

**DEPARTMENT OF EXCISE AND LICENSES
DENVER, COLORADO**

SCHEDULING ORDER

**IN THE MATTER OF THE APPLICATION OF MILE HIGH GAME AND PLAY, LLC,
DOING BUSINESS AS VAPE AND PLAY FOR A CANNABIS CONSUMPTION PERMIT
AT 1753 SOUTH BROADWAY, DENVER, COLORADO BUSINESS FILE # (2018-BFN-
0003780)**


On June 7, 2018, Mile High Game and Play, LLC, doing business as Vape and Play (the "Applicant") applied to the Denver Department of Excise and Licenses (the "Department") for a cannabis consumption permit at 1753 S. Broadway, Denver, Colorado.

As part of the licensing process, the Department has scheduled a public hearing (the "Hearing") on the application pursuant to the Denver Revised Municipal Code (the "D.R.M.C.") sections 6-316 and 6-212, and the Rules Governing Marijuana Designated Consumption Areas, section 6.02, to be held on **Wednesday, July 25, 2018 at 9:00 a.m.** In order to ensure uniform application of Department policies and procedures, all parties must adhere to the following rules and deadlines:

- The Applicant shall post notice with the correct date and time for the Hearing no later than 8:00 a.m. TWENTY (20) calendar days prior to the Hearing (July 5, 2018), and shall maintain posting through the date of the Hearing (July 25, 2018).
- No later than FOURTEEN (14) calendar days prior to the Hearing (July 11, 2018), any party in interest ("parties" or "party") may file ONE (1) pre-hearing statement, including all relevant exhibits. Any party filing a pre-hearing statement must provide a complete copy to all parties in interest.
- Each party may file only ONE (1) response to any pre-hearing statement. All responses to pre-hearing statements must be filed with the Department no later than SEVEN (7) calendar days prior to the Hearing (July 18, 2018). Any party filing a response must provide a complete copy to all parties in interest.
- The Department will accept no additional pre-hearing statements or responses after these deadlines.
- All petitions for or against the application must be filed with the Department no later than SEVEN (7) calendar days prior to the Hearing (July 18, 2018).

- Any party wishing to review the Department file, including any filed petitions, must send a written request to EXLRecordsmanagement@denvergov.org and EXLApplications@denvergov.org.
- All exhibits not included in the Department's file, an exhibit list, and witness list must be filed with the Department no later than SEVEN (7) days prior to the Hearing (July 18, 2018). Additional exhibits may be admitted at the Hearing subject to ruling by the hearing officer.
- All parties shall provide FOUR (4) copies of each exhibit (excluding petitions), the exhibit list, and the witness list. All parties are responsible for their own exhibits. There will be no access to a copy machine at the Hearing.
- All exhibits, including each of the four copies of each exhibit, must be pre-marked. Applicant's exhibits shall be marked in numerical sequence with the pre-identifier of "A" (i.e., A-1, A-2, A-3...). The Applicant's exhibits shall include the Hearing Posting Affidavit as exhibit A-1, and petitions in support of the application as A-2. Copies of pre-filed petitions need not be provided.
- The City Attorney's exhibits shall be marked in numerical sequence with the pre-identifier of "C" (i.e., C-1, C-2, C-3...).
- Protestant's exhibits shall be marked in numerical sequence with the pre-identifier of "P" (i.e., P-1, P-2, P-3...). The Protestant's exhibits shall include petitions in opposition as P-1. Copies of pre-filed petitions need not be provided.
- The exhibits of any other interested party shall be marked in numerical sequence with a similar pre-identifier.
- Any documents remedying the Pre-Hearing Findings made by the Director (attached) shall be filed SEVEN (7) calendar days prior to the hearing (July 18, 2018).

