

The Business *of* Marijuana *in* Florida

OCTOBER 2 & 3,
2018

THE AKERMAN
BUILDING

Miami, FL

Available Via:



Live
Webcast

ACCREDITATION

FL CLER 11.5 Credits, incl. & 1.0 Ethics

Accountants May Qualify

Seminar Overview

This seminar will cover a broad range of topics directly pertaining to Florida's nascent medical marijuana industry. The program will address the gamut of issues facing those operating in the cannabis space in Florida from plant touching businesses such as cultivators to ancillary service providers, as well as the ethical dilemmas facing attorneys representing those businesses. Leading industry professionals will address hot-button issues, including: federal prohibition, licensing, real estate, banking, insurance, intellectual property and much more. Attendees will also hear directly from leading practitioners and experts about the changes and progress along the road to current laws and future regulations.

Who Should Attend:

Accountants
Attorneys
Banker/Creditors
Financial Planners
Investors
Government Employees

GOLD SPONSORS

akerman

9:00 Introduction and Overview - Day One

EDT

Jonathan S. Robbins, Program Chair
Akerman LLP

9:10 Federal v. State Conflict

Federal vs. State Law, Supremacy Clause, Conflict principles, and the Commerce Clause; Analysis of memoranda from Department of Justice regarding treatment of states with “robust” cannabis regulations; Nebraska and Oklahoma v. Colorado; Federal enforcement of Controlled Substances Act and what this means for marijuana businesses.

Professor Donald M. Jones
University of Miami School of Law

Annabelle Nahra
Jeffrey S. Weiner PA, Criminal Defense Attorneys

10:00 Status of Implementation of Amendment 2 in Florida

Update on the status of implementation of Amendment 2; Registration of patients and caregivers; Registration of Medical Marijuana Treatment Centers; Status of regulations - edibles, testing, and dosing; Update on recent litigation.

Ari H. Gerstin
Akerman LLP

Jonathan S. Robbins
Akerman LLP

10:45 Break

11:00 Taxes and the Treatment of Cannabis Income

Analysis of IRC Sec. 280E; Case law; Audits; State tax considerations; New trends; Corporate structures and strategies.

Elizabeth N. Figueroa, CPA
Daszkal Bolton LLP

11:45 Real Estate and Land Use

Analysis and compilation of a cannabis lease agreement; Purchase and sale agreements for land to be used for marijuana businesses; Specific leasehold issues; Broker liability; Due diligence; Escape clauses; Zoning and other land use requirements; Landlord liability for changes in local land use law.

Cecelia Bonifay
Akerman LLP

12:30 Midday Break

1:45 Intellectual Property

What are “Marijuana Trademarks”? How do marijuana trademark marks differ from other trademarks? What to consider when choosing a marijuana trademark? Federal vs. State trademark registrations; Other brand protection mechanisms; Due diligence and actual registration; IP licensing and controversy.

Kevin W. Wimberly
Beusse Wolter Sanks & Maire PLLC

2:15 Marijuana Banking

How will the State of Florida deal with the tensions between federal banking laws and the passage of Amendment 2? Federal Anti-Money Laundering laws and analysis of 2014 Department of Treasury guidelines; Is bank financing possible? What kind of due diligence should a financial institution undertake with marijuana entrepreneurs? What advice should attorneys give to clients about the banking “epidemic”?

Zachary Kobrin, General Counsel & Chief Compliance Officer
Knox Medical

3:00 Break

3:15 Investing in the Cannabis Industry

How to raise money in Florida’s medical marijuana industry? What should a solid medical marijuana PPM contain? What should the “Disclaimer” section disclose? What liability exists for investors? What kinds of questions should investors be asking? How should an investment deal be structured in the medical marijuana industry? Is that deal the same in every state?

Sean P. Coyle
Akerman LLP

Gary S. Kaminsky, Chief Regulatory Officer
MainLine Investment Partners LLC

4:00 Ethical Considerations and Legalized Marijuana

How should attorneys navigate representation of cannabis businesses? Does the federal conflict matter for attorneys practicing in this area in marijuana-friendly states? What is the difference between “assist” and “advise”? Analysis of Bar opinions from various states; Discussion on the ethics of advising clients; Taking an interest in the business of a cannabis client; Attorney ownership or participation.

