

## California Medical Marijuana Attorneys

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### Take Full Advantage of Laws Governing Medical Marijuana Cultivation, Distribution and Dispensaries



Legalization of medical marijuana as a drug has created an enormous opportunity for you to benefit from your operation and business skills---if you operate correctly. It is now perfectly legal for you to have built dispensaries that:

- generate millions of dollars of tax revenues,
- provide secure well paying jobs for employees
- provide relief to patients.

However, this opportunity brings more competition for marijuana patients and high visibility to law enforcement and government agencies (e.g. taxation and revenue, business regulation, occupancy and zoning regulations). This makes having a successful operation more difficult than ever if you don't have the proper legal and business expertise.

With more players competing for a limited market, only the best run medical marijuana operations will thrive. The others will spend their days in court trying to stay out of jail, because they failed to understand the confusing laws related to the medical cultivation and distribution of marijuana. Operators of failing dispensaries and coops spend their days fighting asset seizures of buildings, equipment and inventory rather than generating revenue. These weak operations fail to pay the correct taxes or are forced to move operations several times a year because of their inability to successfully negotiate with hostile landlords and hostile community groups.

The **Law Offices of Tracy M. Grayson** specializes in helping medical marijuana co-ops, mobile organizations and dispensaries set up and run successful operations. We help clients eliminate the risk of arrest, prosecution, asset forfeiture and harassment from unfriendly law enforcement, unfriendly press, community groups and landlords.

Our marijuana attorneys have a 22-year track record of helping businesses and entrepreneurs in regulated drug, pharmaceutical and medical industries grow their businesses and avoid criminal liability and asset forfeiture.

### Medical Marijuana Law and Defense



Has your dispensary, coop or cultivation site started to receive unwanted attention from law enforcement, politicians, press, landlords or hostile community activists?

The laws regulating medical marijuana are complex, confusing, vary from county to county and are often contradictory. To stay out of jail and prevent a seizure of land, buildings, equipment and inventory, you need an experienced marijuana attorney. Many marijuana operations fail because they underestimate the importance of good, relevant legal advice and often do not understand their legal rights and responsibilities. A mistake in setting up operations could mean arrest, confiscation of inventory, asset forfeiture and suffering harassment at the hands of unfriendly law enforcement officers, press, community groups and landlords. Because of the complexity of the law you should always involve a marijuana lawyer in the set up of any medical marijuana operation.



### Get Your Seized Property Returned

Has the government seized your property because of a failure to comply with laws related to medical marijuana? Often, seizures are the result of a legitimate difference of legal opinion about interpreting federal and state drug laws.



It is sometimes possible to have your buildings, equipment, inventory and cash returned but you need to make the proper argument and understand the proper procedures. Our law office has 15 years of experience successfully getting our clients' property returned to them.

### Set Up Your Medical Marijuana Business the Right Way

**To Succeed in the Medical Marijuana Business, You Need the Right Location**—You need to set up shop in the right jurisdiction to succeed. Medical marijuana laws vary from county to county. What is permissible in one county will be illegal in another. As well, attitudes of press, community and landlords vary from county to county. Some counties with extremely lax but medical marijuana operators suffer at the hands of a resentful and hostile community. We can help you to choose a location for your medical marijuana operation that maximizes your chances for greatest success.



**To Succeed in the Medical Marijuana Business, You Need the Right Organization Model**—The wrong operation model or the wrong set of operating procedures will land you in jail and result in the seizure of your property! Should you set up your operation as a bricks-and-mortar dispensary, a mobile coop, an independent cultivator? We help you to determine what organizational model will keep your operation free to grow and thrive.

**To Succeed in the Medical Marijuana Business, You Need the Right Patients and Members**—The wrong patients will compromise the safety, security and financial performance of your medical marijuana operation. The wrong patients and members will have problems adhering to the rules and procedures required of a growing operation which subjects the operators personally to criminal and civil liability. Getting and keeping the right patients is largely a function of understanding how to find, structure relationships with and monitor the right patients and members. We will show you how to identify, educate, inform and—when necessary—remove members from your medical marijuana operation to ensure smooth functioning.





## How Much Do you Know about Marijuana Laws?

Are you willing to gamble your freedom and the safety and security of your family based on your understanding of the laws governing medical marijuana?

The laws regulating medical marijuana are complex, confusing, vary from county to county and are often contradictory.

Many medical marijuana businesses and entities including dispensaries, collectives/cooperatives, and cultivators fail because they have underestimated the importance of good, relevant legal advice. You will fail if you don't understand your legal rights and responsibilities. A mistake in setting up operations could mean arrest, confiscation of inventory, asset forfeiture and suffering harassment at the hands of unfriendly law enforcement officers, press, community groups and landlords.

## How Confident Are You About Your Knowledge of Medical Marijuana Laws?

**On One Hand....**

Persons who possess, cultivate, or distribute large quantities of marijuana can be prosecuted under the federal Controlled Substances Act (CSA) (21 U.S.C. 811). This law does not recognize the difference between medical and recreational use of marijuana.

Under CSA, marijuana is treated like every other controlled substance, such as cocaine and heroin.

**On the Other Hand...**

In 1996 California voters passed Proposition 215, the Compassionate Use Act (CUA) which is designed to "...ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where the medical use is deemed appropriate and has been recommended by a physician..."

**On One Hand...**

On May 22 2013 Los Angeles citizens voted overwhelmingly to reduce the number of medical marijuana dispensaries from the 800+ to 135.

**On the Other Hand...**

On August 29, 2013, the United States Department of Justice issued a memo indicating that it would not enforce federal laws prohibiting the possession and sale of marijuana.

### **On the Other Hand...**

- In *Gonzales v. Raich* (2005), the United States Supreme Court held that the federal government has the constitutional authority to prohibit marijuana for all purposes. While the Obama administration says it currently will not prosecute medical marijuana patients, the federal government maintains the constitutional authority to reverse this policy and change its mind at any time, even if patients grow their own medicine and even if they reside in a state where medical marijuana use is protected under state law.

### **On the Other Hand...**

On September 10, 2013 Sen. Patrick Leahy called for a 'smarter approach' to marijuana policy and urges a scrutiny of federal laws that may impede regulation of pot in states where it is legal.

**Our medical marijuana lawyers will help you navigate these contradictions and confusion.**

### **12 Questions Every Medical Marijuana Dispensary Should Be Able To Answer**

1. Do you know what you need to know in order to run your medical marijuana business?
2. What is the difference between a cooperative and a collective?
3. Can a county set cultivation limits on medical marijuana plants?
4. Must a medical marijuana business be set up as a not-for-profit?
5. Does a collective have to be registered with a government agency?
6. What documents do you need to see in order to verify that someone is a valid medical patient?
7. Is an employee/member of a cooperative or collective entitled to receive compensation in connection with work performed for the entity?
8. Do you fear criminal prosecution for your participation in a medical marijuana cooperative?
9. Could your mobile distribution service land you in jail?
10. Has your dispensary been shut down by Los Angeles Proposition D?
11. Are you being harassed by neighbors, landlords, Los Angeles and California regulators or the police because of your efforts to distribute medical marijuana?
12. Could your mistake in interpreting or applying federal and California state marijuana laws land you in jail?



You need legal counsel to help you answer these questions and make the right decisions, Call Us Now to speak confidentially with a qualified medical marijuana attorney at **888.914.9917**.