

**Mission:**

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



**Ron DeSantis**  
Governor  
**Joseph A. Ladapo, MD, PhD**  
State Surgeon General

**Vision:** To be the **Healthiest State** in the Nation

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**Sent via Electronic Delivery**

September 23, 2021

Spirit Lake Road Nursery, LLC  
d/b/a Fluent  
c/o Todd Buchman, Esq.  
General Counsel & Chief Compliance Officer  
Todd.Buchman@getfluent.com

Re: Variance Request – Harvest Failure

Reference Number – 00004120

Dear Mr. Buchman,

The Florida Department of Health (“Department”) received a request from Spirit Lake Road Nursery, LLC d/b/a Fluent (“Fluent”) on February 5, 2021. In the request, Fluent seeks approval to purchase marijuana wholesale from another medical marijuana treatment center due to a harvest failure at its cultivation facility (“Facility”) located at [REDACTED].

On February 17, 2021, the Department approved Fluent to purchase 633.35 pounds of marijuana from Green Ops Group Florida, LLC d/b/a Green Ops (“Green Ops”). On September 23, 2021, Fluent requested to purchase [REDACTED] of marijuana from [REDACTED] that was not purchased from Green Ops.

The Department finds that Fluent has submitted proof of harvest failure and may move forward with the wholesale purchase of [REDACTED] of marijuana from [REDACTED] pursuant to section 381.986(8)(c), Florida Statutes.

Fluent remains bound by both Section 381.986, Florida Statutes, and Department rules, and must continue to obtain written approval prior to making any material changes to the representations it has made to the Department. If you have any questions, please contact the Department for assistance.

Sincerely,

*Christopher Ferguson*

Christopher Ferguson  
Director  
Office of Medical Marijuana Use

Spirit Lake Road Nursery, LLC

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cc: Christine Senne, Vice President of Legal and Compliance; christine.senne@getfluent.com

**NOTICE OF RIGHTS**

This letter is agency action for purposes of section 120.569, Florida Statutes. A party whose substantial interest is affected by this action may petition for an administrative hearing pursuant to sections 120.569 and 120.57, Florida Statutes. A petition must be filed in writing and must be received by the Agency Clerk within twenty-one (21) days from receipt of this notice. The petition may be mailed to the Agency Clerk, Department of Health, 4052 Bald Cypress Way, BIN #A-02, Tallahassee, FL 32399- 1703; hand delivered to the Agency Clerk, Department of Health, 2585 Merchants Row Blvd., Prather Building, Suite 110, Tallahassee, FL; or sent by facsimile to (850) 413-8743. Such petition must be filed in conformance with Florida Administrative Code Rules 28-106.201 or 28-106.301, as applicable.

Mediation is not available.

Failure to file a petition within 21 days shall constitute a waiver of the right to a hearing on this agency action.