January 12, 2018

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, our file # TCII/42/2017

This is to confirm that on December 14, 2017 the Department of Tourism, Culture, Industry and Innovation received your request for access to the following record:

For the period of Feb. 1, 2017, to Dec. 12, 2017, inclusive, copies of all email (including deleted emails) and all written communications between any provincial staff and/or provincial politician and any of the 80 licensed producers of cannabis in Canada. For clarity, the list of 80 licensed producers can be found here:

On December 28th, 2017 your request was revised to:

For the period of Feb. 1, 2017, to Dec. 12, 2017, inclusive, copies of all email (including deleted emails) and all written communications between any provincial staff (Director level and above) and/or provincial politician and any of the 80 licensed producers of cannabis in Canada. For clarity, the list of 80 licensed producers can be found here:

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Tourism, Culture, Industry and Innovation to provide access to some of the requested information. Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

Policy advice or recommendations

29. (1) The head of a public body may refuse to disclose to an applicant information that would reveal

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;
Legal advice

30. (1) The head of a public body may refuse to disclose to an applicant information

(a) that is subject to solicitor and client privilege or litigation privilege of a public body

Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8
Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6509

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act.

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact me phone at (709) 729-7246 or by e-mail at heatherbrown@gov.nl.ca

Sincerely,

Heather Brown
ATIPP Coordinator
Policy advice or recommendations

29. (1) The head of a public body may refuse to disclose to an applicant information that would reveal

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

(b) the contents of a formal research report or audit report that in the opinion of the head of the public body is incomplete and in respect of which a request or order for completion has been made by the head within 65 business days of delivery of the report; or

(c) draft legislation or regulations.

(2) The head of a public body shall not refuse to disclose under subsection (1)

(a) factual material;

(b) a public opinion poll;

(c) a statistical survey;

(d) an appraisal;

(e) an environmental impact statement or similar information;

(f) a final report or final audit on the performance or efficiency of a public body or on any of its programs or policies;

(g) a consumer test report or a report of a test carried out on a product to test equipment of the public body;

(h) a feasibility or technical study, including a cost estimate, relating to a policy or project of the public body;

(i) a report on the results of field research undertaken before a policy proposal is formulated;

(j) a report of an external task force, committee, council or similar body that has been established to consider a matter and make a report or recommendations to a public body;

(k) a plan or proposal to establish a new program or to change a program, if the plan or proposal has been approved or rejected by the head of the public body;

(l) information that the head of the public body has cited publicly as the basis for making a decision or formulating a policy; or

(m) a decision, including reasons, that is made in the exercise of a discretionary power or an adjudicative function and that affects the rights of the applicant.

(3) Subsection (1) does not apply to information in a record that has been in existence for 15 years or more.
Legal advice

30. (1) The head of a public body may refuse to disclose to an applicant information

(a) that is subject to solicitor and client privilege or litigation privilege of a public body; or

(b) that would disclose legal opinions provided to a public body by a law officer of the Crown.

(2) The head of a public body shall refuse to disclose to an applicant information that is subject to
solicitor and client privilege or litigation privilege of a person other than a public body.
Disclosure harmful to personal privacy

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

(2) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy where

(a) the applicant is the individual to whom the information relates;

(b) the third party to whom the information relates has, in writing, consented to or requested the disclosure;

(c) there are compelling circumstances affecting a person's health or safety and notice of disclosure is given in the form appropriate in the circumstances to the third party to whom the information relates;

(d) an Act or regulation of the province or of Canada authorizes the disclosure;

(e) the disclosure is for a research or statistical purpose and is in accordance with section 70;

(f) the information is about a third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff;

(g) the disclosure reveals financial and other details of a contract to supply goods or services to a public body;

(h) the disclosure reveals the opinions or views of a third party given in the course of performing services for a public body, except where they are given in respect of another individual;

(i) public access to the information is provided under the Financial Administration Act;

(j) the information is about expenses incurred by a third party while travelling at the expense of a public body;