John S. Leinicke, LHRM
ROIG Lawyers

5:00 Adjourn

9:00 Introduction and Overview - Day Two

EDT

Jonathan S. Robbins, Program Chair
Akerman LLP

9:05 Regulatory Issues for Medical Marijuana Treatment Centers, Physicians and Patients/Caregivers

Standards for physician qualification and Medical Directors; Qualifying Medical Conditions and the process of registering a patient; Conflicts of interest; Issues for physicians relative to their traditional practices; obtaining professional liability insurance; How does one become a caregiver and what are the duties and responsibilities in doing so; potential exposure and liability for physicians and caregivers? MMTC inspections and administrative actions.

Jonathan S. Robbins, Moderator
Akerman LLP

Matthew Ginder
Greenspoon Marder LLP

Dr. Gary Saff, Founder
Integrated Pain Solutions

10:00 Navigating Marijuana Contracts and Agreements

Legal issues and potential pitfalls when entering in to marijuana contracts and agreements, including operational based contracts, service provider contacts and expansion driven agreements with other marijuana companies or ancillary related businesses; Regulatory compliance; Dispute resolution options; Intellectual property issues; Commercial real estate; Other general contract law considerations.

Jessica M. Feingold, Senior Legal Counsel
Stem Holdings, Inc.

11:00 Break

11:15 Consultants, Contractors, Insurance, Bonds, and Other Start Up Considerations for Cannabis Businesses (The role of the Attorney)

Consultants: The Who the What and the When; Contractors: Who business need and use and how to integrate; Insurance: General Liability, E&O/Professional Liability, Casualty Coverage and Business Disruption Coverage; Bonds: What are bonds, why do we have them, where do you get them and how much does it cost?

David C. Kotler
Cohen Kotler PA

12:15 Case Studies: Boots on the Ground in the Industry

Industry issues and perspectives from actual 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.

Brady J. Cobb
Cobb Eddy PLLC

Eric Stevens, Managing Director
Florida for Care

1:00 Adjourn

Faculty



Jonathan S. Robbins, Program Chair, partner with Akerman LLP, serves as the leader of the firm's Cannabis Practice, which counsels clients across multiple legal disciplines to navigate the complex federal, state and local laws, and regulations that govern regulated substances, including medical and adult use marijuana, pharmaceuticals, and other controlled substances.



Elizabeth N. Figueroa, CPA, is the Practice Leader and an experienced tax professional at Daszkal Bolton LLP. She works closely with real estate, construction, health practice, manufacturing, retail, nonprofits, and high net worth individuals. In addition to regularly preparing and reviewing tax compliance, she also performs extensive tax planning, estate planning, reorganization and consults on asset protection.



Cecelia Bonifay, chair of Akerman LLP's Land Use and Development Practice, helps developers navigate the governmental approval process for their real estate projects. Clients benefit from her keen analysis of a wide range of land use, zoning, sustainable development, and environmental matters.



Ari H. Gerstin, special counsel, litigation, with Akerman LLP, is a member of Akerman's Cannabis Practice, which provides counsel to clients on the legal and business issues impacting companies with interests in the regulated substances and legal cannabis sectors.



Brady J. Cobb, attorney with Cobb Eddy PLLC, is also a lobbyist, strategist and consultant based in South Florida who focuses his practice in the areas of regulated medical cannabis, Federal and State government relations and regulatory/administrative matters, commercial litigation, mergers and acquisitions and related commercial transactions.



Matthew Ginder is senior counsel in the Cannabis Law practice group at Greenspoon Marder LLP. He represents various cannabis related businesses assisting in many areas of the industry, including licensing, regulatory and compliance, and business transactions.



Sean P. Coyle, partner with Akerman LLP, advises a broad range of clients including professional sports franchises, software companies, and multinational businesses on corporate transactions and agreements. His work includes mergers, acquisitions and divestitures, private placements, and general corporate agreements.



Professor Donald M. Jones, Professor of Law at University of Miami School of Law, teaches Constitutional Law, Criminal Procedure, and Criminal Law. He is a prominent author, legal theorist, and commentator who has earned an international reputation by thinking critically about important issues concerning the civil and political rights of all Americans.



Jessica M. Feingold is senior legal counsel with Stem Holdings, Inc. and its operational affiliates. She focuses her cannabis practice on regulatory compliance, intellectual property, business transactions, mergers and acquisitions, employment law, land use and zoning and commercial real estate matters.



