CANNABIS LAW ADVISORY GROUP

Berger Singerman's Cannabis Law Advisory Group is a multi-disciplinary practice group of attorneys from the Firm's Government and Regulatory Team, Business, Finance & Tax Team, Dispute Resolution Team, and Business Reorganization Team. These attorneys have extensive experience in addressing a variety of regulatory, rulemaking, transactional, and litigation matters that span a broad range of industries impacted by the potential business opportunities presented by Florida's medical-marijuana and hemp laws. These include licensing, agriculture, consumer products, financial services, food and beverage, healthcare, hotels and resorts, life sciences, media and entertainment, real estate, land use, retail and technology. We have deep experience representing companies in these industries – experience that is critical to helping clients meet their strategic business objectives. We are also assisting and advising specific medical marijuana-related clients in the following matters:

- Advising on and preparing licensure application to operate in the State of Florida;
- Negotiating and forming joint ventures and other investment opportunities;
- Representing clients in private placements to raise capital;
- Advising clients in structuring their business models in ways that will comply with the applicable rules being promulgated by the State of Florida;
- Advising clients that sell accessories for medical-marijuana dispensaries throughout the United States in diverse corporate and tax issues; and
- Representing clients in "post-licensing" matters.

In addition, we are working with businesses in the industrial hemp arena specifically as it relates to non-THC containing products.

We understand the complex issues impacting companies operating in, or affected by, the medical-marijuana industry, both opportunistically and defensively, and we are prepared to assist clients in the following areas:

Government and Regulatory

Having previously served in leadership roles in the public sector, including service as regulatory board members and counsel to regulators, our attorneys provide unique insight into the political process, all while carrying hands-on experience with executive branch functions and administrative law proceedings that face emerging markets like medical-marijuana. With the benefit of these backgrounds and their significant relationships with local, state, and federal regulatory personnel, our attorneys can assist with hearings before state agency boards and commissions, including the Florida Department of Health, as well as formal and informal hearings before local governmental bodies such as city and county commissions, boards of zoning and appeals, and code enforcement boards. Our attorneys have the experience and relationships to successfully navigate clients through the complex federal, state, and local legal and regulatory frameworks impacting medical-marijuana businesses, particularly the rules being promulgated by the Florida Department of Health that will govern medical-marijuana businesses in Florida. Importantly, our professionals possess the necessary understanding of the intricate layering of Florida's complex political landscape, and have earned stellar reputations among elected officials and governmental staff necessary to receive fair consideration of sensitive and contentious issues such as medical-marijuana.

Corporate

Berger Singerman's corporate attorneys have significant experience advising companies in start-up, emerging-growth, expansion, and divestiture stages. Such experience spans a diverse group of clients, including entrepreneurial individuals, closely-held companies, institutional investors, and Fortune 500 multi-national corporations in connection with investment, funding, financing, platform growth, acquisition, strategic and general corporate matters, and in planning and executing exit and liquidity transactions. Our attorneys understand the complex business issues faced by both clients in, as well as impacted by, the medical-marijuana business and can assist such clients in furthering their related business strategies.

Banking, Finance, and Tax

Berger Singerman's banking, finance and tax attorneys recognize the unique financial issues that clients in the medical-marijuana industry often face, such as obtaining financing, establishing banking relationships, regulatory compliance, and the provisions of the Internal Revenue Code that apply specifically to operating a marijuana related business. We have a wide range of experience in addressing banking, finance and tax issues in regulated industries.

Real Estate and Land Use

Berger Singerman's real estate and land use attorneys advise real estate developers, investors and lenders in residential, multi-family, commercial and mixed-use projects throughout Florida, in neighboring states, and in other jurisdictions in a wide array of matters, including zoning, land development, equity and debt financings, environmental regulation and remediation, transportation and infrastructure, and business and professional licensing. The national scope of our practice enables us to understand how the real estate industry is being impacted by the medical-marijuana industry, from challenges associated with traditional financing to opportunities and risks associated with new demand for properties.

White Collar Criminal Defense

Florida's medical-marijuana law contains criminal penalties for certain acts. Federal criminal law also impacts the operation of a medical-marijuana businesses in Florida. Berger Singerman's white collar criminal defense lawyers are experienced in defending business entities and individuals facing charges of illegal or unethical conduct in both federal and state court as well as before regulatory agencies and professional boards. These attorneys can assist in developing internal compliance programs to assist businesses in complying with the medical-marijuana laws as they intersect with the state and federal criminal laws.

Employment and Labor

Berger Singerman's labor and employment attorneys are experienced in all aspects of labor and employment law, from routine workplace compliance issues through complex litigation. These attorneys can assist with making your workplace compliant with federal, state, and local laws. We recognize the complex issues that clients in the medical-marijuana industry face, including issues relating to maintaining and protecting trade secrets, confidentiality obligations, privacy rights, codes of conduct, and discrimination.