCan plans to seek additional, appropriate locations in the Commonwealth to expand business and reach an increased number of customers in the future.

## 5.2 Communication

CommCan will engage in reasonable marketing, advertising, and branding practices that do not jeopardize the public health, welfare, or safety of the general public, or promote the diversion of marijuana or marijuana use in individuals younger than twenty-one (21) years old. Any such marketing, advertising, and branding created for viewing by the public will include the statement: “Please Consume Responsibly” in a conspicuous manner on the face of the advertisement and will include a minimum of two of the warnings, located at 935 CMR 500.105(4)(a), in their entirety in a conspicuous manner on the advertisement.

All marketing, advertising, and branding produced by or on behalf of CommCan will include the following warning, including capitalization, in accordance with M.G.L. c. 94G, § 4(a<sup>1/2</sup>)(xxvi): “This product has not been analyzed or approved by the Food and Drug Administration (FDA). There is limited information on the side effects of using this product, and there may be associated health risks. Marijuana use during pregnancy and breast-feeding may pose potential harms. It is against the law to drive or operate machinery when under the influence of this product. KEEP THIS PRODUCT AWAY FROM CHILDREN. There may be health risks associated with consumption of this product. Marijuana can impair concentration, coordination, and judgment. The impairment effects of edible marijuana may be delayed by two hours or more. In case of accidental ingestion, contact poison control hotline 1-800-222-1222 or 9-1-1. This product may be illegal outside of MA.”

CommCan will communicate with customers through:

1. A company run website;
2. A company blog;
3. Popular online information platforms such as WeedMaps and Leafly;
4. Popular social media platforms such as Instagram and Facebook;
5. Opt-in direct communications; and
6. Partnership with local businesses.

CommCan will provide a catalogue and a printed list of the prices and strains of marijuana available to consumers and will post the same catalogue and list on its website and in the retail store.

CommCan will seek events where eighty-five (85%) percent or more of the audience is reasonably expected to be twenty-one (21) years of age or older, as determined by reliable, current audience composition data. At these events, CommCan will market its products and services to reach a wide range of qualified consumers.

## 5.3 Product Packaging

CommCan will ensure that all marijuana products that are provided for sale to consumers are sold in tamper or child-resistant packaging. Packaging for marijuana products sold or displayed for consumers, including any label or imprint affixed to any packaging containing marijuana products or any exit packages, will not be attractive to minors.

Packaging for marijuana products sold or displayed for consumers in multiple servings will allow a consumer to easily perform the division into single servings and include the following statement on the exterior of the package in a printed font that is no smaller than ten-point Times New Roman, Helvetica, or Arial, including capitalization: “INCLUDES MULTIPLE SERVINGS.” CommCan will not sell multiple serving beverages and each single serving of an edible marijuana product contained in a multiple-serving package will be marked, stamped, or otherwise imprinted with the symbol issued by the Commission under 935 CMR 500.105(5) that indicates that the single serving is a marijuana product. At no point will an individual serving size of any marijuana product contain more than five (5) milligrams of delta-nine tetrahydrocannabinol.

#### 5.4 Branding and Logos

CommCan has developed and will continue to develop logos and branding that complies with state regulations and that will distinguish CommCan from its competitors. CommCan will file for trademark protection at the state level, and when permissible, at the federal level.

Samples of the logos are included below:



## 6. FINANCIAL SUMMARY

CommCan is well-funded and has the ability to leverage its medical marijuana experience and progress to establish a successful, compliant adult-use operation in a timely manner.

CommCan’s capital contributors have already committed in excess of eight million (\$8,000,000.00) dollars to fund the applications, permitting and build out of CommCan’s three (3) vertically-integrated Medical Marijuana Treatment Centers and significant amounts of this initial capital have already been utilized for CommCan’s medical marijuana operations over the past several years.

CommCan does not expect it will require significant amounts of new capital to add adult use marijuana operations to its existing medical marijuana plans. As a rough estimate, CommCan anticipates requiring \$21,000 in initial capital for the proposed Retailer Establishment in Rehoboth. This will be used to ensure compliance with packaging, labeling, and tracking for the Adult-use program. This also covers the implementation of the required systems, as well as the physical separation components of the retail marijuana dispensary in Rehoboth.

## 7. TEAM

### 7.1 General

CommCan has assembled a team of highly experienced cannabis industry professionals with a diverse set of talents to operate a Marijuana Establishment, including real estate development, business management, cultivation and product manufacturing operations, retail dispensing, and security.

#### 7.1 Executive Management Team

##### 7.1.1 Ellen Rosenfeld, Owner, Director, President and Treasurer

Ellen Rosenfeld is an attorney and real estate developer who has worked extensively throughout MetroWest Boston. Ellen has experience in the development, construction and leasing of retail, office, medical, and storage facilities. In addition to her law practice, Ellen manages the day-to-day operations of various family owned businesses with a collective 119,000 square feet of retail space, 65,000 square feet of office space and a 36,000 square foot self-storage facility. Her ability to manage complex processes, resolve unforeseen problems and navigate the regulatory world that pervades zoning, construction and development will serve her well in the burgeoning, regulated realm of marijuana.

