

**STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDGS. 68-69
1511 PONTIAC AVENUE
CRANSTON, RI 02920**

IN THE MATTER OF: :
 :
Ocean State Controlled Botanicals, LLC, : **DBR No. 20MM0**
 :
RESPONDENT. :
 :

CONSENT AGREEMENT

Reference is made to the Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act, Rhode Island General Laws § 21-28.6-1 *et seq.*, as amended by Rhode Island Public Laws 2019, ch. 088, Article 15 (as so amended, the “Act”) and Rules and Regulations Related to the Medical Marijuana Program Administered by the Office of Cannabis Regulation at the Department of Business Regulation, 230-RICR-80-5-1 *et seq.* (the “Regulations”). The Department of Business Regulation, Office of Cannabis Regulation (“Department”) and Ocean State Controlled Botanicals, LLC, a Rhode Island limited liability company (“Respondent”), hereby consent and agree that:

1. On or about April 26, 2017, Respondent submitted its Medical Marijuana Cultivator License Application, Application No. MMP CV 0066 (“Application”).
2. On or about August 1, 2017, the Department issued a preliminary conditional approval letter (“Conditional Approval Letter 1”) with respect to Respondent’s Application for a Medical Marijuana Cultivator License subject to the satisfaction of the terms and conditions stated therein.
 - A. Conditional Approval Letter 1 stated that Respondent would have nine (9) months from the date of the Department’s preliminary inspection, or until May 15, 2018, to take reasonable and documented efforts to satisfy the prerequisites for issuance of the Medical Marijuana Cultivator License (“Prerequisites”).
3. On May 14, 2018, Respondent submitted its first extension request (“First Extension Request”) to satisfy the Prerequisites by a new date of April 15, 2019.
4. Thereafter, the Department issued its second conditional approval letter (“Conditional Approval Letter 2”) which partially granted Respondent’s First Extension Request and afforded Respondent until February 15, 2019 to satisfy the Prerequisites.

5. On February 14, 2019, Respondent submitted its second extension request (“Second Extension Request”) to satisfy the Prerequisites by a new date of October 15, 2019.
6. Thereafter, the Department issued its third conditional approval letter (“Conditional Approval Letter 3”) which granted Respondent’s Second Extension Request and afforded Respondent until October 15, 2019 to satisfy the Prerequisites.
7. On October 15, 2019, Respondent submitted its third extension request (“Third Extension Request”) to satisfy the Prerequisites by a new date of June 15, 2020.
8. Thereafter, the Department issued its fourth conditional approval letter (“Conditional Approval Letter 4”) which granted Respondent’s Third Extension Request and afforded Respondent until June 15, 2020 to satisfy the Prerequisites.
9. On September 8, 2020, Respondent submitted its fourth extension request (“Fourth Extension Request”) to satisfy the Prerequisites by a new date of March 15, 2021.
10. It is the Department’s position that Respondent has failed to take reasonable efforts during any of the extension periods following Conditional Approval Letters 1-4, to complete the Prerequisites for issuance of its License in violation of Section 1.3(F)(1) of the Regulations.
11. Respondent’s position is that it has demonstrated sufficient good cause for its fourth extension request and that it has made reasonable and documented efforts during each of the extension periods following Conditional Approval Letters 1-4 to complete the Prerequisites.
12. In an effort to affect a timely and amicable resolution of the issues raised in this Consent Agreement, the Department and Respondent enter into this Consent Agreement. The Department agrees to grant Respondent’s Fourth Extension Request based upon the Respondent’s representations set forth below in this Section 12 and Respondent’s satisfaction of the following terms and conditions:
 - A. Respondent will satisfy all Prerequisites for licensure pursuant to Section 1.3(F)(3) of the Regulations by the dates listed below, including but not limited to the delivery to the Department of the following items:
 - i. **No later than March 15, 2021**, copy of the executed lease from OSCB Holdings, LLC to Respondent including lessor’s agreement to permit Respondent’s licensed cultivator operations.
 - ii. **No later than January 15, 2021**, any updates to Respondent’s business plan previously submitted to OCR.
 - iii. **No later than October 15, 2020**, confirmation that the detailed diagram and plans for the facility (including all proposed improvements for the operation of a cultivation facility) previously submitted to OCR are the final plans; to the extent there have been any changes to same, updated plans must be provided by

