

SETTLEMENT AGREEMENT

Effective this 21 day February 2023, the State of Maine Department of Administrative and Financial Services ("DAFS") and Daniel L. Branch of Milo, Maine (collectively "the Parties") enter into this Settlement Agreement.

The Petitioner Appellant in this matter was a registered caregiver pursuant to the Maine Medical Use of Marijuana Act, and on July 21, 2022, Michael W. Field, Director of Compliance for the Office of Cannabis Policy at DAFS sent Mr. Branch a letter notifying him that DAFS was revoking his registry identification ("ID") cards effective three (3) days after the date of the letter. Revocation is subject to an informal hearing pursuant to 22 M.R.S. §2430-F and then potentially to judicial review pursuant to 5 M.R.S. Chapter 375 and M.R.Civ.P. 80C, and Mr. Branch exercised his right to request an informal hearing in this matter.

Now therefore, as the Parties wish to settle this matter in consideration of the mutual promises set forth herein rather than continue the appeals process, the parties agree as follows:

1. OCP, DAFS hereby rescinds the revocation of Mr. Branch's registry ID card (CGR28106) once this agreement is signed. Instead, Mr. Branch's registry ID card is suspended from July 23, 2022 to March 23, 2023.
2. The suspension of Mr. Branch's registry ID cards is based on Mr. Branch's conduct as stated in the July 21, 2022 letter—failing to verify a customer was a qualifying patient and selling medical marijuana to a person who was not a qualifying patient or otherwise authorized to have harvested marijuana; and failing to keep required business records including records of all transfers and patient transaction logs.
3. During the suspension, Mr. Branch will not participate in the Maine Medical Use of Marijuana Program, including having or holding any direct or indirect financial interest in a business, caregiver or

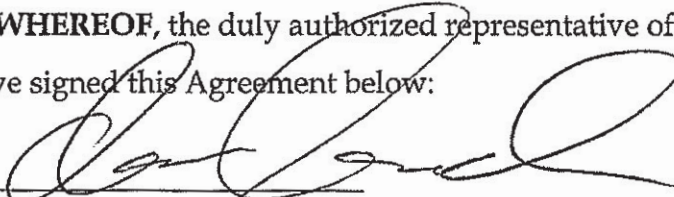
dispensary registered under this program. Allowing medical marijuana to be grown on any property in which he has or holds any ownership interest during this period of suspension would violate this agreement, except for medical marijuana plants grown by household members who are qualifying patients. Mr. Branch will close the store Tail of the Tiger, at 33 Park Street, Milo, ME, for the remainder of this suspension, and not allow any other medical cannabis registrants to operate the store.

4. During the suspension, Mr. Branch will not participate in the Adult Use Marijuana Program, including applying for an adult use individual identification card or an adult use marijuana establishment license under the Marijuana Legalization Act; and having or holding any direct or indirect financial interest in an adult use marijuana establishment. Allowing adult use marijuana to be grown on any property in which he has or holds any ownership interest during this period of suspension would violate this agreement, except that he and other household members over the age of 21, may grow their own personal adult use marijuana plants in accordance with 28-B M.R.S. § 1502.
5. After the period of suspension ends on March 23, 2023, Mr. Branch will have to apply anew for a caregiver registry ID card and will also be eligible to apply for other participation in the Maine Medical Marijuana Program and the Adult Use Marijuana Program. If Mr. Branch wants to re-open the store at 33 Park Street in Milo after that time, he shall provide proof to DAFS that the Town of Milo agrees with that.
6. After March 23, 2023, this suspension will not be considered a bar to Mr. Branch's participation in either the Maine Medical Marijuana Program or the Adult Use of Marijuana Program.

7. Mr. Branch agrees to take corrective action as outlined below, in addition to complying with all other requirements of program participation when he participates in the Maine Medical Marijuana Program after March 23, 2023:
 - a. Mr. Branch shall ensure that he and any of his caregiver assistants properly verify whether a customer is a qualifying patient and shall only sell retail harvested marijuana to qualifying patients.
 - b. Mr. Branch shall ensure that if he works for a caregiver he has an assistant registry identification card (RIC).
8. Wind-down plan: Mr. Branch has transferred any authorized harvested marijuana or products or plants to another registered caregiver.
9. DAFS reserves the right to take any appropriate action if Mr. Branch is found engaging in conduct not authorized by, or in violation of, the law or this Settlement Agreement.
10. This Settlement Agreement sets forth the entire agreement of the Parties, and any amendment hereof shall be in writing. Representations that are not contained in the Agreement or subsequent written amendment shall have no effect. The parties agree that once this agreement is signed the informal hearing is no longer necessary.
11. The Parties acknowledge that this Agreement and its reduction to final written form is the result of good faith negotiations between the Parties; said Parties and their respective counsel have carefully reviewed and examined this Agreement before execution by said Parties; any statute or rule of construction that ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.

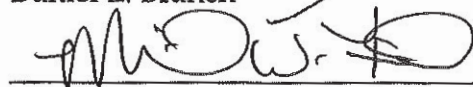
12. This Settlement Agreement shall be governed by the laws of the State of Maine.
13. The signatory for DAFS represents that he is duly authorized and empowered to execute this Settlement Agreement on behalf of DAFS, and that his signature is enough to legally bind DAFS to the terms of the Settlement Agreement.
14. Mr. Branch represents that he is duly authorized and empowered to execute this Settlement Agreement on his behalf, and his signature is enough to legally bind himself, including any ownership interest he has in medical marijuana plants or harvested marijuana due to having been a registered caregiver, to the terms of the Settlement Agreement.

IN WITNESS WHEREOF, the duly authorized representative of DAFS, and Mr. Branch have signed this Agreement below:



Daniel L. Branch

Date:



Michael W. Field, Director of Compliance, OCP, DAFS

Date:

2/28/2023