##### 7.1.2 Marc Rosenfeld, Owner, Director, Chief Executive Officer and Chief Financial Officer

Marc Rosenfeld is an attorney and real estate developer in Massachusetts. His background in real estate development, law and non-profit industries afford him a unique skill set that he will leverage to guide CommCan, Inc.'s day-to-day operations and long-term growth. As an attorney, Marc's practice primarily focuses on real estate law, including zoning, land use and conveyancing. Marc recently stepped down as President of Friends of Holliston Trails, a 501(c)(3) non-profit public charity he founded in 2012 to raise money for and increase awareness of Holliston's rails to trails initiative. Marc currently serves on the Board of Directors of the Demons Youth Hockey Association, a non-profit organization representing the communities representing the communities of Ashland, Holliston and Hopkinton.

##### 7.1.3 Jon Rosenfeld, Owner, Director and Secretary

Jon Rosenfeld is the President of Rosenfeld Realty, Inc., a real estate development company based in Millis, MA. Jon's primary responsibility is in the development and construction of residential and commercial real estate projects throughout MetroWest Boston. His ability to oversee the construction and development of diverse real estate projects makes him essential to the CommCan team.

#### 7.1.4 James Sipe, Director of Cultivation

James is a former managing director of horticulture at Compassionate Caregivers, a Registered Marijuana Dispensary (“RMD”) in California, wherein he managed a 30,000 square foot cultivation facility with oversight of more than 50 employees in all aspects of medical marijuana cultivation and processing. James has also held positions as a greenhouse grower, plant pathologist and nurseryman. Given his passion for the industry and helping others, James has focused his attention on the medicinal uses of marijuana and has acquired the necessary skills to adapt to the ever-changing needs and demands of patients whether it be strains cultivated or cultivation methodology to ensure supply is readily available. James serves as an advisor to a current provisional registration holder in regard to design, security and cultivation. As a result of this involvement and his work with both state and local officials throughout the registration process, James has gained extensive knowledge of the Massachusetts marijuana regulations. He attended the University of San Francisco where he received his B.S. in Environmental Science.

#### 7.1.5 Mark Abbate, Director of Security

Mark is a Senior Level Director, Team Leader and Engineer with 25 years of management and product development experience in professional video and IT spaces. He has applied his knowledge of video and IT to the exacting security and IT requirements of the cannabis industry. He is a graduate of MIT.

### 8. CONCLUSION

CommCan has the experience and know-how to safely and efficiently serve customers and patients with high quality, consistent, laboratory-tested marijuana and marijuana products in the Commonwealth.

CommCan is well-funded and well-positioned in the Massachusetts market and will contribute to the growth of the industry through a highly experienced team of successful operators working under an established framework of high quality standard operating procedures, research and development plans, and growth strategies. In doing so, CommCan looks forward to working cooperatively with the Commission and local municipalities to help spread the benefits this market will yield.



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### **PLAN FOR OBTAINING LIABILITY INSURANCE**

CommCan, Inc. (“CommCan”) plans to contract with United Specialty Insurance Company to maintain general liability insurance coverage for no less than \$1,000,000 per occurrence and \$2,000,000 in aggregate, annually, and product liability insurance coverage for no less than \$1,000,000 per occurrence and \$2,000,000 in aggregate, annually. The policy deductible will be no higher than \$5,000 per occurrence. If minimum liability coverage is unavailable, CommCan will place in escrow at least \$250,000 to be expended for liabilities coverage. Any withdrawal from such escrow will be replenished within ten (10) business days. CommCan will keep reports documenting compliance with 935 CMR 500.105(10).



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### **PLAN FOR RESTRICTING ACCESS TO AGE 21 AND OLDER**

In compliance with 935 CMR 500.002 and 500.050, CommCan, Inc.'s ("CommCan") Retailer facility will only be accessible to consumers, CommCan's registered agents, and visitors who are 21 years of age or older with a verified and valid government-issued photo ID, or, if co-located with an MTC, Registered Qualifying Patients in possession of a Medical Use of Marijuana Registration card.

Before an individual may enter the facility, a CommCan security agent will inspect the individual's proof of identification and confirm that the individual is at least 21 years of age. CommCan's trained security agents will be on-site during business hours to observe, report and prevent loitering, solicitation, diversion of marijuana and marijuana products, and access by individuals under the age of 21.

If CommCan discovers any of its agents intentionally or negligently sold marijuana to an individual under the age of 21 who is not a registered patient, the agent will be immediately terminated, and the Commission will be promptly notified. CommCan also will not hire as agents any individuals who are under the age of 21 or who have been convicted of distribution of controlled substances to minors.

