



DRI delivers **resources** to build your practice

Marijuana Law

Litigation, Risk Mitigation, and Policy Updates—Challenges and Strategies

Developing litigation issues, including

- Employment law: what can and cannot be enforced
- Medical malpractice: insurance coverage and potential claims
- Insuring the marijuana industry: from procurement to exclusions to claim handling
- State legalization and regulatory issues
- Analysis of policy shifts under the Trump administration



June 26–27, 2018

The University of Chicago
Booth School of Business Gleacher Center
Chicago, IL

More than half of the states in the United States currently have laws legalizing Marijuana in some form (medicinal and/or recreational). But in the face of the Controlled Substances Act, regulatory uncertainty presents a barrier to full realization of the potential of the cannabis industry, even though economists predict \$50 billion in annual sales by 2026. This quickly developing sector affects virtually all areas of the law and provides opportunities to those with the knowledge base to guide clients and companies deftly through a shifting regulatory and legal landscape. The DRI Marijuana Law Seminar provides you with subject matter experts who will share with you the knowledge and strategies needed by professionals, businesses, and insurers to successfully traverse the complex pitfalls and prospects of marijuana legalization.



Melissa K. Roeder
Program Chair



**Stephen O. (Steve)
Plunkett**
Law Institute



Michael B. Cohen
Program Vice Chair

PRESENTED BY **DRI's Drug and Medical Device, Employment and Labor Law, Insurance Law, AND Medical Liability and Health Care Law Committees**

Register online now at dri.org or complete the form in the back.

What You Will Learn



- The latest on federal policy, the Cole memo, and Jeff Sessions' position
- State regulatory updates, banking options, and what to expect in the upcoming year
- How to navigate the claims process, get your claim paid, and defend a claim
- Lessons and tips for claims handlers along with policies available
- The science of THC: lessons from an industrial hygiene and toxicology perspective

Members Get More

- Access to committee newsletters, seminar course materials, and other publications via **DRI Online** at dri.org.
- Access to the **DRI Committee Communities** for **Drug and Medical Device**, **Employment and Labor Law**, **Insurance Law**, and **Medical Liability and Health Care Law**: Share articles, post blogs, and connect with others on the latest trends in your area of practice.
- Access to **dri circles**, where lawyer-to-lawyer connections happen. Search **dri circles** in your app store:



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- Attend a seminar
- Participate on a committee
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PROGRAM SCHEDULE

MONDAY, JUNE 25

6:00 p.m. **Registration**

6:00 p.m. **Networking Reception**

TUESDAY, JUNE 26

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**

SPONSORED BY **Rimkus Consulting Group Inc.**

8:00 a.m. **Welcome and Introduction**

Stephen O. (Steve) Plunkett,

Bassford Remele PA, Minneapolis, MN

Melissa K. Roeder, *Foley & Mansfield PLLP*,

Seattle, WA

8:10 a.m. **Cannabis Regulation in the Trump Administration: Lessons Learned and What Lies Ahead**

This insightful and interactive session will explore what effect the Trump administration has had and will continue to have on the cannabis industry. The presentation will offer insights into the changing federal and state cannabis regulatory landscapes.

Jonathan A. Havens, *Saul Ewing Arnstein & Lehr LLP*, Baltimore, MD

9:00 a.m. **Insurance Updates**

This presentation focuses on the effect of legalized marijuana on various lines of insurance coverage, compares insurance coverage for legalized marijuana with other highly regulated substances such as alcohol and tobacco, and discusses ethical obligations and pitfalls.

Scharome R. Wolfe, *ROIG Lawyers*, Orlando, FL

9:50 a.m. **Medical Marijuana and Medical Liability: Dispensing Cannabis and Emerging Frontiers in Medical Liability**

As medicinal cannabis use becomes more legalized and acceptable, potential liability issues loom for manufacturers, dispensaries, and medical professionals. This presentation will review liability issues using real cases

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ripped from the headlines and offer practical advice for navigating the minefield.

Michael D. (Mike) Shalhoub,

Goldberg Segalla LLP, White Plains, NY

10:35 a.m. **Refreshment Break**

10:55 a.m. **The Grass Is Greener—but for Whom? The Effect of Marijuana Legalization on Employers in Workers' Compensation**

Employers face difficult questions about their workplace policies, rights, and obligations because of conflicting state and federal laws. Explore the latest trends in the development of marijuana law and policy, and how best to protect employers with regard to workers' compensation.

Carol A. Cesaretti, *Quintairos Prieto Wood & Boyer PA*, Chicago, IL

11:40 a.m. **The Green Rush: Cannabis Legalization in Canada**

With Canada poised to become the first major industrialized country to legalize recreational cannabis fully, this presentation provides a high-level overview of various aspects of legal and regulatory landscape of the Canadian cannabis market and discusses cross-border opportunities and challenges.

