



SEPTEMBER 28-30, 2023 | MACKINAC ISLAND

8TH ANNUAL

Cannabis Law Conference

Presented by
The Cannabis Law Section of the State Bar of Michigan

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New Location This Year!
Grand Hotel on Mackinac Island

The Best Local and National Speakers



Hilary Bricken
Harris Bricken, *Los Angeles, CA*

Hilary is considered one of the premier cannabis business and regulatory lawyers in the United States. She returns this year to deliver the essential federal policy update and also shares tips for helping distressed businesses.



Alyssa A. Grissom
Cannabis Regulatory Agency, *Lansing*

Alyssa is the legal manager for the agency and a former assistant attorney general for the state. She talks all things compliance so you can help your clients avoid the CRA disciplinary process.



Daniel W. Grow
Daniel W. Grow PLLC, *St. Joseph*

Dan is a criminal defense lawyer with 30 years of experience. He gets you up to speed on the latest statutory changes, interpretations by courts and agencies, and new and amended rules.



Barton W. Morris, Jr.
Law Offices of Barton Morris, *Troy*

Barton, chair-elect of the SBM's Cannabis Law Section, is a noted trial lawyer with specialized training in the forensic analysis of controlled substances. He answers your questions on ballot initiatives.

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Michigan's Premier Cannabis Law Event

Bask in the fall beauty of Mackinac Island and get timely insights from the entire cannabis law community. It's perfect whether you're experienced in cannabis law or ready to jump into this ever-evolving area.

National speaker Hilary Bricken is back to keep you current on the federal policy landscape. Executive Director Robin Schneider gives an inside look at the Michigan Cannabis Industry Association (MICA)'s legislative and regulatory priorities. Alyssa Grissom of the Cannabis Regulatory Agency (CRA) addresses anticipated major rule changes and also shares how to operate a compliant business. And Dan Grow provides important caselaw and statutory updates.

You will be able to:

- Navigate anticipated new CRA rules with insights from practitioners and the CRA's legal manager
- Stay current on the political and legal landscape, both state and federal
- Get relief for distressed businesses through bankruptcy alternatives
- Prepare a proper business valuation analysis despite limited precedent
- Efficiently resolve partnership disputes with new tools and tactics
- Prepare for future challenges brought on by varied municipal ordinances

New Location This Year!

Mackinac Island is known as "the jewel of the Great Lakes." Pack your best evening wear and enjoy spectacular fall color while rubbing elbows with leaders in cannabis law. Don't miss the receptions on the historic Grand Hotel porch and the annual Afterglow Party. Plus, enjoy the downtown nightlife, visit a spa, or venture out for a sunset cruise.

Visit www.icle.org/cannabislaw/hotel to secure your discounted room at Grand Hotel. And purchase discounted ferry passes using promo code CLC2023 at www.sheplersferry.com.



Plenary Sessions

3:00pm–4:30pm/Thursday
Registration

4:00pm/Thursday
**Cannabis Law Section
Annual Meeting**

Led by the current chair of the Cannabis Law Section, attendance at the Section Annual Meeting does not require registration for the Cannabis Law Conference.

Thomas M. J. Lavigne, Cannabis Counsel®, *Detroit*

4:30pm/Thursday
**Welcome Remarks and
Announcements**

Hear from the newly elected chair of the Cannabis Law Section.

Barton W. Morris, Jr., Law Offices of Barton Morris, *Troy*

4:45pm/Thursday
**Update on the Federal Policy
Landscape Including Congress
and the Executive Branch**

The prospects for federal cannabis legalization are evolving rapidly. Examine the factors responsible for these changes, gain an overview of the existing political and legal landscape, and explore what the future holds for marijuana policy in the United States.

Hilary Bricken, Harris Bricken, *Los Angeles, CA*

6:00pm/Thursday
Networking Reception

Relax and join seminar faculty, section council members, exhibitors, fellow registrants, and guests for an evening reception on the historic Grand Hotel porch. Please note, evening wear is required in all areas of the hotel after 6:30pm.

8:00am/Friday
**Registration, Continental Breakfast,
and Vendor Showcase**

9:00am/Friday
**Why Ballot Initiatives Are Still
Important and How to Use Them**

With so few municipalities opting in to date, the ballot initiative created in MRTMA remains a potentially powerful tool in Michigan. Its existence creates opportunities and motivation for municipalities to initiate

their own, yet many election law questions remain. Assist your clients as municipalities ask what effect a successful initiative has on their right to amend and what the difference is between a ballot initiative in a township or a city and what the language must say to qualify. Barton W. Morris, Jr., Law Offices of Barton Morris, *Troy*

9:45am/Friday
**Caselow, Statutory, and Rules
Update**

Like the weather in Michigan, wait five minutes and cannabis law will change again. From statutory changes to interpretation by courts and agencies, to new and amended rules, every lawyer in the state will benefit from keeping updated on the latest changes. In addition, a look behind the scenes and a review of anticipated developments will keep you ahead of the game.

