

# The Business *of* Marijuana *in Southern California*



**MAR. 28 & 29, 2019**

DOUBLETREE SUITES  
BY HILTON HOTEL  
SANTA MONICA

**Santa Monica, CA**

**ACCREDITATION**

CA CLE, WA MCLE,  
OH CLE

*(see inside for details)*

THE SEMINAR GROUP ~ RAISING THE BAR OF CONTINUING LEGAL AND PROFESSIONAL EDUCATION

## Seminar Overview

This seminar will cover topics directly relevant to California's medical and recreational cannabis laws and regulations under the Medicinal and Adult Use Cannabis Regulation and Safety Act and California cannabis businesses, including state and local licensing and approval structures, updates on the City of Los Angeles and Los Angeles County, private equity investments in the cannabis industry, intellectual property and licensing agreements, banking update, substance abuse, CBD update, Canadian cannabis legalization, taxes and the treatment of cannabis income under IRC 280E, cannabis water rights, ethical considerations, and a boots on the ground perspective from actual cannabis operators in the State of California. Attendees will also hear directly from leading practitioners and state and local officials about the changes and progress along the road to current laws and future regulations.

### **Who Should Attend:**

Accountants  
Attorneys  
Financial Planners  
Real Estate Brokers  
Municipal Employees  
Tribal Members  
Investors  
Government Employees

**EXHIBIT SPONSOR**  
**Mitchell M. Tarighati,**  
**Mediator,**  
**ADR Services, Inc.**

**9:00 Introduction and Overview**

**Hilary V. Bricken**, *Program Chair*  
*Harris Bricken*

**9:10 Implementation of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA)**

Status of implementation of MAUCRSA; MAUCRSA regulations for cultivators; How Prop. 215 affects MAUCRSA licensees, if at all; Biggest hurdles in licensing and licensee applications; Timeline for licensing; Challenges regarding regulating medicinal versus adult use cannabis licensees; Most common violations and issues faced by regulators; Upcoming rule making and movement by legislature to add or force additional regulations for licensees.

**Bryan M. Bergman**  
*Bergman Law Group*

**Hon. Steven K. Lubell**, *Commissioner (Retired)*  
*Superior Court of the State of California*  
*County of Los Angeles*

**10:30 Break**

**10:45 Updates on the City of Los Angeles and Los Angeles County**

Status of implementation of the City of Los Angeles' cannabis licensing laws and regulations; Overview of the Department of Cannabis Regulation's (DCR) licensing process; Overview of operating requirements for City licensees and DCR's compliance and enforcement program.

**Taylor M. Anderson**, *Deputy City Attorney*  
*Long Beach City Attorney's Office*

**Alexander Freedman**, *Deputy City Attorney*  
*City of Los Angeles, Office of the City Attorney*

**12:00 Midday Break**

**1:15 Risks and Rewards For Private Equity Investments in the Cannabis Industry**

MAUCRSA's effect on investments in the California cannabis industry and the risks involved; What constitutes an "owner" of a license, disclosures and identification of funds on state license application? What should a solid cannabis Private Placement Memorandum or similar document contain? How do you navigate the conflict of law issues? Questions investors should be asking; Inherent risks; Investment considerations and other potential issues investing in the industry.

**Bryan M. Bergman**  
*Bergman Law Group*

**Oren Bitan**  
*Buchalter*

**2:00 Intellectual Property and Licensing Agreements**

Trademarks and Trade Secrets (Federal and State); Litigation; Cross-border licensing agreements; Future of intellectual property, and cannabis and hemp.

**Griffen Thorne**  
*Harris Bricken*

**2:45 Break**

**3:00 Cannabis Banking Update**

What are the legal and regulatory requirements applicable to cannabis banking? Which institutions are banking cannabis right now? How to get and maintain a cannabis bank account – what's important to your banker? What should cannabis entrepreneurs expect from their banker?

**Kenneth Berke**, *President*  
*PayQwick, Inc.*

**4:00 Substance Abuse**

Practicing law is hazardous to your health. Lawyers have the highest rates of alcohol and substance abuse of any profession. We also suffer from higher rates of mental illness and suicide than doctors, dentists and the general public. Yet when we entered law school, our rates of substance abuse and mental illness were lower than the general population. What if our jobs are making us sick? Shouldn't we do something about it as a profession?

**Philip Buri**  
*Buri Funston Mumford PLLC; Bellingham, WA*

**5:00 Adjourn**

**9:00 Introduction and Overview**

**Hilary V. Bricken**, *Program Chair*  
*Harris Bricken*

**9:05 CBD Update**

Cannabidiol (“CBD”) is a compound present in the cannabis plant that has become increasingly popular over the last few years. The legal status of CBD is precarious and is impacted by local, state and federal law. This presentation focuses on distinguishing the legal classifications of cannabis under federal law, including “marijuana,” “exempt plant material,” and “industrial hemp.” The presentation will also discuss ever-changing state regulations on CBD and how to advise clients wanting to do business in this space across the country.