Robin D. Linley, *Blake Cassels & Graydon LLP*, Toronto, ON

Matthew (Matt) Mundy, *Blake Cassels & Graydon LLP*, Toronto, ON

12:30 p.m. **Lunch (on your own)**

2:00 p.m. **Toxicology: What Is It and How Do You Utilize a Toxicologist on the Stand**


From a toxicologist's perspective, the top 10 cannabis product liability topics will be discussed based on the current state of the science. From a lawyer's perspective, this session will describe scenarios involving how the most important topics are addressed in the courtroom using an expert toxicology witness.

Angela L. (Angie) Perez, PhD, *Center for Toxicology and Environmental Health LLC*, Portland, OR

Melissa K. Roeder, *Foley & Mansfield PLLP*, Seattle, WA

3:00 p.m. **The Policyholder’s Perspective on Claims Handling: How to Get Claims Paid**
 Getting your claims paid by your insurance companies can be a difficult and time-consuming process. This program will take you through the claims process, including how and when to provide notice, how best to document damages, and how to push the carrier to get your claim paid.
Michael Conley, *Offit Kurman*, Philadelphia, PA

4:00 p.m. **Refreshment Break**
 SPONSORED BY **AAIS Inc.**

4:15 p.m. **Marijuana Banking: What All Banks Need to Know**
 This presentation will discuss the current legal and regulatory landscapes surrounding the banking of marijuana-related businesses (MRBs) in states where marijuana has been legalized, including how financial institutions can permissibly service MRBs, as well as review existing federal policy regarding marijuana banking.
 **John W. Vardaman III**, *Hypur Inc.*, Washington, DC

4:50 p.m. **Without Warning: Mitigating Liability at the Point of Sale**
 Cannabis products are required to include warnings about the dangers associated with using the product, as well as specific information such as serving size and tetrahydrocannabinol (THC) and cannabinoid (CBD) levels. Nevertheless, processors, distributors, and sellers can be liable even with strict compliance with these mandatory warnings
Michelle L. Burton, *Shoecraft Burton LLP*, San Diego, CA
Robert S. (Rob) May, *Kilmer Voorhees & Laurick PC*, Portland, OR

5:30 p.m. **Adjourn**

6:00 p.m. **Networking Reception**

7:30 p.m. **Dine-Arounds** | Join colleagues and friends at selected restaurants for dinner (*on your own*). More details on-site.

WEDNESDAY, JUNE 27

7:00 a.m. **Registration**

7:00 a.m. **Continental Breakfast**

7:55 a.m. **Announcements**
Michael B. Cohen, *Quintairos Prieto Wood & Boyer PA*, Chicago, IL

8:00 a.m. **Insurance and Cannabis: An Ever-Growing Topic**
 Given the conflict between state and federal law regarding cannabis, there are more questions than answers in the insurance space: who is covering these businesses, what interesting court cases have tested the limits of insurance coverage, and what trends lies ahead for this industry?
Brenda P. Wells, PhD, CPCU, AAI, CRIS, *East Carolina University*, Greenville, NC

9:00 a.m. **Social Justice and Equal Access in Cannabis Reform**
 Learn more about the implications of cannabis legalization as it spreads to the East Coast and the push for equity and social justice in the new laws around the nation.
Shanel A. Lindsey, *Ardent LLC*, Boston, MA

10:00 a.m. **Industrial Hygiene in the Marijuana Arena**
 THC modeling: what is it, how do you do it, and what does it mean?
Dallas M. Cowan, PhD, CIH, DABT, *Center for Toxicology and Environmental Health LLC*, Carlsbad, CA

10:45 a.m. **Refreshment Break**

11:00 a.m. **Cannabis Coverage in the Marketplace**
 Learn about the ins and outs of the various types of insurance coverage available to each segment of the marijuana sector, including growers, manufacturers, dispensaries, and testing facilities.
 **Jodie L. Faulkner**, *Hull & Company*, Greenwood Village, CO

 Denotes the **DRI CLIENT CONNECTION**: In-house and claims professional speakers

11:45 a.m. **A Survey of the Effects of Marijuana Legalization on Employment Law**
This program will survey recent court cases from across the country addressing the effect of marijuana legalization on an employer's right to a drug-free workplace, whether employers have a duty to accommodate medical marijuana patients, and the interplay of state legalization with federal laws.
Maura Yusuf, Chicago, IL

12:30 p.m. **Game of Ethics: What the Game of Thrones and Model Rules of Professional Responsibility Have in Common**
What if Petyr Baelish and Brienne of Tarth were fighting over the same clients? What eth-

ical conundrums might they find themselves in? In this ethics segment that we call "Game of Ethics," watch a series of vignettes woven into a discussion of the Model Rules of Professional Responsibility.