In compliance with 935 CMR 500.105(4), CommCan will not engage in any marketing, advertising or branding practices that are targeted to, deemed to appeal to or portray minors under the age of 21. CommCan will not engage in any advertising, marketing and branding by means of television, radio, internet, mobile applications, social media, or other electronic communication, billboard or other outdoor advertising, including charitable, sporting or similar events, unless at least 85% of the audience is reasonably expected to be 21 years of age or older as determined by reliable and current audience composition data.

CommCan will not manufacture or sell any edible products that resemble a realistic or fictional human, animal or fruit, including artistic, caricature or cartoon renderings that may be attractive to minors. In accordance with 935 CMR 500.105(4)(a)(5), any marketing, advertising and branding materials for public viewing will include a warning stating, "For use only by adults 21 years of age or older. Keep out of the reach of children."

CommCan's packaging will be tamper or child-resistant, and will not use bright colors, resemble existing branded products, feature cartoons or celebrities commonly used to market

products to minors, feature images of minors or other words that refer to products commonly associated with minors or otherwise be attractive to minors.

CommCan's website will require all online visitors to verify they are 21 years of age or older prior to accessing the website.



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## **PERSONNEL POLICIES**

### Overview

CommCan, Inc. (“CommCan”) will securely maintain personnel records, including registration status and background check records. CommCan will keep, at a minimum, the following personnel records:

- Job descriptions for each employee and volunteer position, as well as organizational charts consistent with the job descriptions;
- A personnel record for each marijuana establishment agent;
- A staffing plan that will demonstrate accessible business hours and safe conditions;
- Personnel policies and procedures; and
- All background check reports obtained in accordance with 935 CMR 500.030.

### Agent Personnel Records

Personnel records for each agent will be maintained for at least twelve (12) months after termination of the agent’s affiliation with CommCan and will include, at a minimum, the following:

- All materials submitted to the Commission pursuant to 935 CMR 500.030(2);
- Documentation of verification of references;
- The job description or employment contract that includes duties, authority, responsibilities, qualifications, and supervision;
- Documentation of all required training, including training regarding privacy and confidentiality requirements, and the signed statement of the individual indicating the date, time, and place he or she received said training and the topics discussed, including the name and title of presenters;
- Documentation of periodic performance evaluations;
- A record of any disciplinary action taken;
- Notice of completed responsible vendor and eight-hour related duty training; and
- Results of initial background investigation, including CORI reports.

Personnel records will be kept in a secure location to maintain confidentiality and be only accessible to the agent’s manager or members of the executive management team.

### Hours of Operation (subject to approval by the Special Permit Granting Authority)

Monday – Saturday: 8:00 AM – 10:00 PM  
Sunday: 12:00 PM – 8:00 PM

## After-Hours Contact Information

Director of Security: Mark Abbate – 774-571-5204

## Agent Background Checks

- In addition to completing the Commission’s agent registration process, all agents hired to work for CommCan will undergo a detailed background investigation prior to being granted access to a CommCan facility or beginning work duties.
- Background checks will be conducted on all agents in their capacity as employees or volunteers for CommCan pursuant to 935 CMR 500.100 and will be used by the Director of Security, who will be registered with the Department of Criminal Justice Information Systems pursuant to 803 CMR 2.04: iCORI Registration and the Commission for purposes of determining the suitability of individuals for registration as a marijuana establishment agent with the licensee.
- For purposes of determining suitability based on background checks performed in accordance with 935 CMR 500.101(1), CommCan will consider:
  - a. All conditions, offenses, and violations are construed to include Massachusetts law or like or similar law(s) of another state, the United States or foreign jurisdiction, a military, territorial or Native American tribal authority, or any other jurisdiction.
  - b. All criminal disqualifying conditions, offenses, and violations include the crimes of attempt, accessory, conspiracy, and solicitation. Juvenile dispositions will not be considered as a factor for determining suitability.
  - c. Where applicable, all look-back periods for criminal conditions, offenses, and violations included in 935 CMR 500.802 commence upon the date of disposition; provided, however, that if disposition results in incarceration in any institution, the look-back period will commence upon release from incarceration.
- Suitability determinations will be made in accordance with the procedures set forth in 935 CMR 500.800. In addition to the requirements established in 935 CMR 500.800, CommCan will:
  - a. Comply with all guidance provided by the Commission and 935 CMR 500.802: Tables B through D to determine if the results of the background are grounds for Mandatory Disqualification or Presumptive Negative Suitability Determination.
  - b. Consider whether offense(s) or information that would result in a Presumptive Negative Suitability Determination under 935 CMR 500.802. In the event a Presumptive Negative Suitability Determination is made, CommCan will consider the following factors:
    - i. Time since the offense or incident;
    - ii. Age of the subject at the time of the offense or incident;
    - iii. Nature and specific circumstances of the offense or incident;
    - iv. Sentence imposed and length, if any, of incarceration, if criminal;
    - v. Penalty or discipline imposed, including damages awarded, if civil or administrative;
    - vi. Relationship of offense or incident to nature of work to be performed;
    - vii. Number of offenses or incidents;
    - viii. Whether offenses or incidents were committed in association with dependence on drugs or alcohol from which the subject has since recovered;

