



State of New Jersey
DEPARTMENT OF HEALTH

PO BOX 360
TRENTON, N.J. 08625-0360

www.nj.gov/health

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

JUDITH M. PERSICILLI, RN, BSN, MA
Acting Commissioner

November 18, 2019

Edward Tobias
August Tenth Capital Investments LLC
86 Farms Rd. Circle
East Brunswick, NJ 08816

Dear Edward Tobias:

The Department of Health (Department) received your application for a cultivation endorsement on August 22, 2019 to operate an Alternative Treatment Center (ATC) pursuant to N.J.S.A. 24:6I-1 et seq.

On July 1, 2019, the Department of Health (Department) posted a Request for Applications (RFA) to operate up to twenty-four Alternative Treatment Centers (ATCs), with up to eight in each of the Northern and Central Regions, up to seven in the Southern Region, and one "at-large" for which the region would be determined at the time of award. The RFA was for up to fifteen dispensaries, five cultivation sites, and four Vertically Integrated ATCs (dispensing, cultivation and manufacturing).

Applications for a cultivation endorsement were due to the Department no later than August 22, 2019 at 3:00 PM. Applicants had the choice of whether to submit the application online and only submit signed cover-sheets and checks in person, or to submit the whole application in paper form.

The Department received 196 applications. An initial completeness review of all 196 received applications was conducted by the Department and applications found to be complete were released to the Selection Committee beginning on September 25, 2018 for review and evaluation.

During the completeness review, the following application submitted was found to be incomplete:

Applicant Name: August Tenth Capital Investments LLC

Application Control Number: 19-0155

Region: North

Specifically, the application was missing the following mandatory document(s):

- o Written verification of the approval of the community or governing body of the municipality in which the alternative treatment center is or will be located.

Accordingly, the listed application was not released to the selection committee and has been disqualified for being non-responsive to one or more mandatory requirements. As stated in the RFA, failure to comply with the mandatory requirements for the application would result in disqualification from the selection process.

You have the right to appeal this decision to the Superior Court of New Jersey, Appellate Division, within 45 days of the date of this letter in accordance with the Rules Governing the Courts of the State of New Jersey. All appeals should be directed to:

Superior Court of New Jersey
Appellate Division
Attn: Court Clerk
PO Box 006
Trenton, NJ 08625

Pursuant to N.J.A.C. 8:64-6.5 and the terms of the RFA, your check for \$18,000 will be destroyed. Thank you for the interest in operating an ATC.

Respectfully,



Judith Persichilli
Acting Commissioner