

KEN OTA
MAUI MEDICAL MARIJUANA DISPENSARY LLC
24 N. CHURCH ST. #301
WAILUKU, HAWAII 96793
And
2261 AUPUNI ST. #101
WAILUKU, HAWAII 96793

OHCA-MMJ
RECEIVED
JUL 14 2016

JULY 14, 2016

BY HAND DELIVERY
DEPARTMENT OF HEALTH
OFFICE OF HEALTH CARE ASSURANCE
601 KAMOKILA BLVD. RM. 337
KAPOLEI, HAWAII 96707
ATTN: MARGARET LEONG

RE: APPEAL OF DENIAL OF MEDICAL MARIJUANA DISPENSARY LICENSE
APPLICATION NO. 4077
KEN OTA/ MAUI MEDICAL MARIJUANA DISPENSARY, LLC

Dear Ms. Leong, or to whom it may concern:


On behalf of Maui Medical Marijuana Dispensary, LLC ("MMMD"), I hereby request a contested case hearing on the denial of MMMD's Application No. 4077 for a Medical Marijuana Dispensary License in accordance with Haw. Rev. Stat. sec. 329D-21, Haw. Admin. Rules secs. 11-850-24 and 11-850-101, Haw. Rev. Stat. ch. 91 and Haw. Admin. Rules ch. 11-1. MMMD is managed by its members, including myself, and I am authorized to request this contested case and appeal on behalf of MMMD. As indicated on the attached email from the Department of Health, the Notice of Denial was mailed to MMMD's 2261 Aupuni St. #101 Wailuku, Hawaii 96793 address on June 27, 2016. Therefore this appeal is timely.

The Notice of Denial indicates MMMD's application was scored third for the licenses for Maui County. MMMD appeals because portions of its application were scored inconsistently lower by one or more of the DOH evaluators. MMMD reserves the right to assert additional grounds and to provide further information during the contested case hearing.

Please let me know when a hearings officer and a hearing date is set.

Very truly yours,

MAUI MEDICAL MARIJUANA DISPENSARY, LLC,
A Hawaii Limited Liability Company


By KEN OTA, One of its Members/Managers
Attach.

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From: "Yamashita, Scot Y." <scot.yamashita@doh.hawaii.gov>
Date: July 14, 2016 at 10:18:01 AM HST
To: Kenota00 <kenota00@gmail.com>
Subject: RE: Appeal

Ken,

The June 27th date is the day the letter was mailed out to the Aupuni address. The 20 days starts from the day after you sign for receipt of the letter.

Regards,

Scot

From: Kenota00 [<mailto:kenota00@gmail.com>]
Sent: Thursday, July 14, 2016 10:10 AM
To: Yamashita, Scot Y. <scot.yamashita@doh.hawaii.gov>
Subject: Re: Appeal

Scott

Do you know when you sent the second letter to 2261 Aupuni St

Ken Ota
Pacific Pipe Co.
808-870-7913

On Jul 14, 2016, at 9:32 AM, Yamashita, Scot Y. <scot.yamashita@doh.hawaii.gov> wrote:

Ken,

Per our discussion this morning, the "days" as counted are calendar days.

I'll send you a link for the appeal section soon.

Regards,

Scot

Scot Yamashita
Medical Marijuana Dispensary Program

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