Gary S. Kaminsky, Chief Regulatory Officer of MainLine Investment Partners LLC, oversees the investment platform's cannabis portfolio of companies and their compliance and operational infrastructure. He has over 30 years of experience in the regulator/compliance industry developing implementing and maintaining regulatory enterprise risk management infrastructure for asset management companies, broker-dealers and companies investing and operating in the cannabis industry.



Zachary Kobrin is General Counsel and Chief Compliance Officer with Knox Medical. He is responsible for all corporate and regulatory legal matters, including transactional, banking and insurance matters; as well as ensuring compliance with Federal, state, and local government regulations. He speaks frequently and has advised a number of entities on business development, legal and regulatory issues in the cannabis industry in multiple states as well as emerging international markets.



Eric Stevens serves as the Managing Director of Florida for Care, a non-profit(c)(4) membership based organization made up of the majority of those involved in Amendment 2. Florida for Care focuses on educating elected officials and continuing to enact smart policies for Florida's medical marijuana system for patients, doctors, and MMTC's.



David C. Kotler is a partner in Cohen Kotler P.A., located in southeast Florida. In 2014, he formed a practice area in Cannabis related law which allows him to draw from all of his practice areas to benefit his clients. He is also Of Counsel to Hoban Law Group, of Denver Colorado.



Kevin W. Wimberly is a senior associate with Beusse Wolter Sanks & Maire PLLC. He provides intellectual property representation, including transactional, licensing, and litigation related to trademarks, patents, copyrights, trade secrets and other matters.



John S. Leinicke, LHRM, is a partner with ROIG Lawyers. His practice primarily focuses on first party litigation, fraud investigation, and statutory compliance issues involving medical licensure and the lawful provision of health care services. He also has experience in the practice areas of medical malpractice and product liability.



Annabelle Nahra is an attorney with Jeffrey S. Weiner PA, Criminal Defense Attorneys. She focuses her practice on all types of state, federal and international criminal cases throughout the United States and abroad.



Dr. Gary Saff, founder of Integrated Pain Solutions of South Florida, is an M.D. trained native of South Florida where he currently practices as an interventional pain management specialist. Previously he was the director of pain management services at Cleveland Clinic and formerly a director at Columbia University's St. Lukes-Roosevelt Hospital.

Credits

FL CLER

This course has been approved by The Florida Bar for 11.5 general CLER credits including 1.0 ethics. 11.5 credits apply to Business Litigation Certification and 3.0 credits apply to Criminal Trial Law (Live Credits for In Person Attendance & Webcast).

Accountants

This course may qualify for CPE credits; please check with your state board's requirements. Credits for recorded courses not available.

Location

The Akerman Building

Three Brickell City Centre
98 SE Seventh Street, Suite 1100
Miami, FL 33131

Phone: 1-305-374-5600

The seminar is located in the Meeting room. Please call the venue for directions/questions.

PARKING

Public parking is available on 7th Street.

Fees

Live Seminar:

Attorney	\$679.00
Government / Tribal / Non-Profit	\$579.00
Other Professionals	\$579.00
Student / Professor	\$479.00

Live Webcast:

Attorney	\$679.00
Government / Tribal / Non-Profit	\$579.00
Other Professionals	\$579.00
Student / Professor	\$479.00

Pre Order On Demand:

All Sessions	\$679.00
--------------	----------

Pre Order MP3 Download:

All Sessions	\$679.00
--------------	----------

Pre Order DVD Homestudy:

All Sessions	\$729.00
--------------	----------

Pre Order CD Homestudy:

All Sessions	\$729.00
--------------	----------

Pre Order Materials Download:

All Sessions	\$209.00
--------------	----------

Pre Order Printed Materials:

All Sessions	\$239.00
--------------	----------

Go to our website to register:

www.TheSeminarGroup.net or call our office at 800-574-4852 or 206-463-4400. You can also contact us at info@theseminarGroup.net or by mail to The Seminar Group, P.O. Box 523, Vashon, WA 90870.

CANCELLATION POLICY: We will refund your tuition, less a \$50 cancellation charge, if we receive your cancellation by 9/26/18. No refunds will be given after this date. Please note that if you do not cancel by the deadline and/or do not attend, you are still responsible for payment.

Register at

TSGregistration.net/5845