SO ORDERED this 27 day of June, 2018


 Molly Duplechian, Deputy Director
 Department of Excise and Licenses

**DEPARTMENT OF EXCISE AND LICENSES
DENVER, COLORADO**

PRE-HEARING FINDINGS

**IN THE MATTER OF THE APPLICATION OF MILE HIGH GAME AND PLAY, LLC,
DOING BUSINESS AS VAPE AND PLAY FOR A CANNABIS CONSUMPTION PERMIT
AT 1753 SOUTH BROADWAY, DENVER, COLORADO BUSINESS FILE # (2018-BFN-
0003780)**

On June 7, 2018, Mile High Game and Play, LLC, doing business as Vape and Play (the “Applicant”) applied to the Denver Department of Excise and Licenses (the “Department”) for a cannabis consumption permit at 1753 S. Broadway, Denver, Colorado.

After reviewing the application materials, the following findings are made based upon the initial investigation by the Department of Excise and Licenses pursuant to D.R.M.C. §§ 6-212(c)(1) and 24-508.5(c)(1):

Additional Documents Required

1. Advisement and Acknowledgement forms signed by each owner including the correct license BFN

Pursuant to D.R.M.C. §§ 6-212(c)(1),(4), 24-508.5(c)(1),(4), 32-11 and 32-22, the failure of the Director to identify any specific finding in this document shall not preclude the director from later determining that the application should be approved or denied, or that the license be suspended or revoked. Nothing in this document is intended to conflict with or supersede any statements made in the Application Materials, including but not limited to the Distance Waiver.

Please note that no license shall be issued until the Applicant completes all required inspections, and is in full compliance with the Colorado Retail Marijuana Code, the Colorado Medical Marijuana Code, D.R.M.C. Chapter 6, Article V and VI, Chapter 24, Article XII and all rules and regulations adopted pursuant to state and local law.

CERTIFICATE OF DELIVERY:

The undersigned hereby states and certifies that one true copy of the foregoing Findings, together with the application hearing packet were e-mailed to the following on the 27 day of June, 2018:

Megan Lumpkins, Responsible Party
750 Elmhurst Drive, Unit F
Highlands Ranch, CO 80129
megan.denvereasy@gmail.com

Jolon Clark, Denver City Council
Jolon.clark@denvergov.org

Mara Owen, Neighborhood Assoc.
amyrazz@gmail.com
mkowen18@gmail.com

Robin Kniech, Denver City Council
kniechatlarge@denvergov.org

Inter-Neighborhood Cooperation (INC)
comayl@aol.com
excecomm@denverinc.org

Deborah Ortega, Denver City Council
ortegaatlarge@denvergov.org

Joe Beierl, Platt Park Assoc.
board@3pa.org
jbeierl@yahoo.com

Andrea Merida, Southwest Denver Unidos
andreamerida@gmail.com

D. Fabian

Executive Assistant



Department of Excise and Licenses
201 West Colfax Avenue, #206
Denver, CO 80202



7016 0340 0000 0331 7209
7016 0340 0000 0331 7209

RETURN SERVICE REQUESTED

Megan Lumpkins
750 Elmhurst Drive
Highlands Ranch, CO

2018-BFN-0003780

CERTIFIED MAIL™ RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Total Postage and Fees \$ _____

Sent to Megan Lumpkins
750 Elmhurst Dr., Unit F
Highlands Ranch, CO 80129

Postmark Here

PS Form 3811, July 2015 PSN 7530-02-000-9053 See Reverse for instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Megan Lumpkins
750 Elmhurst Dr., Unit F
Highlands Ranch, CO 80129

2018-BFN-0003780



9590 9402 3373 7227 9456 11

2. Article Number (Transfer from service label)

7016 0340 0000 0331 7209

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

Adult Signature Priority Mail Express®

Adult Signature Restricted Delivery Registered Mail™

Certified Mail® Registered Mail Restricted Delivery

Certified Mail Restricted Delivery Return Receipt for Merchandise

Collect on Delivery Signature Confirmation™

Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery

Registered Mail Restricted Delivery (over \$500)