(k) the disclosure reveals details of a licence, permit or a similar discretionary benefit granted to a third party by a public body, not including personal information supplied in support of the application for the benefit;

(l) the disclosure reveals details of a discretionary benefit of a financial nature granted to a third party by a public body, not including

   (i) personal information that is supplied in support of the application for the benefit, or

   (ii) personal information that relates to eligibility for income and employment support under the Income and Employment Support Act or to the determination of income or employment support levels; or

(m) the disclosure is not contrary to the public interest as described in subsection (3) and reveals only the following personal information about a third party:

   (i) attendance at or participation in a public event or activity related to a public body, including a graduation ceremony, sporting event, cultural program or club, or field trip, or
(ii) receipt of an honour or award granted by or through a public body.

(3) The disclosure of personal information under paragraph (2)(m) is an unreasonable invasion of personal privacy where the third party whom the information is about has requested that the information not be disclosed.

(4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy where

(a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;

(b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation;

(c) the personal information relates to employment or educational history;

(d) the personal information was collected on a tax return or gathered for the purpose of collecting a tax;

(e) the personal information consists of an individual's bank account information or credit card information;

(f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations;

(g) the personal information consists of the third party's name where

(i) it appears with other personal information about the third party, or

(ii) the disclosure of the name itself would reveal personal information about the third party; or

(h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.

(5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body shall consider all the relevant circumstances, including whether

(a) the disclosure is desirable for the purpose of subjecting the activities of the province or a public body to public scrutiny;

(b) the disclosure is likely to promote public health and safety or the protection of the environment;

(c) the personal information is relevant to a fair determination of the applicant's rights;

(d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people;

(e) the third party will be exposed unfairly to financial or other harm;

(f) the personal information has been supplied in confidence;
(g) the personal information is likely to be inaccurate or unreliable;

(h) the disclosure may unfairly damage the reputation of a person referred to in the record requested by the applicant;

(i) the personal information was originally provided to the applicant; and

(j) the information is about a deceased person and, if so, whether the length of time the person has been deceased indicates the disclosure is not an unreasonable invasion of the deceased person’s personal privacy.
Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.
Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).
Sent from my BlackBerry 10 smartphone on the Bell network.

From: Marc Kieley <MarcKieley@gov.nl.ca>
Sent: Friday, November 17, 2017 3:51 PM
To: Lomond, Ted; Price, Liane; Gardner, Ben
Subject: RE: Project Milestones

Moving from a building buy to construction looks like a serious commitment!

Marc Kieley
Assistant Deputy Minister, Regional Development & Diversification
Tourism, Culture, Industry and Innovation
Government of Newfoundland and Labrador

t (709) 729-5161
e MarcKieley@gov.nl.ca

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From: Lomond, Ted
Sent: Friday, November 17, 2017 3:48 PM
To: Price, Liane; Gardner, Ben; Kieley, Marc
Subject: Fw: Project Milestones

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Jeff Ryan
Sent: Friday, November 17, 2017 3:35 PM
To: Lomond, Ted
Subject: Project Milestones

Ted,

Confereed with our production team. See timeline below. These dates are best effort and we will very likely beat all of them. Designed to protect against unforeseen circumstances.

Intention is to construct on land with additional acreage for future expansion.

Baseline Assumption - We own or have access to a site by January 1, 2018
Concept Layout for Health Canada and Health Canada application submitted - March 1, 2018

Design Completion - June 1, 2018

Civil Works/Building Structure Complete - August 1, 2018

Fit
up
p - Production Room Completion
n & Ready for Health Canada Inspection - product produced - 1-Feb-19

Thanks

Jeff

Canopy Growth Corporation

Jeff Ryan
Vice President, Government and Stakeholder Relations

S.40 (1)
OK so we will meet here at TCII at 9:30. Thanks everyone.

I am available.

Sent from my BlackBerry 10 smartphone on the Bell network.

This works for me.

Ben

Sent from my BlackBerry 10 smartphone on the Bell network.