- ix. If criminal, any relevant evidence of rehabilitation or lack thereof, such as information about compliance with conditions of parole or probation, including orders of no contact with victims and witnesses, and the subject's conduct and experience since the time of the offense including, but not limited to, professional or educational certifications obtained; and
  - x. Any other relevant information, including information submitted by the subject.
- c. Consider appeals of determinations of unsuitability based on claims of erroneous information received as part of the background check during the application process in accordance with 803 CMR 2.17: Requirement to Maintain a Secondary Dissemination Log and 2.18: Adverse Employment Decision Based on CORI or Other Types of Criminal History Information Received from a Source Other than the DCJIS.
- All suitability determinations will be documented in compliance with all requirements set forth in 935 CMR 500 et seq. and guidance provided by the Commission.
  - Background screening will be conducted by an investigative firm holding the National Association of Professional Background Screeners (NAPBS®) Background Screening Credentialing Council (BSCC) accreditation and capable of performing the searches required by the regulations and guidance provided by the Commission.
  - References provided by the agent will be verified at the time of hire.
  - As a condition of their continued employment, agents, volunteers, contractors, and subcontractors are required to renew their Program ID cards annually and submit to other background screening as may be required by CommCan or the Commission.

### Personnel Policies and Training

CommCan's staffing plan and staffing records will be maintained in compliance with 935 CMR 500.105(9) and will be made available to the Commission upon request. All CommCan agents are required to complete training that includes but is not limited to CommCan's strict alcohol, smoke and drug-free workplace policy, job specific training, Responsible Vendor Training Program, confidentiality training, and a comprehensive discussion regarding the marijuana establishment's policy for immediate dismissal. All training will be documented in accordance with 935 CMR 105(9)(d)(2)(d).

CommCan will have a policy for the immediate dismissal of any dispensary agent who has:

- Diverted marijuana, which will be reported the Police Department and to the Commission;
- Engaged in unsafe practices with regard to CommCan operations, which will be reported to the Commission; or
- Been convicted or entered a guilty plea, plea of *nolo contendere*, or admission to sufficient facts of a felony drug offense involving distribution to a minor in the Commonwealth, or a like violation of the laws of another state, the United States or a foreign jurisdiction, or a military, territorial, or Native American tribal authority.



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## **DIVERSITY PLAN**

### Overview

CommCan, Inc. (“CommCan”) is dedicated to promoting equity in its operations for diverse populations, which the Commission has identified as the following:

1. Minorities;
2. Women;
3. Veterans;
4. People with disabilities; and
5. People who identify as LGBTQ+.

However, CommCan believes that simply hiring diverse individuals to fulfill open positions is not enough; providing the tools to ensure success at their positions is the true goal and measure of success.

CommCan believes strongly in maintaining gender diversity in its ownership structure and in the highest levels of management. CommCan has been certified as a Women-Owned Business Enterprise (WBE) by the Supplier Diversity Office. Ellen Rosenfeld is the majority shareholder of the company and serves as a Director on the Board of Directors, President and Treasurer. CommCan is proud to be one of a limited number of woman-owned and operated marijuana businesses in the Commonwealth. As a gay woman, Ellen has committed CommCan to prioritize gender diversity throughout every level of employment in the organization, provided the individual meets employment qualifications. Qualified applicants for employment of all backgrounds are invited to join CommCan. Once employed, they are encouraged to bring their individualities, passions and knowledge to a company that rewards such uniqueness. Diversity promotes growth and CommCan depends upon this growth to compete in this nascent industry. Individuals from diverse backgrounds working toward a common goal is the most effective way to ensure that CommCan leaves no stone unturned and no opportunity missed.

To support such populations, CommCan has created the following Diversity Plan (the “Plan”) and has identified and created goals/programs to promote equity in CommCan’s operations.

### Goal

In order for CommCan to promote equity for the above-listed groups in its operations, CommCan has established the following goals:

1. Ensuring that at least 51% of CommCan’s ownership is comprised of women and/or individuals who identify as LGBTQ+.

2. Ensuring that least 30% of management is comprised of women and/or individuals who identify as LGBTQ+.
3. Increasing the number of qualified, diverse individuals employed by CommCan. More specifically, the goal for employment composition will be:
  - At least 10% of all staff comprised of Minorities;
  - At least 40% of all staff comprised of Women;
  - At least 5% of all staff comprised of Veterans;
  - At least 5% of all staff comprised of Disabled Individuals; and
  - At least 10% of all staff comprised of individuals who identify as LGBTQ+.<sup>1</sup>

### Programs

CommCan has developed specific programs to effectuate its stated goals to promote diversity and equity in its operations, which will include the following:

1. Conducting organizational reviews no less than annually to ensure that CommCan maintains its WBE certification and its diversity goals for ownership and management;
2. Advertising in employment and business sections of appropriate types of media in order to attract diverse, qualified applicants for open job postings as they become available, but no less than once annually;
3. Distribution of internal newsletters, on a semiannual basis, to staff to encourage the recruitment of members of diverse populations;
4. Designing and implementing an internal reporting system that measures on an annual basis the effectiveness of programs designed to support a company culture that fosters diversity; and
5. Reviewing the Plan with management at all levels of CommCan no less than annually to ensure that the Plan is understood.

