

The Business of Marijuana *in Oregon*



MAY 17, 2019

WORLD TRADE
CENTER

Portland, OR

ACCREDITATION

**OR CLE
WA MCLE
CA CLE**

(see inside for details)

THE SEMINAR GROUP ~ RAISING THE BAR OF CONTINUING LEGAL AND PROFESSIONAL EDUCATION

Seminar Overview

This seminar will cover Oregon's marijuana and industrial hemp regimes, in addition to a wide variety of related issues. Topics include: Oregon state regulatory programs, banking and financing, taxation, employment law, intellectual property, real estate and land use, and ethical issues arising from practicing in this emerging marketplace. The seminar will also provide practical advice that marijuana businesses and their attorneys need to know. Attendees will hear directly from leading practitioners, regulators and service providers regarding the present and future of Oregon's maturing cannabis industry.

Who Should Attend:

Accountants
Attorneys
Banker/Creditors
Financial Planners
Insurance Professionals
Land Planners
Real Estate Brokers
Government Employees

9:00 Introduction and Overview

PDT

Danica Hibpshman, Program Co-Chair
Director of Statewide Licensing
Oregon Liquor Control Commission

Vincent Sliwoski, Program Co-Chair
Harris Bricken

9:10 State Programs Overview

Overview of state cannabis programs; Local control of marijuana businesses; Federal-state conflict and other big challenges; 2019 legislative updates.

Rob Bovett, Legal Counsel
Association of Oregon Counties

9:45 Oregon Liquor Control Commission Update

Business Structure Changes, including financial interest disclosures and changes in ownership; Licensing policy and timelines update; Dealing with licensee violations; Rulemaking updates.

Danica Hibpshman
Director of Statewide Licensing
Oregon Liquor Control Commission

Vincent Sliwoski
Harris Bricken

10:30 Break

10:45 Employment Law Considerations for Canna-Businesses

Employment laws that trip up marijuana businesses, including Oregon Sick Leave; Sexual Harassment prohibitions and other civil rights laws; Wage and hour basics; Recent changes in equal pay laws; Oregon's new "Ban the Box" regulation; Oregon recreational marijuana laws that impact the employment relationship; Oregon Saves overview.

Alexander A. Wheatley
Fisher & Phillips LLP

11:15 Taxes and the Treatment of Cannabis Income

Overview of IRC § 280E, its impact on marijuana businesses, and techniques for limiting that impact; IRS guidance involving taxation of marijuana businesses; Overview of inventory accounting rules under IRC § 471 (General Rules for Inventories); Pitfalls of common business and transaction structures used in the marijuana industry; Federal and State audit considerations.

Justin E. Hobson
Lane Powell PC

11:55 Marijuana Industry Trademark and Branding Issues

How do trademarks for marijuana-related goods and services differ from other trademarks? What should be considered when choosing a marijuana trademark? What is the availability and benefit of federal and state trademark registrations? Are other brand protection mechanisms available?

Sean Clancy
Emerge Law Group

12:30 Midday Break

1:30 Getting High on Ethics: Keep Your License From Going Up In Smoke

Understanding the competing legal and ethical issues; Considering the greater role of client due diligence; Applying competency and communication issues; Doing business with Cannabis companies; Other lawyer risk issues.

David J. Elkanich
Holland & Knight LLP

2:30 Real Estate and Land Use

Analysis and compilation of a cannabis leasehold; 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.

Janet L. Grayson, PC
Grayson Law LLP

3:15 Break

3:30 Industrial Hemp and CBD

Federal Programs and state law interplay: Impact of the 2018 Farm Bill on the Oregon Industrial Hemp Pilot, Federal and state labeling requirements for Hemp-CBD products, including food, dietary supplements, cosmetics and tobacco products, Federal and state trademark protection for Hemp-CBD products; ODA: Application process, New ODA/OLCC rules and obligations; OLCC, interstate and international sales; Overview of the legal landscape, including risks and penalties.

Nathalie Bougenies
Harris Bricken

4:15 Banking Issues for Marijuana Industry and Service Providers

How do anti-money laundering regulations affect banking in the marijuana industry? How do financial institutions treat marijuana businesses and service providers? What can marijuana businesses do to get access to services?

Michael McIntyre, Business Officer, Business Services
Department
Salal Credit Union

5:00 Adjourn

Faculty - Marijuana



Danica Hibpshman, Program Co-Chair, is the Director of Statewide Licensing with the Oregon Liquor Control Commission (OLCC). She joined the (OLCC) in January 2015 as a member of the team tasked with implementing Oregon's new recreational marijuana program. In 2016 she was promoted to Director of Statewide Licensing, and currently oversees all alcohol and marijuana licensing activities within the state.