I am available and I have confirmed that NLC are available.

Sent from my BlackBerry 10 smartphone on the Bell network.

Meant 9:30. Michael can you email Steve and check if this works for him? Thanks.
We will need to meet early tomorrow to discuss how to proceed? How does 9:40 work for all?

From: Tomson, Julia
Sent: Sunday, November 19, 2017 7:28 PM
To: Day, Michael; Price, Liane; Gardner, Ben; Lomond, Ted; Fitzgerald, Peter
Subject: Re: Canopy- Supply and Production Arrangement - Term Sheet - November 17 2017 Version 1.docx

Is there a proposed meeting time TCII is contemplating?

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Day, Michael
Sent: Sunday, November 19, 2017 6:57 PM
To: Price, Liane; Gardner, Ben; Lomond, Ted; Tomson, Julia; Fitzgerald, Peter
Subject: Fw: Canopy- Supply and Production Arrangement - Term Sheet - November 17 2017 Version 1.docx

Everyone, please see comments below.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Steve Winter
Sent: Sunday, November 19, 2017 6:02 PM
To: Day, Michael; Lomond, Ted; treid@stewartmckelvey.com
Subject: RE: Canopy- Supply and Production Arrangement - Term Sheet - November 17 2017 Version 1.docx

Good afternoon all!

A few short comments:
Hope this helps. Let me know when you pin down a time for meeting. My only issue is at 11:30. OK prior to then.

Regards

Steve

From: Winter, Steve [mailto:Steve.Winter@nlliquor.com]
Sent: November-19-17 12:20 PM
To: Steve Winter
Subject: Fwd: Canopy- Supply and Production Arrangement - Term Sheet - November 17 2017 Version 1.docx

Sent from my Bell Samsung device over Canada's largest network.

------- Original message -------
From: "Day, Michael" <MichaelDay@gov.nl.ca>
Date: 2017-11-19 11:45 AM (GMT-03:30)
To: "Winter, Steve" <Steve.Winter@nlliquor.com>
Cc: "Lomond, Ted" <Ted.Lomond@gov.nl.ca>, "Gardner, Ben" <Ben.Gardner@gov.nl.ca>, "Price, Liane" <Liane.Price@gov.nl.ca>
Subject: Fw: Canopy- Supply and Production Arrangement - Term Sheet - November 17 2017 Version 1.docx

Mr. Winter,

Please see the attached document which is a summary of the high level business terms for Canopy as proposed by GNL and the company’s questions and proposed changes.

We would like to get NLC’s input ASAP on this document and hope to arrange an internal early tomorrow morning if possible.
Please let me know if you have any questions.

Mike

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Lomond, Ted <TedLomond@gov.nl.ca>
Sent: Saturday, November 18, 2017 2:26 PM
To: Day, Michael; Price, Liane; Gardner, Ben; Tomson, Julia; Fitzgerald, Peter
Subject: Fw: Canopy- Supply and Production Arrangement - Term Sheet - November 17 2017 Version 1.docx

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Jeff Ryan (via Google Docs) <drive-shares-noreply@google.com>
Sent: Saturday, November 18, 2017 1:35 PM
To: Lomond, Ted
Reply To: Jeff Ryan
Subject: Canopy- Supply and Production Arrangement - Term Sheet - November 17 2017 Version 1.docx

has attached the following document:

Canopy- Supply and Production Arrangement - Term Sheet - November 17 2017 Version 1.docx

Please use this version.

Thanks

Jeff

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Google Docs. Create and edit documents online.
Google Inc. 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA
You have received this email because someone shared a document with you from Google Docs

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Newfoundland Labrador Liquor Corporation - Email Disclaimer www.nlliquor.com/email-disclaimer/
Brown, Heather

From: Price, Liane  
Sent: Friday, December 22, 2017 8:37 AM  
To: Brown, Heather  
Subject: FW: FW: Canopy - revised term sheet

From: Price, Liane  
Sent: Wednesday, November 22, 2017 3:30 PM  
To: 'Jeff Ryan'  
CC: Lomond, Ted; Joy, Carla  
Subject: RE: FW: Canopy - revised term sheet

You're welcome. Our legal counsel is now working on first draft of the Definitive Agreement to share with you and your legal counsel for input.