### Measurements

Beginning upon receipt of CommCan's Provisional license from the Commission to operate a marijuana establishment in the Commonwealth, CommCan will utilize the proposed measurements to assess its Plan and will account for demonstrating proof of success or progress of the Plan upon the yearly renewal of the license. The Compliance Manager will administer the Plan and will be responsible for developing measurable outcomes to ensure CommCan continues to meet its commitments. The Compliance Manager will review and evaluate CommCan's measurable outcomes via an annual audit report to ensure that CommCan is meeting its commitments. The audit report setting forth CommCan's performance in fulfilling the goals of the Plan will contain:

- Employment data, including information on minority, women, disabled, veteran and LGBTQ+ representation in the workforce in all job classifications; average salary ranges; recruitment and training information (all job categories); and retention and

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<sup>1</sup> The above goals and percentages were provided at the Commission's request. Any documentation evidencing such hiring goals will be collected in accordance with applicable employment law standards. These percentages are intended to represent CommCan's efforts for hiring a diverse workforce; however, CommCan is limited in its ability to confirm the ultimate percentages of these demographics in its workforce due to applicable employment and labor laws. Geographic constraints may challenge these goals.

outreach efforts;

- A comprehensive description and documentation of all efforts made by CommCan to monitor and enforce the Plan, including the number of internal newsletters distributed to employees and the number of jobs posted in diverse media and the literature distributed to organizations actively supportive of minorities, women, disabled persons, the LGBTQ community, and veterans; and
- When available, a workforce utilization report including the following information for each job category at CommCan:
  - The total number of persons employed
  - The total number of men employed
  - The total number of women employed
  - The total number of veterans employed
  - The total number of service-disabled veterans employed
  - The total number of members of each minority employed
  - The total number of individuals who identify as LGBTQ+ employed

CommCan is mindful that demonstration of the Plan's progress and success will be submitted to the Commission upon renewal.

In the event that CommCan is not meeting its commitments, CommCan will issue a diversity survey to the workforce to solicit company-wide input on the successes and failures of existing diversity programs and input on ways to better serve the inclusion needs of the company.

#### Acknowledgements

- CommCan will adhere to the requirements set forth in 935 CMR 500.105(4) which provides the permitted and prohibited advertising, branding, marketing, and sponsorship practices of every Marijuana Establishment.
- Any actions taken, or programs instituted, by CommCan will not violate the Commission's regulations with respect to limitations on ownership or control or other applicable state laws.



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### **QUALITY CONTROL**

CommCan will process marijuana in a safe and sanitary manner. CommCan will process the leaves and flowers of the female marijuana plant only, which will be:

- Well-cured and generally free of seeds and stems;
- Free of dirt, sand, debris, and other foreign matter;
- Free of contamination by mold, rot, other fungus, and bacterial diseases;
- Prepared and handled on food-grade stainless steel tables; and
- Packaged in a secure area.

CommCan, Inc. (“CommCan”) will comply with the following sanitary requirements:

1. Any CommCan agent whose job includes contact with marijuana or nonedible marijuana products, including cultivation, production, or packaging, is subject to the requirements for food handlers specified in 105 CMR 300.000, and all edible marijuana products will be prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 500.000, and with the requirements for food handlers specified in 105 CMR 300.000.
2. Any CommCan agent working in direct contact with preparation of marijuana or nonedible marijuana products will conform to sanitary practices while on duty, including:
  - a. Maintaining adequate personal cleanliness; and
  - b. Washing hands thoroughly in an adequate hand-washing area before starting work, and at any other time when hands may have become soiled or contaminated.
3. CommCan’s hand-washing facilities will be adequate and convenient and will be furnished with running water at a suitable temperature. Hand-washing facilities will be located in CommCan’s production areas and where good sanitary practices require employees to wash and sanitize their hands, and will provide effective hand-cleaning and sanitizing preparations and sanitary towel service or suitable drying devices;
4. CommCan’s facility will have sufficient space for placement of equipment and storage of materials as is necessary for the maintenance of sanitary operations;
5. CommCan will ensure that litter and waste is properly removed and disposed of so as to minimize the development of odor and minimize the potential for the waste attracting and harboring pests. The operating systems for waste disposal will be maintained in an adequate manner pursuant to 935 CMR 500.105(12);

