

SC19-1464

IN THE SUPREME COURT OF FLORIDA

**FLORIDA DEPARTMENT OF HEALTH,
OFFICE OF MEDICAL MARIJUANA USE, et al.**

Petitioners,

v.

FLORIGROWN, LLC
a Florida Limited Liability Company, and
VOICE OF FREEDOM, INC. d/b/a FLORIGROWN

Respondents.

**BRIEF OF *AMICUS CURIAE*
TRIANGLE CAPITAL, INC,
IN SUPPORT OF RESPONDENTS**

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STATEMENT OF INTEREST IN THE CASE

Triangle Capital, Inc. is a Florida Corporation which has been registered to do business in Florida for at least five consecutive years. On or about February 15, 2019 Triangle Capital, Inc. submitted a Request for Registration to the Florida Department of Health, Office of Medical Marijuana Use specifically requesting that they be registered to operate a Medical Marijuana Treatment Center.

In their Request for Registration Triangle specifically noted they:

- a. Will meet any safety standard required for security, inventory and control including the use of video surveillance, alarms and physical barrier to control access to their facilities;
- b. Will comply with any record keeping requirements for inventory control, tracking and chain of custody, and will use software that can be audited by an independent third party;
- c. Will comply with testing requirements for medical marijuana including internal testing and maintaining batch samples for auditing and/or testing by an independent third party;
- d. Will maintain records necessary to meet any standard for labeling of products including lists of ingredients and THC content, as well as any necessary product safety warnings;
- e. Will make its facilities, processes and records available for inspection by the appropriate government entity;
- f. Will consider the safety of its products and the well-being of patients to be a paramount concern;
- g. Will satisfy and exceed any safety requirement established by the State of Florida;

h. Will satisfy any zoning requirements of the jurisdictions in which it will operate facilities;

i. Will hire and maintain a professional staff including a Medical Director that advances their core principle of patient safety.

j. Triangle principles have an eleven-year track record in the medical marijuana business in other states (holding 9 licenses in Colorado as “Green Medicine LLC” and 3 vertical licenses in Arizona doing business as “Territory Dispensaries”) and the financial ability to successfully operate a Medical Marijuana Treatment Center in Florida. In addition, they are prepared to immediately tender a check for \$60,830 to the State of Florida as a registration fee.

After the Office of Medical Marijuana Use failed to respond, or even acknowledge, Triangle’s Request for Registration, Triangle Capital, Inc. filed a Motion to Intervene in the underlying action filed in Circuit Court by Respondent Florigrown, LLC against Petitioners. The Court granted the motion and thereafter Triangle Capital, Inc. filed a Complaint which closely mirrors the Complaint filed by Florigrown, LLC.

Like many of the Intervenors in the action, Triangle Capital, Inc. has invested significant financial resources toward their effort to enter the medical marijuana industry in Florida in reliance on the passage and wording of the medical marijuana constitutional amendment. Triangle Capital, Inc. has a direct interest in the outcome of this matter and knows from experience in other states that creating competition in the medical marijuana market in Florida will benefit patients by expanding the assortment of medical marijuana products and increase the available supply of medical marijuana products, which will in turn lower prices.

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