From: Jeff Ryan  
Sent: Wednesday, November 22, 2017 3:21 PM  
To: Price, Liane  
CC: Lomond, Ted  
Subject: Re: FW: Canopy - revised term sheet

Thanks

On Wed, Nov 22, 2017 at 1:17 PM, Price, Liane <LianePrice@gov.nl.ca> wrote:

u

Good afternoon Jeff. Ted asked that I send along the updated draft Term Sheet as result of this morning’s meeting and also the blackline version so that you can see what changes have been made.

As discussed, the next step from here would be to connect legal counsel from both sides to develop the Definitive Agreement.

Thanks for your input this morning.

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--
Canopy Growth Corporation
Jeff Ryan
Vice President, Government and Stakeholder Relations
www.canopygrowth.com

S40 (1)
We are available tomorrow morning 10:30 am to 12:30 PM est to discuss with your legal team. Afternoon also has some openings and we will move to accommodate.

Thanks very much

Jeff

On Wed, Nov 22, 2017 at 2:00 PM, Price, Liane <LianePrice@gov.nl.ca> wrote:

You're welcome. Our legal counsel is now working on first draft of the Definitive Agreement to share with you and your legal counsel for input.

Thanks

On Wed, Nov 22, 2017 at 1:17 PM, Price, Liane <LianePrice@gov.nl.ca> wrote:

u

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Canopy Growth Corporation

Jeff Ryan
Vice President, Government and Stakeholder Relations

www.canopygrowth.com

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---

Canopy Growth Corporation

Jeff Ryan
Vice President, Government and Stakeholder Relations
Brown, Heather

From: Price, Liane
Sent: Friday, December 22, 2017 8:35 AM
To: Brown, Heather
Subject: FW: FW: Canopy - revised term sheet

Liane,

Any sense of timing on definitive agreement? Are we still doing a call today?

Thanks

Jeff

On Wed, Nov 22, 2017 at 2:00 PM, Price, Liane <LianePrice@gov.nl.ca> wrote:

You’re welcome. Our legal counsel is now working on first draft of the Definitive Agreement to share with you and your legal counsel for input.

From: Jeff Ryan <mailto:JeffRyan@gov.nl.ca>
Sent: Wednesday, November 22, 2017 3:21 PM
To: Price, Liane
Cc: Lomond, Ted
Subject: Re: FW: Canopy - revised term sheet

Thanks

On Wed, Nov 22, 2017 at 1:17 PM, Price, Liane <LianePrice@gov.nl.ca> wrote:

Good afternoon Jeff. Ted asked I that I send along the updated draft Term Sheet as result of this morning’s meeting and also the blackline version so that you can see what changes have been made.
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Jeff Ryan
Vice President, Government and Stakeholder Relations

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Canopy Growth Corporation

Jeff Ryan
Vice President, Government and Stakeholder Relations
416-930-6839 (mobile)
Brown, Heather

From: Price, Liane
Sent: Friday, December 22, 2017 8:37 AM
To: Brown, Heather
Subject: FW: FW: Canopy - revised term sheet

From: Price, Liane
Sent: Thursday, November 23, 2017 10:52 AM
To: 'Jeff Ryan'
Cc: Lomond, Ted; Joy, Carla; Phil Shaer
Subject: RE: FW: Canopy - revised term sheet

I am checking with Legal Counsel and will advise. Thanks

From: Jeff Ryan
Sent: Thursday, November 23, 2017 10:46 AM
To: Price, Liane
Cc: Lomond, Ted; Joy, Carla; Phil Shaer
Subject: Re: FW: Canopy - revised term sheet

Liane,

Any sense of timing on definitive agreement? Are we still doing a call today?