Daniel W. Grow, Daniel W. Grow PLLC, *St. Joseph*

10:45am/Friday
Networking Break

11:00am/Friday
Well, What Do the CRA Rules Say?

The CRA's rules are ever-evolving and new fact patterns to which they must be applied continue to emerge. This panel will highlight emerging rule-based issues and provide practical guidance to help practitioners navigate quandaries under the regulations, whatever they may be—or might be, or won't be—at the time of the presentation.

Benjamin D. Joffe, Benjamin D. Joffe PLLC, *Ann Arbor*; Benjamin M. Sobczak, Dickinson Wright PLLC, *Troy*

11:40am/Friday
Networking Lunch on Premises
Enjoy lunch with faculty and colleagues.

2:20pm/Friday
Networking Break

4:00pm/Friday
**Special Issues in Real Property
Transactions**

Explore the current state of the cannabis real estate market in Michigan, and how recent consolidation in the market and other developments have impacted

real estate use, prices, and municipal engagement. Join us to discuss cannabis land use, planning and zoning both present and future, challenges brought on by the diversity in municipal ordinances, and municipal control's costs and benefits. Denise A. Pollicella, Pollicella PLLC, *Howell*

5:00pm/Friday
Networking Reception

Relax and join seminar faculty, section council members, exhibitors, fellow registrants, and guests for an evening reception on the historic Grand Hotel porch. Please note, evening wear is required in all areas of the hotel after 6:30pm.

8:00pm/Friday
**Afterglow Party Sponsored by Ayar
Law Firm**

Evening fun with friends and colleagues.

8:00am/Saturday
**Registration, Continental Breakfast,
and Vendor Showcase**

9:00am/Saturday
**The Corporate Transparency Act:
A Primer**

The Corporate Transparency Act goes into effect on January 1, 2024, and will require most small businesses to report their beneficial ownership to the U.S. Financial Crimes Enforcement Network (FinCEN). Learn what you need to know to properly advise your clients, including who is exempt, important time lines, and how to avoid the significant penalties for failure to report.

Denise A. Pollicella, Pollicella PLLC, *Howell*

9:15am/Saturday
**Assisting Distressed Cannabis
Businesses**

Gain a better understanding of depressed cannabis markets in Michigan and other states and what distressed cannabis businesses can do about it. Lacking bankruptcy protections due to federal cannabis illegality, alternatives to bankruptcy proceedings for distressed cannabis businesses are critical. Learn how receiverships, assignments for the benefit of creditors, secured financing, and lien remedies can provide relief. Plus, grasp the

regulatory ramifications of each of these legal approaches.

Hilary Bricken, Harris Bricken, *Los Angeles, CA*

10:00am/Saturday

Networking Break

10:10am/Saturday

Update on Criminal Law and Cannabis

Dig into topics ranging from MSP false positive lab tests, to whether the smell of marijuana still creates probable cause to search and seize, to the pending Application for Leave on drug recognition “experts” (DRE) and marijuana driving impairment. Gain insights on recent opinions and other relevant topics.

Bruce Block, Bruce Alan Block PLC, *Grand Rapids*

11:00am/Saturday

Networking Break

11:10am/Saturday

Policy Update

Gain an overview of the Michigan Cannabis Industry Association’s legislative and regulatory priorities for 2023. The executive director will cover legislative goals including tax reforms, licensing moratoriums, safe banking, and age of employment. Additionally, learn about the association’s efforts to improve the department’s rule promulgation process, overcome regulatory obstacles, and address outdated policies.

Robin Schneider, Michigan Cannabis Industry Association, *Lansing*

11:55am/Saturday

Wrap-Up and Closing Remarks

Barton W. Morris, Jr., Law Offices of Barton Morris, *Troy*

Core Concepts Track

1:00pm/Friday

Compliance 101

Once your client is licensed, what should be the number one next concern? Compliance, of course! If your client cannot operate a compliant business, they may find themselves in the CRA’s disciplinary process, which could amount to a loss of the license or expensive fines. The CRA legal manager and a practicing cannabis lawyer share the industry’s most common compliance issues and how to avoid them, plus best practices for getting

and staying compliant and navigating the disciplinary process.

Alyssa A. Grissom, Cannabis Regulatory Agency, *Lansing*; Kristina Munsters, Warner Norcross + Judd LLP, *Grand Rapids*

1:40pm/Friday

Equity in Licensing: Checking the Box or Moving the Needle?