**Daniel Shortt**  
*Harris Bricken; Seattle, WA*

**9:45 Emerging Canadian Cannabis; What does Legalization Look Like?**

What does the legal framework look like in Canada? How did they get to where they are today? What lessons, trends and developments has Canada seen since it legalized the recreational use of cannabis on October 17, 2018?

**Matt Maurer**  
*Torkin Manes LLP; Toronto, ON, --*

**10:30 Break**

**10:45 Product Liability & Insurance**

Negligence; Strict liability; Defective products; Dangerous products; Faulty labeling and packaging; Case history of seminal products cases in regular history and in cannabis; Prop. 65 applications for cannabis; Products liability defenses; What does the state and locally mandated insurance cover? What other insurance markets exist? What strategies exist to insure coverage exists for your business’s losses?

**Hilary V. Bricken**  
*Harris Bricken*

**Dean A. Rocco**  
*Wilson Elser*

**11:30 Taxes and the Treatment of Cannabis Income**

Update on IRC 280E; Emerging case law; California State taxes and new trends; Good accounting methods and how to behave in the tax realm if you do not have access to banking

**Mike Goral**  
*Squar Milner*

**James G. Hunt**  
*Guske & Company, Inc.; Bellevue, WA*

**12:30 Midday Break**

**1:45 California Cannabis Water Rights, Licensing Requirements and Legal Issues**

Overview of water rights and water quality issues as they relate to cannabis development projects; Regulatory orders and compliance mandates from State Water Resources Control Board, Department of Fish and Wildlife, and other State and local agencies; California Environmental Quality Act issues; Regulatory enforcement of environmental laws; Administrative civil liability complaints; Administrative hearings; Litigation; Role of Cannabis Control Appeals Panel.

**Hanspeter Walter**  
*Kronick Moskovitz Tiedemann & Girard*

**2:45 Break**

**3:00 Case Studies: Boots on the Ground in the Industry**

Industry issues and perspectives from actual MAUCRSA licensee applicants and ancillary businesses; Relationships between licensees, including logistics and dynamics of contracting for goods and services; Regulatory compliance priorities; Navigating state agencies as a licensee and transitioning from Prop. 215 to MAUCRSA.

**Wesley Hein**, Compliance & Public Affairs Consultant  
*Mammoth Distribution*

**Amanda Ostrowitz**  
Founder & Chief Executive Officer  
*CannaRegs; Denver, CO*

**4:00 Ethical Considerations and Legalized Cannabis**

Ethics of having a cannabis business practice in California; Hypotheticals; Group discussion on the ethics of advising MAUCRSA clients.

**Ian A. Stewart**  
*Wilson Elser*

**5:00 Adjourn**

# Faculty - The Business of Marijuana



**Hilary V. Bricken, Program Chair**, is a partner at Harris Bricken in its Los Angeles office. Licensed to practice law in California, Washington, and Florida, she is one of the premier cannabis business and regulatory attorneys in the United States. As chair of Harris Bricken's Regulated Substances practice group, which includes the Canna Law Group, she helps cannabis companies of all sizes with their cannabis related legal issues.



**Philip Buri** founded Buri Funston Mumford & Furlong PLLC, in Bellingham, Washington. He practices appellate and civil litigation, land use, and advises homeowner and community associations. He has been lead counsel in over 145 appeals in the three divisions of the Court of Appeals, the Washington Supreme Court, and the Ninth Circuit.



**Taylor M. Anderson** is a Deputy City Attorney with the Long Beach City Attorney's Office whose practice focuses on servicing the legal needs of the City of Long Beach on cannabis related matters. Her practice areas are general municipal law related to adult-use/recreational and medical cannabis, including drafting and reviewing ordinances, code enforcement, nuisance abatement, and advising various City departments.



**Alexander Freedman**, Deputy City Attorney, Office of the City Attorney; City of Los Angeles, is in-house counsel to the Los Angeles Department of Cannabis Regulation and the Los Angeles Cannabis Regulation Commission. He advises the Department and the Commission on all matters concerning the regulation and licensing of commercial cannabis activity in Los Angeles.



**Bryan M. Bergman**, attorney with Bergman Law Group, has been practicing for over a decade with experience in complex business transactions, civil litigation involving complex issues surrounding real estate, business and family law disputes, and assisting cannabis businesses, real estate owners involved in the cannabis industry, investors, and ancillary cannabis service companies in California.



**Mike Goral** is the partner in charge of Squar Milner's Cannabis Practice. He is responsible for all accounting issues for the firm's cannabis clients. With over 25 years of experience pertaining to federal, state and local tax matters, Mr. Goral has worked with both large and small cannabis companies. He also has extensive experience defending cannabis clients in federal and state tax matters.



**Kenneth Berke**, President of PayQwick, Inc., is a California-licensed attorney with over 29 years of experience. In 2014, he combined his legal, business, and regulatory compliance expertise to co-found PayQwick. As President and an attorney, he has played an integral role in creating PayQwick's BSA/AML and state law compliance programs.



**Wesley Hein** is a Compliance & Public Affairs Consultant with Mammoth Distribution and manages legal, compliance and public affairs efforts. He helps Mammoth navigate state and local licensing processes, interactions with regulators, and lobbying state agencies and lawmakers.