Thanks

Jeff

On Wed, Nov 22, 2017 at 2:00 PM, Price, Liane <LianePrice@gov.nl.ca> wrote:

You’re welcome. Our legal counsel is now working on first draft of the Definitive Agreement to share with you and your legal counsel for input.

From: Jeff Ryan [mailto:Jeff.ryan@gov.nl.ca]
Sent: Wednesday, November 22, 2017 3:21 PM
To: Price, Liane
Cc: Lomond, Ted
Subject: Re: FW: Canopy - revised term sheet

Thanks
On Wed, Nov 22, 2017 at 1:17 PM, Price, Liane <lianePrice@gov.nl.ca> wrote:

Good afternoon Jeff. Ted asked I that I send along the updated draft Term Sheet as result of this morning's meeting and also the blackline version so that you can see what changes have been made.

As discussed, the next step from here would be to connect legal counsel from both sides to develop the Definitive Agreement.

Thanks for your input this morning.

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Canopy Growth Corporation
Jeff Ryan
Vice President, Government and Stakeholder Relations
www.canopygrowth.com

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From: Price, Liane
Sent: Friday, December 22, 2017 8:37 AM
To: Brown, Heather
Subject: FW: FW: Canopy - revised term sheet

From: Price, Liane
Sent: Thursday, November 23, 2017 11:07 AM
To: 'Jeff Ryan'
Cc: Lomond, Ted; Joy, Carla; 'Phil Schaer' [redacted]
Subject: RE: FW: Canopy - revised term sheet

We will send a meeting request shortly. Thanks,

From: Price, Liane
Sent: Thursday, November 23, 2017 10:52 AM
To: 'Jeff Ryan'
Cc: Lomond, Ted; Joy, Carla; Phil Schaer [redacted]
Subject: RE: FW: Canopy - revised term sheet

I am checking with Legal Counsel and will advise. Thanks

From: Jeff Ryan [redacted]
Sent: Thursday, November 23, 2017 10:46 AM
To: Price, Liane
Cc: Lomond, Ted; Joy, Carla; Phil Schaer [redacted]
Subject: Re: FW: Canopy - revised term sheet

Liane,

Any sense of timing on definitive agreement? Are we still doing a call today?

Thanks

Jeff

On Wed, Nov 22, 2017 at 2:00 PM, Price, Liane <LianePrice@gov.nl.ca> wrote:

You're welcome. Our legal counsel is now working on first draft of the Definitive Agreement to share with you and your legal counsel for input.

From: Jeff Ryan [redacted]
Sent: Wednesday, November 22, 2017 3:21 PM
To: Price, Liane
Thanks

On Wed, Nov 22, 2017 at 1:17 PM, Price, Liane <LianePrice@gov.nl.ca> wrote:

Good afternoon Jeff. Ted asked I that I send along the updated draft Term Sheet as result of this morning’s meeting and also the blackline version so that you can see what changes have been made.

As discussed, the next step from here would be to connect legal counsel from both sides to develop the Definitive Agreement.

Thanks for your input this morning.

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Canopy Growth Corporation

Jeff Ryan
Vice President, Government and Stakeholder Relations
www.canopygrowth.com
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--

Canopy Growth Corporation

Jeff Ryan
Vice President, Corporate and Stakeholder Relations

S.40 (1)
Brown, Heather

From: Price, Liane
Sent: Friday, December 22, 2017 8:35 AM
To: Brown, Heather
Subject: FW: Clarification of DA

From: Google Calendar [mailto:calendar-notification@google.com] On Behalf Of
Sent: Wednesday, November 29, 2017 12:33 PM
To: Gardner, Ben; Mercer, Jeff V.; Price, Liane;
Subject: Clarification of DA

Hello, is there a call in number?

Clarification of DA

When Wed Nov 29, 2017 11am – 11:30am Eastern Time - Toronto
Where Conference call (map)
Who • Mercer, Jeff V. - organizer
• Gardner, Ben
• Price, Liane
Attachments disclaimer.txt