

Marijuana



We have extensive knowledge of and experience with the various California marijuana laws, including the Adult Use of Marijuana Act (Proposition 64), and the Medicinal and Adult-Use Cannabis Regulation and Safety Act (SB 94), as well as the federal Controlled Substances Act.

We are creative in our approaches to marijuana issues, and with our broad array of clients we stay on the cutting edge of legal developments. In numerous California cities, our attorneys have advised local officials and worked closely with the medical marijuana community, both operators and patients, to develop local laws to permit, regulate, and tax marijuana dispensaries, cultivation facilities, and delivery services.

We have assisted our clients with drafting, implementing, and enforcing prohibitions against some or all types of marijuana businesses. When necessary, we have engaged in enforcement activities against unauthorized marijuana dispensaries and cultivation operations.

ATTORNEYS

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Expertise

- Medicinal and Adult-Use Cannabis Regulation and Safety Act (SB 94)
- Control, Regulate, and Tax Adult Use of Marijuana Act (Proposition 64)
- Federal laws related to marijuana, including the Controlled Substances Act
- Drafting and implementing regulatory ordinances for both commercial and personal marijuana activities
- Drafting and enforcing prohibitions on marijuana activities
- Drafting and implementing taxes related to marijuana activities
- Marijuana litigation and enforcement

Expertise in Action

We have assisted clients with the design, implementation, and enforcement of comprehensive regulatory ordinances for various marijuana businesses in light of developments in California law.

Our attorneys have made presentations to several statewide and regional conferences regarding regulating marijuana issues, including the League of California Cities Desert/Mountain Division and the California Joint Powers Authority Risk Management Conference.

We presented at the California Contract Cities Conference on the implications for public agency employers of recent developments in state law to allow the recreational use of marijuana. We have also given numerous presentations on marijuana issues to city councils, planning commissions, and to the general public.

Our attorneys, in regard to enforcement of local marijuana regulations and prohibitions, have successfully employed out-of-court methods to obtain compliance without the expense and risk involved with litigation. When necessary, we have used the courts to prosecute non-compliant operators to the full extent of the law, while recovering our client's costs and attorney fees. We have successfully defended our city clients against over 50 lawsuits filed by dispensaries or landlords.

We were lead counsel for the City of Fresno in successfully defending Fresno's complete ban on marijuana cultivation against a preemption challenge in *Byrd, et al. v. County of Fresno, et al.*, California Fifth Appellate District Case No. F070597 (2015).

We were also lead counsel for the City of Fresno in successfully defending Fresno's complete ban on marijuana cultivation and dispensaries against a CEQA challenge in *Union of Medical Marijuana Patients v. City of Fresno*, Fresno County Superior Court Case No. 14CECG01316.