David J. Elkanich is a partner at Holland & Knight LLP, where he focuses his practice on litigation, with an emphasis on legal ethics and risk management. He advises both lawyers and law firms in a wide range of professional responsibility matters. He frequently counsels on how to navigate an "electronic" practice.



Vincent Sliwoski, Program Co-Chair, is a partner with Harris Bricken. He runs the firm's Oregon office, and his clients run the gamut from individual investors and entrepreneurs to widely held domestic and international corporations. Since 2011, he has represented a large number of cannabis entities through corporate structuring, commercial transactions, and early stage dispute resolution.



Janet L. Grayson, PC, is a partner with Grayson Law LLP in the firm's real estate, business, litigation and estate planning and probate practice. She provides services in all aspects of real estate, business and probate law including planning, transactions, licensing, probate, mediation, arbitration and court matters.



Nathalie Bougenies, attorney with Harris Bricken, practices corporate law, intellectual property, real estate, and litigation, enabling her to assist companies with a wide range of legal and business challenges. She enjoys building a deep understanding of her clients' businesses, industries, and long-term visions, and leverages her broad expertise and international background to help with their legal needs.



Justin E. Hobson, attorney with Lane Powell PC, is Co-Chair of the firm's Cannabis Team. He advises cannabis businesses on business, regulatory and tax matters. He helps his clients make well-informed legal decisions and offers guidance on entity selection, raising capital, regulatory compliance, tax planning, mergers and acquisitions, and drafting shareholder, operating and intercompany agreements.



Rob Bovett currently serves as Legal Counsel for the Association of Oregon Counties, where he primarily works on legislative matters relating to drug policy, elections, home rule, labor and employment, ocean and coastal policy, public contracting, public meetings and records, renewable energy, and torts.



Michael McIntyre is a Business Officer in the Business Services Department with Salal Credit Union. He has worked for the last two years in Oregon and SW Washington, helping bring professional banking services to the cannabis, hemp and ancillary industries. He worked in the Financial Services industry for over 23 years and the last 9 years in Business Banking, specializing in deposit, cash management and lending solutions.



Sean Clancy, attorney with Emerge Law Group, focuses his practice on business and intellectual property (IP). As outside IP counsel for a variety of innovative industries including state licensed cannabis, he advises on state and federal trademark rights, copyrights, packaging and labeling, publicity, privacy, trade secrets, non-disclosure agreements and licensing.



Alexander A. Wheatley is an attorney with Fisher & Phillips LLP. He defends employers in employment-related administrative claims and lawsuits, has litigated several jury trials, and argued numerous motions in state and federal court. He also advises and provides training on issues relating to workplace discrimination, family leave, wage and hour laws, and noncompetition, non-solicitation, and nondisclosure agreements.

Marijuana

Credits

OR CLE

This course has been approved by the Oregon State Bar for 5.25 general and 1.0 ethics CLE credits (Live Credits for In Person Attendance & Webcast).

WA MCLE

This course has been approved for 5.25 hours of law and legal credit and 1.0 hours of ethics CLE credit by the Washington MCLE board (Live Credits for In Person Attendance & Webcast). Self-Study credit will be available, specific credit amount to be determined.

The Seminar Group is an accredited sponsor with the Washington State Bar

CA CLE

The Seminar Group is a State Bar of California approved MCLE provider; therefore, this course is approved for 5.5 general and 1.0 ethics CLE credits. (Live Credits for In Person Attendance & Webcast).

Accountants

This course may qualify for CPE credits; please check with your state board's requirements.

Location

World Trade Center

121 SW Salmon St
Two World Trade Center Building
Portland, OR 97204

Phone: 503-464-8688

The Seminar is located in the Skybridge A & B room. Please call the venue for directions/questions

SLEEPING ROOMS

Guest rooms are available at a Special Rate at Stay Pineapple, The Hotel Rose Downtown Portland, 50 SW Morrison Street, Portland, Oregon. Please call 866-866-7977 to reserve and mention the Preferred Corporate Rate.

PARKING

There is a parking garage right below the WTC building off of Taylor Street.

Fees

Live Seminar:

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| Attorney | \$549.00 |
| Government / Tribal / Non-Profit | \$449.00 |
| Other Professionals | \$449.00 |
| Student / Professor | \$349.00 |

Live Webcast:

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| Attorney | \$549.00 |
| Government / Tribal / Non-Profit | \$449.00 |
| Other Professionals | \$449.00 |
| Student / Professor | \$349.00 |

Pre Order On Demand:

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| All Sessions | \$549.00 |
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www.TheSeminarGroup.net or call our office at 800-574-4852 or 206-463-4400. You can also contact us at info@theseminar.com 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 5/10/19. 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

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