

INDUSTRY

Cannabis

Benesch's nationally recognized Cannabis Industry Team boasts a deep understanding of the legal and business complexities within the dynamic cannabis and hemp industries, providing guidance to clients across the country navigating this ever-changing area of law.

We are a full-service practice, advising on regulatory compliance, risk avoidance, company formation and structuring, licensing, mergers and acquisitions, advertising and product packaging, brand strategy, and intellectual property protection.

Who We **Serve**

- Ancillary businesses
- Cultivators
- Distributors
- Investors
- Manufacturers
- Retailers

Representative **Clients**

- Ayr Wellness
- Cresco Labs
- Firelands Scientific Dispensary
- Green Thumb Industries
- springbig

What We **Do**

- Advertising and marketing compliance
- Cannabis applications with regulatory agencies
- Contract drafting for vendors and suppliers
- Drafting and negotiating corporate transactions
- Employment policies on employee cannabis use
- Guidance on expanding cannabis operations
- Healthcare policies on medical marijuana
- Hemp production and trade guidance
- Intellectual property protection and licensing
- Investigations into drug diversion cases
- Legal support for cannabis capital raising
- Litigation for business and employment disputes
- Litigation on cannabis licensing decisions
- Post-licensure strategy for market entry
- Real estate agreements for cannabis operations
- Regulatory compliance and government advocacy

Awards & Recognition

Recognized

Top 5 cannabis law firms
by Grown In



Nationally
Recognized
by Chambers



Ranked
for Cannabis Law
by The Legal 500



Regulatory Influence

Our team has strong relationships with regulators and actively shapes the policies that govern the legal cannabis industry.

Representative **Matters**

- ▶ Secured the complete dismissal of a novel cannabis class action in Illinois, alleging that certain concentrate products were deceptive. This decision marked a substantial win in a new area of law and helped put an end to a string of class actions against the cannabis industry.
- ▶ Conducted a trade secret audit and worked with a private equity firm on identifying potential trade secrets of a cannabis grower in order to assess investment valuation and opportunity.
- ▶ Represented cannabis applicants in various states in connection with their formation, management, equity and debt structures.
- ▶ Represented a cannabis software company in vendor dispute arbitration.
- ▶ Represented retailers in an \$80 million unfair competition lawsuit brought by a medical cannabis dispensary involving THC beverage sales. Successfully obtained dismissal of all claims on demurrer, eliminating significant exposure and averting copycat litigation targeting lawful hemp product sales.
- ▶ Represented a private investment fund focused on investing in BIPOC-owned cannabis businesses.
- ▶ Represented a large family office that made very substantial investments in the cannabis business, including corporate structure for the entity into which the family office made its original investments and eventually raised additional equity that allowed the original investor to receive a return of a portion of its original investment.
- ▶ Advised a cannabis company on state- and county-specific regulations concerning dispensary applications and licenses.
- ▶ Represented a licensed cannabis dispensary in litigation challenging a competing dispensary's proposed location a block away from our client's store. Obtained summary judgment preventing the state regulator from issuing the competitor's license, protecting our client from millions of dollars in potential lost sales.
- ▶ Representing a multistate cannabis operator in litigation against former consultants involving breach of contract and allegations of fraud.
- ▶ Represented a leading cannabis REIT in complex insolvency, receivership and real estate litigation matters involving multiple cannabis cultivation, processing and retail facilities across several states. Advised on lease enforcement, creditor rights, claims administration and asset sale proceedings to protect the client's interests as landlord and creditor.
- ▶ Representing minority and women-owned cannabis transportation companies in litigation against a state regulatory agency alleging discriminatory administration of cannabis licensing and regulatory programs. Successfully defeated a motion to dismiss, allowing the clients' claims to proceed to discovery.
- ▶ Represented a cannabis cultivator in administrative review proceedings challenging a state agency's scoring of its license application. Successfully demonstrated scoring errors, resulting in the agency's agreement to remand the case and re-score the client's application with a perfect score.