- this date. iv. **No later than January 15, 2021**, copies of Respondent's operations manual for the cultivation operation including all policies and procedures for training personnel, cultivation, pesticide use, security and safety, record keeping and records retention, and all other matters as required under the Regulations.
- v. **No later than January 15, 2021**, list of names, addresses, dates of birth of all persons who will be employees of agent of the Licensed Cultivator at inception.
 - vi. **No later than March 10, 2021**, the Department's pre-license inspection of the premises, with the results of such inspection to be satisfactory to the Department in all respects.
 - vii. **No later than March 15, 2021**, divestiture of any prohibited material financial interests or control, including relinquishment of any caregiver registrations or cooperative cultivation licenses.
 - viii. **No later than March 15, 2021**, national criminal background checks completed and registry identification cards issued for all officers and directors (or managers/members for LLC), employees and agents.
 - ix. **No later than March 15, 2021**, payment of the thirty-five thousand dollar (\$35,000.00) annual license fee in the form of a cashier's check or money order, made payable to the "General Treasurer, State of Rhode Island."
 - x. **No later than March 15, 2021**, Certificate of Occupancy.
- B. In addition to the providing evidence of Prerequisite satisfaction on or before the correlating date identified in ¶ 12(A), Respondent will submit **monthly progress updates** via e-mail to OCR Chief Public Protection Inspector Peter Squatrito at Peter.Squatrito@dbr.ri.gov, OCR Senior Economic & Policy Analyst Erica Ferrelli at Erica.Ferrelli@dbr.ri.gov, and OCR Legal Counsel Samuel Kovach-Orr, Esq. at Samuel.KovachOrr@dbr.ri.gov by the close of business on the first business day of each month.
- C. Respondent will supply OCR with any and all supplemental materials requested for verification of any representation or assertion made in any monthly progress updates submitted to OCR as a result of Respondent's compliance with paragraph 12(B) of this Consent Agreement.
- D. Respondent acknowledges, understands and agrees that OCR will not issue any further extensions to Respondent for the completion of any pre-requisites for issuance of its License beyond the date of **March 15, 2021**.
13. The parties agree that this Consent Agreement and its terms represent the final determination of this matter.
14. *Waiver of Hearing and Appeal*. By agreeing to resolve this matter through the execution of this Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, *et seq.*

15. *Enforcement.* If the Respondent fails to comply with any term or condition of this Consent Agreement within any applicable time period set forth herein, the Respondent will be in violation hereunder and the Department shall be entitled to immediately take enforcement or other action in accordance with applicable law.
16. *Compliance; Laws.* Compliance with the terms of this Consent Agreement does not relieve the Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

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For the Department:



Signature

Name: Erica Ferrelli
Title: Senior Economic and Policy Analyst
Date: 10-27-2020

Respondent Ocean State Controlled
Botanicals, LLC



Frederick Octavius Prince (Oct 26, 2020 13:12 EDT)

Signature

Name: Octavius Prince
Title: Owner
Date: 10/26/2020

Christian S. Infantolino esq

Christian S. Infantolino esq (Oct 26, 2020 14:50 EDT)

Signature

Date: 10/26/2020

Counsel for the Respondent



**STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
OFFICE OF CANNABIS REGULATION
560 JEFFERSON BLVD., SUITE 204
WARWICK, RI 02886**

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| <p>IN THE MATTER OF:</p> <p style="text-align: center;">OCEAN STATE CONTROLLED BOTANICALS, LLC,</p> <p>RESPONDENT.</p> | <p>DBR No. 20MM013</p> |
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AMENDMENT TO CONSENT AGREEMENT

Reference is made to the Consent Agreement dated October 26, 2020, (the “Consent Agreement”) entered into by and between the Department of Business Regulation, Office of Cannabis Regulation (“Department”) and Ocean State Controlled Botanicals, LLC, a Rhode Island limited liability company (“Respondent”). All capitalized terms used herein and not otherwise defined have the meanings ascribed to such terms in the Consent Agreement. The Department and Respondent hereby agree as follows:

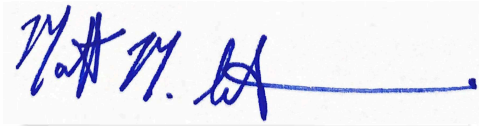
1. With respect to the deliverables required under Paragraph 12, Respondent has informed the Department that while it has made sufficient progress with construction of its facility to obtain a Temporary Certificate of Occupancy for parts of its facility, it could not obtain a full Certificate of Occupancy within the timeframe articulated in the Consent Agreement. Accordingly, Respondent has requested an extension of the deadline to satisfy and deliver the same until June 15, 2021.
2. Considering Respondent’s substantial progress in constructing its facility and in an effort to effect a timely and amicable resolution of this matter, the Department and Respondent agree that Paragraph 12 of the Consent Agreement is hereby amended to provide that Respondent shall complete the Prerequisites no later than June 15, 2021.
3. Except as amended hereby, all other terms of the Consent Agreement shall continue and remain in full force and effect.
4. The parties agree that the Consent Agreement, as amended by this Amendment, represents the final determination of this matter.
5. Waiver of Hearing and Appeal. By agreeing to resolve this matter through the execution of this Amendment to the Consent Agreement, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, et seq.

6. Enforcement. If the Respondent fails to comply with any term or condition of the Consent Agreement, as amended by this Amendment, within any applicable time period set forth herein, the Respondent will be in violation hereunder and the Department shall be entitled to immediately take enforcement or other action in accordance with applicable law.
7. Compliance; Laws. Compliance with the terms of the Consent Agreement, as amended by this Amendment, does not relieve the Respondent of any obligation to comply with other applicable laws or regulations administered by or through the Department or any other governmental agency.

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For the Department:

Respondent Ocean State Controlled
Botanicals, LLC



Signature

Name: Matthew Santacroce

Title: Chief

Date: 3/24/21



Signature

Name: Frederick O. Prince

Title: Owner

Date: 3/24/21



Signature

Date: 3/24/21

Counsel for the Respondent