

# Exhibit #37

**From:** [Gavin, Meghan \[AG\]](#)  
**To:** ["Carl Olsen"](#)  
**Cc:** [Jorgenson, Debbie \[IBPE\]](#); [Hall, Becky \[IBPE\]](#); [Witkowski, Terry \[IBPE\]](#); [Funk, Andrew \[IBPE\]](#)  
**Subject:** RE: Request for clarification  
**Date:** Thursday, November 5, 2015 10:14:27 AM

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Mr. Olsen,

As I explained yesterday, I do not have authority to speak on behalf of the Board. So please do not infer from my comments yesterday or today, a Board position or response to your request. Board staff also does not have authority to speak on behalf of the Board. Any response to your request has to come from the Board.

You submitted a "Request for Clarification" to the Board on November 2, a day prior to the start of the Board's November meeting. Your request was simply submitted too late to be placed on the Board's November agenda. Iowa law requires the Board to give the public reasonable notice of any issue before the Board or action the Board may take.

If you would like to have the Board consider your request in January it can and will be placed on the agenda. The Board does not have a regularly scheduled meeting until that time. Please let us know if you would like the Board to consider your request at its January meeting.

I will also note, that a "Request for Clarification" is not a recognized action under the Iowa Administrative Procedure Act. As a result, I do not believe it mandates a written response. Nevertheless, the Board will consider your request in January if that is what you desire.

Thank you  
Meghan

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**From:** Carl Olsen [<mailto:carl-olsen@mchsi.com>]  
**Sent:** Thursday, November 05, 2015 6:07 AM  
**To:** Gavin, Meghan [AG]  
**Cc:** Jorgenson, Debbie [IBPE]; Hall, Becky [IBPE]; Witkowski, Terry [IBPE]; Funk, Andrew [IBPE]  
**Subject:** RE: Request for clarification

I would also like to know what steps the board took to notify the legislature.

I'll follow up with a supplemental request now that I have a better idea of what actually happened.

Carl Olsen  
130 E Aurora Ave  
Des Moines, Iowa 50313-3654  
515-343-9933  
[carl-olsen@mchsi.com](mailto:carl-olsen@mchsi.com)

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**From:** Carl Olsen [<mailto:carl-olsen@mchsi.com>]

**Sent:** Thursday, November 5, 2015 5:59 AM

**To:** 'Meghan.Gavin@iowa.gov' <[Meghan.Gavin@iowa.gov](mailto:Meghan.Gavin@iowa.gov)>

**Cc:** 'debbie.jorgenson@iowa.gov' <[debbie.jorgenson@iowa.gov](mailto:debbie.jorgenson@iowa.gov)>; 'becky.hall@iowa.gov' <[becky.hall@iowa.gov](mailto:becky.hall@iowa.gov)>; 'terry.witkowski@iowa.gov' <[terry.witkowski@iowa.gov](mailto:terry.witkowski@iowa.gov)>; 'andrew.funk@iowa.gov' <[andrew.funk@iowa.gov](mailto:andrew.funk@iowa.gov)>

**Subject:** RE: Request for clarification

Hi Meghan,

We spoke briefly yesterday about my request. I did not know the scheduling recommendation the board made to move cannabidiol from schedule 1 to schedule 2 on January 5, 2015, was for 2015. It does not say what year it is for and nothing was ever filed in the legislature.

Because the board pre-files a bill every year with proposed scheduling changes for Iowa Code Chapter 124, I just assumed it would be in this year's legislation for 2016. Obviously, per the explanation you gave me, that is not going to happen now.

You asked me if I would like this on the agenda for the next meeting, but that would just be an exercise in futility because it would be too late to get this into the legislation the board is going to file for 2016. That is obviously the point of my request. I thought it was going to be included in the next bill the board filed with the legislature. It is my intent to seek judicial review, and I filed that request because the proposed legislation for 2016 does not include cannabidiol. It sounds like it was not an oversight, but an intentional omission by the board.

I would like a written response explaining why the board took this unusual approach to this particular substance.

Thank you!

Carl Olsen  
130 E Aurora Ave  
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515-343-9933  
[carl-olsen@mchsi.com](mailto:carl-olsen@mchsi.com)

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**From:** Carl Olsen [<mailto:carl-olsen@mchsi.com>]

**Sent:** Monday, November 2, 2015 8:40 AM

**To:** 'terry.witkowski@iowa.gov' <[terry.witkowski@iowa.gov](mailto:terry.witkowski@iowa.gov)>; 'andrew.funk@iowa.gov' <[andrew.funk@iowa.gov](mailto:andrew.funk@iowa.gov)>

**Cc:** 'debbie.jorgenson@iowa.gov' <[debbie.jorgenson@iowa.gov](mailto:debbie.jorgenson@iowa.gov)>; 'becky.hall@iowa.gov' <[becky.hall@iowa.gov](mailto:becky.hall@iowa.gov)>

**Subject:** Request for clarification

Please see attached PDF file.

Thank you!

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