The purpose of “social equity” is to ensure that people from communities disproportionately harmed by marijuana prohibition and discriminatory law enforcement are included in the new legal marijuana industry. Yet, quite often, even well-intentioned approaches meet heavy scrutiny and pushback. Explore the current landscape and consider helpful insights so that operators and regulatory bodies alike can align on this necessary mission toward equity in licensing to right the wrongs of the past.

Jerome Crawford, Pleasantrees Cannabis Company, *Harrison Twp*

2:35pm/Friday

Cannabis and Tribal Governments

Michigan is home to 12 federally acknowledged tribes, each with sovereign power to govern their citizens and regulate activities on their lands. Grasp the multiple ways that tribes can exercise their sovereignty when it comes to cannabis regulation and business. Help your clients understand opportunities, pitfalls, and best practices for doing business with tribes, and how the Cannabis Regulatory Agency is partnering with tribal governments.

R. Lance Boldrey, Dykema, *Lansing*

3:20pm/Friday

Cannabis Insurance Coverage Compliance

Experts examine current trends in insurance for licensing facilities in compliance with CRA. Are you covered or exposed?

Michelle R.E. Donovan, Clark Hill PLC, *Detroit*; Larry Harb, 420 Friendly Insurance IT Risk Managers Inc, *Okemos*

Business Track

1:00pm/Friday

Hot Tax Topics for Michigan Marijuana Businesses

Michigan’s tax law for deductibility of ordinary and necessary expenses effectively decouples Michigan from the IRC Section

280E. Learn how the recent RAB bulletin (December 2022) clarifies distinctions between adult use and medical marijuana deductible expenses and compare the expense deductions allowed under MRTMA and MMFLA. Using practical examples of businesses holding dual licenses, gain insights into the personal property tax exemptions plus eligibility for the ERC refundable payroll tax credit.

Venar Raad Ayar, Ayar Law, *Farmington Hills*

1:40pm/Friday

Unionization and Labor Issues in the Cannabis Industry

Union organizers and the National Labor Relations Board have the cannabis industry at the top of their most wanted lists. What are the signs of union organizing activity? Who are union salts? What is protected concerted activity? What are Section 7 rights? Why is any of this important to employers without union employees? Did the NLRB really just invalidate non-compete, non-disparagement and confidentiality agreements for most employees? Get answers to these important questions and more.

Daniel L. Villaire, Jr., Ogletree Deakins, *Birmingham*

2:35pm/Friday

Cannabis Business Valuation: Drivers and Pitfalls

Business valuation in the cannabis industry is not a one-size-fits-all proposition. Limited historical precedent, an uncertain future, disparate regulatory and tax environments, and volatile markets all contribute to the complexity. Take a deep dive into factors influencing the income and market approaches to value. Discuss current market trends impacting value and what it takes to prepare a supportable, objective valuation analysis.

Christopher Csordas, CohnReznick LLP, *Denver, CO*

3:20pm/Friday

Resolving Partnership Disputes

Grasp the legal tools and tactics available to a partner embroiled in a partnership dispute as well as strategic considerations for when and how to deploy those tools to achieve desired outcomes. Help your clients use appropriate legal avenues to resolve partnership disputes as efficiently as possible.

Michael J. Sheehan, Howard & Howard Attorneys PLLC, *Royal Oak*

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D. Networking Events | Optional

Networking Reception (09/28/23, 6:00pm-7:00pm)

Networking Reception (09/29/23, 5:00pm-6:00pm)

Afterglow Party Sponsored by Ayar Law Firm
(09/29/23, 8:00pm-10:00pm)

FREE for Registrants

\$45 for Additional Guest

E. Can't Attend the Conference?

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\$35 Print Handbook³ and Electronic Materials

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Prices guaranteed until 09/30/23. Cannot combine discounts. ¹Please attach additional sheet listing registrants attending. All registrations must be submitted and paid for at the same time. ²Current sitting state court judges (limit 40) attend free and must call ICLE or submit order form to register. ³Limit one print handbook purchase per registrant. Print handbooks are nonrefundable after the event cancellation date. **Complete Seminar Policies:** www.icle.org/info/seminarpolicies. **Cancellation Policy:** For a full refund, notify ICLE by 09/14/23. Registrants who cancel after that date will be charged a \$60 cancellation fee. No refunds will be issued after 09/21/23. **Walk-in Registrations:** Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. **Persons with Disabilities or Dietary Restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar.

Accommodations: A block of rooms has been reserved at Grand Hotel on Mackinac Island under Cannabis Law Conference for 09/27-30/23. Visit www.icle.org/cannabislaw/hotel. Reservations must be made by 08/28/23. Registrants are responsible for their own hotel expenses.