6. CommCan's floors, walls, and ceilings will be constructed in such a manner that they may be adequately kept clean and in good repair;
7. CommCan's facility will have adequate safety lighting in all processing and storage areas, as well as areas where equipment or utensils are cleaned;
8. CommCan's buildings, fixtures, and other physical facilities will be maintained in a sanitary condition;
9. CommCan will ensure that all contact surfaces, including utensils and equipment, will be maintained in a clean and sanitary condition. Such surfaces will be cleaned and sanitized as frequently as necessary to protect against contamination, using a sanitizing agent registered by the US Environmental Protection Agency (EPA), in accordance with labeled instructions. Equipment and utensils will be so designed and of such material and workmanship as to be adequately cleanable;
10. All toxic items will be identified, held, and stored in a manner that protects against contamination of marijuana products;
11. CommCan will ensure that its water supply is sufficient for necessary operations, and that such water supply is safe and potable;
12. CommCan's plumbing will be of adequate size and design, and adequately installed and maintained to carry sufficient quantities of water to required locations throughout the marijuana establishment. Plumbing will properly convey sewage and liquid disposable waste from the marijuana establishment. There will be no cross-connections between the potable and waste water lines;
13. CommCan will provide its employees with adequate, readily accessible toilet facilities that are maintained in a sanitary condition and in good repair;
14. CommCan will hold all products that can support the rapid growth of undesirable microorganisms in a manner that prevents the growth of these microorganisms;
15. CommCan will store and transport finished products under conditions that will protect them against physical, chemical, and microbial contamination, as well as against deterioration of finished products or their containers; and
16. CommCan's vehicles and transportation equipment used in the transportation of marijuana products or edibles requiring temperature control for safety will be designed, maintained, and equipped as necessary to provide adequate temperature control to prevent the marijuana products or edibles from becoming unsafe during transportation, consistent with applicable requirements pursuant to 21 CFR 1.908(c).

CommCan will ensure that CommCan's facility is always maintained in a sanitary fashion and will comply with all applicable sanitary requirements. All edible products will be prepared, handled, and stored in compliance with the sanitation requirements in 105 CMR 590.000: Minimum Sanitation Standards for Food Establishments.



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## **RECORDKEEPING PROCEDURES**

### General Overview

CommCan, Inc. (“CommCan”) has established policies regarding recordkeeping and record-retention in order to ensure the maintenance, safe keeping, and accessibility of critical documents. Electronic and wet signatures are accepted forms of execution of CommCan documents. Records will be stored at CommCan’s establishment in a secure location designated for record retention. All written records will be available for inspection by the Commission upon request.

### Recordkeeping

Records shall include written operating procedures as required by 935 CMR 500.105(1); inventory records as required by 935 CMR 500.105(8); seed-to-sale tracking records as required by 935 CMR 500.105(8)(e); personnel records; business records; and waste disposal records.

- Written Operating Policies and Procedures: Policies and Procedures related to CommCan’s operations will be updated as needed and will undergo a review by the executive management team on an ongoing basis. Policies and Procedures will include the following:
  - Security measures in compliance with 935 CMR 500.110;
  - Agent security policies, including personal safety and crime prevention techniques;
  - A description of CommCan’s hours of operation and after-hours contact information, which will be provided to the Commission, made available to law enforcement officials upon request, and updated pursuant to 935 CMR 500.000.
  - Storage of marijuana in compliance with 935 CMR 500.105(11);
  - Description of the various strains of marijuana to be cultivated, processed or sold, as applicable, and the form(s) in which marijuana will be dispensed;
  - Procedures to ensure accurate recordkeeping, including inventory protocols in compliance with 935 CMR 500.160;
  - Plans for quality control, including product testing for contaminants in compliance with 935 CMR 500.160;
  - A staffing plan and staffing records in compliance with 935 CMR 500.105(9);
  - Emergency procedures, including a disaster plan with procedures to be followed in case of fire or other emergencies;

- Alcohol, smoke, and drug-free workplace policies;
- A plan describing how confidential information will be maintained;
- Policy for the immediate dismissal of any dispensary agent who has:
  - Diverted marijuana, which will be reported to local law enforcement and the Commission;
  - Engaged in unsafe practices with regard to CommCan operations, which will be reported to the Commission; or
  - Been convicted or entered a guilty plea, plea of nolo contendere, or admission to sufficient facts of a felony drug offense involving distribution to a minor in the Commonwealth, or a like violation of the laws of another state, the United States or a foreign jurisdiction, or a military, territorial, or Native American tribal authority.
- A list of all executives of CommCan, and members, if any, of the licensee must be made available upon request by any individual. 935 CMR 500.105(1)(m) requirement may be fulfilled by placing this information on CommCan's website.
- Policies and procedures for the handling of cash on CommCan premises including but not limited to storage, collection frequency and transport to financial institution(s).
- Policies and procedures to prevent the diversion of marijuana to individuals younger than twenty-one (21) years old.
- Policies and procedures for energy efficiency and conservation that will include:
  - Identification of potential energy use reduction opportunities (including but not limited to natural lighting, heat recovery ventilation and energy efficiency measures), and a plan for implementation of such opportunities;
  - Consideration of opportunities for renewable energy generation, including, where applicable, submission of building plans showing where energy generators could be placed on site, and an explanation of why the identified opportunities were not pursued, if applicable;
  - Strategies to reduce electric demand (such as lighting schedules, active load management and energy storage); and
  - Engagement with energy efficiency programs offered pursuant to M.G.L. c. 25 § 21, or through municipal lighting plants.