**Oren Bitan**, shareholder with Buchalter, has an extensive legal background that includes business, real estate, banking, receivership, consumer product, and commercial litigation. He advises cannabis businesses on a wide variety of issues, including regulatory advice, banking, lending, financing, intellectual property, receivership, real property development and leasing, and assembling teams of attorneys to provide corporate and employment advice.



**James G. Hunt** is an attorney currently with Guske & Company, Inc. He has extensive experience in advising individuals, non-profit organizations, closely held and public companies on federal and multi-state issues and compliance.



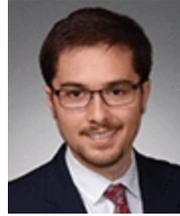
**Honorable Steven K. Lubell (Retired)** is a former Commissioner of the Superior Court of the State of California; County of Los Angeles. After a decade as a Los Angeles Superior Court Commissioner and adjunct professor of law, and over a decade before that as a real estate lawyer, he is dedicated to the implementation of the cannabis laws and regulations enacted in California.



**Ian A. Stewart** is a partner in the Los Angeles office of Wilson Elser. He is co-founder and chair of the Wilson Elser Cannabis Law practice and uses his 20 years of legal experience to help clients navigate the legalities around cannabis and hemp. He works with licensed cannabis operators to comply with their obligations under the law and to develop risk management best practices.



**Matt Maurer** is a partner at Torkin Manes LLP and Vice-Chair of the firm's Cannabis Law Group. He provides regulatory advice to a wide range of cannabis industry stakeholders, including licensed producers, producer applicants, owners of businesses that provide ancillary services to the cannabis industry, entrepreneurs with start-up aspirations, and foreign businesses.



**Griffen Thorne** is an attorney in Harris Bricken's Los Angeles office, where he focuses his practice on advisory, litigation, and regulatory matters across a wide variety of industries. His litigation practice includes patent, trademark, trade secret, copyright, entertainment, false advertising, unfair competition, and complex commercial disputes throughout the United States. In addition to litigation, his practice also includes trademark prosecution and non-litigation enforcement of intellectual property rights.



**Amanda Ostrowitz**, Founder & Chief Executive Officer with CannaRegs, is a regulatory attorney and entrepreneur who's identified a need for a user friendly, scalable platform to research regulations and laws in the cannabis industry. Amanda founded RegsTechnology and its current product, CannaRegs, as a tool to aid attorneys, business people, and governments with localized tracking of regulatory issues.



**Hanspeter Walter** is a shareholder with Kronick Moskowitz Tiedemann & Girard where he practices in the areas of environmental, administrative, water, cannabis, real estate, and land-use law. He performs a wide variety of legal services including administrative hearings, litigation, transactional document preparation, regulatory permitting and compliance assistance, negotiations, and in-depth legal research.



**Dean A. Rocco**, partner with Wilson Elser, is the Western Region Chair of the firm's national Employment & Labor practice. He also serves as co-chair of the firm's national Cannabis Law practice. He works with clients inside and outside the cannabis industry to navigate the complex and quickly evolving framework of recreational and medical marijuana laws impacting their businesses.



**Daniel Shortt** is an attorney with Harris Bricken, focusing on Washington's cannabis industry. He assists clients with their cannabis transaction and litigation needs. He is a frequent speaker and writer on cannabis-related issues and he has been featured in local and national publications.

# The Business of Marijuana

## Credits

### **CA CLE**

The Seminar Group is a State Bar of California approved MCLE provider; therefore, this course is approved for 10.5 general, 1.0 competence issues and 1.0 ethics CLE credits (Live Credits for In Person Attendance & Webcast).

### **WA MCLE**

This course has been approved for 10.25 hours of law and legal credit, 1.0 hours of other credit and 1.0 ethics credit by the Washington MCLE board (Live Credits for In Person Attendance & Webcast). Self-Study credit will be available, specific credit amount to be determined. Go to our FAQ page for an explanation about Other CLE Credits. <http://www.theseminargroup.net/customerservice.aspx#product-othercredit>

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### **OH CLE**

This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 12.5 total CLE hour(s), with 2.0 of attorney professional conduct instruction (Live Credits for In Person Attendance ONLY). Credits for recorded courses not available.

### **Accountants**

This course may qualify for CPE credits; please check with your state board's requirements.

## Location

### **DoubleTree Suites by Hilton Hotel Santa Monica**

1707 Fourth Street  
Santa Monica, CA 90401

Phone: (310) 395-3332

The seminar is located in Marquee Ballroom. Please call the venue for directions/questions.

## Fees

### **Live Seminar:**

Attorney	\$799.00
Government / Tribal / Non-Profit	\$649.00
Other Professionals	\$649.00
Student / Professor	\$499.00
Day One	\$499.38
Day Two	\$499.38

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Day One	\$499.38
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All Sessions	\$799.00
Single Session	\$99.00

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All Sessions	\$799.00
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All Sessions	\$849.00
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All Sessions	\$849.00
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### **Materials Download:**

All Sessions	\$229.00
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