- Inventory Records

- The record of each inventory will include, at a minimum, the date of the inventory, a summary of the inventory findings, and the names, signatures, and titles of the agents who conducted the inventory.

- Seed-to-Sale Tracking Records

- CommCan will use seed-to-sale tracking and point-of-sale software systems to maintain real-time inventory which will meet the requirements specified by the Commission and 935 CMR 500.105(8)(c) and (d), including, at a minimum, an inventory of marijuana plants; marijuana plant-seeds and clones in any phase of development such as propagation, vegetation, flowering; marijuana ready for dispensing; all marijuana products; and all damaged, defective, expired, or contaminated marijuana and marijuana products awaiting disposal.
- CommCan will also maintain Metrc compliance and management records to the

extent required by the Commission. extent required by the Commission.

▪ Personnel Records

- At a minimum will include:
  - Job descriptions for each agent and volunteer position, as well as organizational charts consistent with the job descriptions;
  - A personnel record for each marijuana establishment agent. Such records will be maintained for at least twelve (12) months after termination of the agent's affiliation with CommCan and will include, at a minimum, the following:
    - All materials submitted to the Commission pursuant to 935 CMR 500.030(2);
    - Documentation of verification of references;
    - The job description or employment contract that includes duties, authority, responsibilities, qualifications, and supervision;
    - Documentation of all required training, including training regarding privacy and confidentiality requirements, and the signed statement of the individual indicating the date, time, and place he or she received said training and the topics discussed, including the name and title of presenters;
    - Documentation of periodic performance evaluations;
    - A record of any disciplinary action taken; and
    - Notice of completed responsible vendor and eight-hour related duty training.
  - A staffing plan that will demonstrate accessible business hours and safe operations conditions;
  - Personnel policies and procedures; and
  - All background check reports obtained in accordance with 935 CMR 500.030.

▪ Business Records

Records that require ongoing maintenance and updates. These records can be electronic or hard copy (preferably electronic) and at minimum include:

- Assets and liabilities;
- Monetary transactions;
- Books of accounts, which will include journals, ledgers, and supporting documents, agreements, checks, invoices, and vouchers;
- Sales records including the quantity, form, and cost of marijuana products;
- Salary and wages paid to each agent, and any executive compensation, bonus, benefit, or item of value paid to any individual affiliated with CommCan, including members, if any.

▪ Waste Disposal Records

- When marijuana or marijuana products are disposed of, CommCan will create and maintain a written record of the date, the type and quantity disposed of or handled, the manner of disposal or other handling, the location of disposal or

other handling, and the names of the two CommCan agents present during the disposal or handling, with their signatures. CommCan will keep disposal records for at least three (3) years. This period will automatically be extended for the duration of any enforcement action and may be extended by an order of the Commission.

- Handling and Testing of Marijuana Records

- CommCan will maintain the results of all testing for a minimum of one (1) year.

- Incident Reporting Records

- Within ten (10) calendar days, CommCan will provide written notice to the Commission of any incident described in 935 CMR 500.110(7)(a), by submitting an incident report, detailing the incident, the investigation, the findings, resolution (if any), confirmation that the Police Department and Commission were notified within twenty-four (24) hours of discovering the breach, and any other relevant information. Reports and supporting documents, including photos and surveillance video related to a reportable incident, will be maintained by CommCan for no less than one (1) year or the duration of an open investigation, whichever is longer, and made available to the Commission and law enforcement authorities upon request.

- Visitor Records

- A visitor sign-in and sign-out record will be maintained at the security office. The record will include the visitor's name, address, organization or firm, date, time in and out, and the name of the authorized agent who will be escorting the visitor.

- Security Records

- A current list of authorized agents and service personnel that have access to the surveillance room will be available to the Commission upon request.
- Twenty-four (24) hour recordings from all video cameras that are available for immediate viewing by the Commission upon request and that are retained for at least ninety (90) calendar days.

- Transportation Records

- CommCan will retain all shipping manifests for a minimum of one (1) year and make them available to the Commission upon request.

- Agent Training Records

- Documentation of all required training, including training regarding privacy and confidentiality requirements, and a signed statement of the individual indicating the date, time, and place he or she received the training, the topics discussed and the name and title of the presenter(s).

- Closure

- In the event CommCan closes, all records will be kept for at least two (2) years at CommCan's expense in a form (electronic, hard copies, etc.) and location acceptable to the Commission. In addition, CommCan will communicate with the Commission during the closure process and accommodate any additional requests the Commission or other agencies may have.



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### **MAINTAINING OF FINANCIAL RECORDS**

CommCan, Inc.'s ("CommCan") operating policies and procedures ensure financial records are accurate and maintained in compliance with state regulations. Financial records maintenance measures include policies and procedures requiring that:

- Confidential financial information will be maintained in a secure location and will not be disclosed without authorization or unless required by law or regulations or pursuant to a court order.
- CommCan will comply with all recordkeeping requirements, including:
  - Keeping written business records, available for inspection, and in accordance with Generally Accepted Accounting Principles (GAAP), which will include manual or computerized records of:
    - Assets and liabilities;
    - Monetary transactions;
    - Books of accounts, including journals, ledgers, and supporting documents, agreements, checks, invoices, and vouchers;
    - Sales records including the quantity, form, and cost of marijuana products; and
    - Salary and wages paid to each employee and any executive compensation, bonus, benefit, or item of value paid to any individual affiliated with CommCan.
- CommCan will comply with all sales recording requirements, including:
  - Utilizing a point-of-sale (POS) system approved by the Commission, in consultation with the Massachusetts Department of Revenue (the "DOR"), and a sales recording module approved by DOR;
  - Conducting a monthly analysis of its equipment and sales data, and maintaining records, available to the Commission upon request, that the monthly analysis has been performed;
  - Complying with 830 CMR 62C.25.1: Record Retention and DOR Directive 16-1 regarding recordkeeping requirements;
  - Separate accounting practices at the point-of-sale for marijuana and non-marijuana sales;
  - Maintaining such records that would allow for the Commission and the DOR to audit and examine the point-of-sale system used in order to ensure compliance with Massachusetts tax laws and state regulations; and
  - Maintaining and providing the Commission on a biannual basis accurate retail sales data collected during the preceding six (6) months to ensure an adequate supply of medical marijuana and marijuana products.



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### **QUALIFICATIONS AND TRAINING**

CommCan will ensure that all employees hired to work at a CommCan facility will be qualified to work as a marijuana establishment agent and properly trained to serve in their respective roles in a compliant manner.

#### **Qualifications**

In accordance with 935 CMR 500.030, a candidate for employment as a marijuana establishment agent must be twenty-one (21) years of age or older. In addition, the candidate cannot have been convicted of a criminal offense in the Commonwealth involving the distribution of controlled substances to minors, or a like violation of the laws of another state, the United States, or foreign jurisdiction, or a military, territorial, or Native American tribal authority.

CommCan will also ensure that its employees are suitable for registration consistent with the provisions of 935 CMR 500.802. In the event that CommCan discovers any of its agents are not suitable for registration as a marijuana establishment agent, the agent's employment will be terminated, and CommCan will notify the Commission within one (1) business day that the agent is no longer associated with the establishment.

#### **Training**

As required by 935 CMR 500.105(2), and prior to performing job functions, each of CommCan's agents will complete training that is tailored to the roles and responsibilities of the agent's job function. Agent training will at least include the Responsible Vendor Program and eight (8) hours of on-going training annually.

On or after July 1, 2019, all of CommCan's current owners, managers, and employees, that are involved in the handling and sale of marijuana at the time of licensure or renewal of licensure, as applicable, will have attended and successfully completed a Responsible Vendor Program to be designated a "responsible vendor." CommCan's new, non-administrative employees involved in the handling and sale of marijuana will complete the Responsible Vendor Program within ninety (90) days of the date they are hired. CommCan's owners, managers, and employees involved in the handling and sale of marijuana will then successfully complete the program once every year thereafter. CommCan will maintain records of responsible vendor training program compliance for four (4) years and will make them available during normal business hours for inspection by the Commission and any other state licensing authority upon request.

As part of the Responsible Vendor program, CommCan's agents will receive training on a variety of topics relevant to marijuana establishment operations, including but not limited to the following:

1. Marijuana's effect on the human body, including physical effects based on different types of marijuana products and methods of administration, and recognizing the visible signs of impairment;
2. Best practices for diversion prevention and prevention of sales to minors;
3. Compliance with tracking requirements;
4. Acceptable forms of identification, including verification of valid photo identification and medical marijuana registration and confiscation of fraudulent identifications;
5. Such other areas of training determined by the Commission to be included; and
6. Other significant state laws and rules affecting operators, such as:
  - Local and state licensing and enforcement;
  - Incident and notification requirements;
  - Administrative and criminal liability and license sanctions and court sanctions;
  - Waste disposal and health and safety standards;
  - Patrons prohibited from bringing marijuana onto licensed premises;
  - Permitted hours of sale and conduct of establishment;
  - Permitting inspections by state and local licensing and enforcement authorities;
  - Licensee responsibilities for activities occurring within licensed premises;
  - Maintenance of records and privacy issues; and
  - Prohibited purchases and practices.



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CommCan, Inc. (“CommCan”) does not intend to collocate its adult use Retailer Establishment with a Medical Marijuana Treatment Center in Rehoboth. In the event that CommCan’s intentions change, CommCan will apply for and receive all necessary state and local approvals to operate a Colocated Marijuana Operation at CommCan’s proposed site.