Dyanna Ballou, *Rasmussen Dickey and Moore LLC*, Kansas City, MO

Clayton E. (Clay) Dickey, *Rasmussen Dickey and Moore LLC*, Kansas City, MO

1:30 p.m. **Adjourn**

FACULTY *Click on any name to view bio.*

Dyanna Ballou, Rasmussen Dickey and Moore LLC, Kansas City, MO

Michelle L. Burton, Shoecraft Burton LLP, San Diego, CA

Carol A. Cesaretti, Quintairos Prieto Wood & Boyer PA, Chicago, IL

Michael B. Cohen, Quintairos Prieto Wood & Boyer PA, Chicago, IL

Michael Conley, Offit Kurman, Philadelphia, PA

Dallas M. Cowan, PhD, CIH, DABT, Center for Toxicology and Environmental Health LLC, Carlsbad, CA

Clayton E. (Clay) Dickey, Rasmussen Dickey and Moore LLC, Kansas City, MO

 **Jodie L. Faulkner**, Hull & Company, Greenwood Village, CO

Jonathan A. Havens, Saul Ewing Arnstein & Lehr LLP, Baltimore, MD

Shanel A. Lindsey, Ardent LLC, Boston, MA

Robin D. Linley, Blake Cassels & Graydon LLP, Toronto, ON

Robert S. (Rob) May, Kilmer Voorhees & Laurick PC, Portland, OR


Matthew (Matt) Mundy, Blake Cassels & Graydon LLP, Toronto, ON

Angela L. (Angie) Perez, PhD, Center for Toxicology and Environmental Health LLC, Portland, OR

Stephen O. (Steve) Plunkett, Bassford Remele PA, Minneapolis, MN

Melissa K. Roeder, Foley & Mansfield PLLP, Seattle, WA

Michael D. (Mike) Shalhoub, Goldberg Segalla LLP, White Plains, NY

 **John W. Vardaman III**, Hypur Inc., Washington, DC

Brenda P. Wells, PhD, CPCU, AAI, CRIS, East Carolina University, Greenville, NC

Scharome R. Wolfe, ROIG Lawyers, Orlando, FL

Maura Yusuf, Chicago, IL

View faculty bios on the Marijuana Law Seminar webpage; click on "View speakers" button.

GENERAL INFORMATION

In-House Counsel

In-house counsel are eligible for free registration to DRI seminars. In-house counsel are defined as licensed attorneys who are employed exclusively by a corporation or other private sector organization for the purpose of providing legal representation and counsel only to that corporation, its affiliates, or its subsidiaries. To qualify for free registration, in-house counsel must be a DRI member and a member of the DRI Corporate Counsel Committee *or* be sponsored by a DRI member who is both registered and has paid for the seminar.

Nonmember in-house counsel may utilize this offer only once. This offer excludes the DRI Annual Meeting and the DRI Business Management Principles for Lawyers Seminar.

Claims Executives

Claims professionals are eligible for free registration to DRI seminars. Claims professionals are defined as any individuals employed by a corporation or insurance company, who spend a substantial portion of their professional time hiring or supervising outside counsel in the representation of businesses, insurance companies or their insureds, associations, or governmental entities in civil litigation. To qualify for free registration, the claims professional must be a DRI member under a corporate membership *or* be sponsored by a DRI member who is both registered and has paid for the seminar. **Nonmember claims professionals may utilize this offer once per calendar year. This offer excludes the DRI Annual Meeting.**

Seminar Location

The University of Chicago Booth School of Business Gleacher Center, 450 North Cityfront Plaza Drive, Chicago, Illinois 60611.

CLE/Claims Adjusters Accreditation

This seminar has been approved for MCLE credit by the State Bar of California for up to **12.50** hours, including **1** hour of ethics credit. Accreditation has been requested from every state with mandatory continuing legal education (CLE) requirements. Certificates of attendance will be provided to each attendee. Attendees are responsible for obtaining CLE credits from their respective states. **Application has been made for continuing education for claims adjusters.** Credit availability and requirements vary from state to state; **please check the DRI website at dri.org** for the latest information for your state.

Registration Policy

Save \$100 when you register by May 28, 2018. (See the registration form for pricing.) The registration fee includes course materials, con-

tinental breakfasts, refreshment breaks, and networking receptions. If you wish to have your name appear on the registration list distributed at the conference and receive the course materials in advance, DRI must receive your registration by **June 4, 2018** (*please allow 10 days for processing*). Registrations received after **June 4, 2018**, will be processed on-site.

Refund Policy

The registration fee is fully refundable for cancellations received on or before **June 4, 2018**. Cancellations received after **June 4** and on or before **June 11, 2018**, will receive a refund, less a \$100 processing fee. Cancellations made after **June 11** will not receive a refund, but a \$100 certificate good for any DRI seminar within the next 12 months will be issued. All cancellations and requests for refunds must be made in writing. Fax (312.795.0747) or email (seminars@dri.org) to DRI's Accounting Department. Processing of refunds will occur within four weeks after the date of the seminar. All refunds will be processed in the same method that the payment was received. Substitutions may be made at any time without charge and must be submitted in writing.

Discounts

Group Discount The first and second registrations from the same firm or company are subject to the fees outlined previously. The registration fee for additional registrants from the same firm or company is **\$775**, regardless of membership status if received on or before **May 28, 2018**. After **May 28**, the group rate is **\$875**. All registrations must be received at the same time to receive the discount.

Travel Discounts DRI offers discounted meeting fares on various major air carriers for **DRI Marijuana Law Seminar** attendees. To receive these discounts, please contact Direct Travel, DRI's official travel provider, at 800.840.0908. As always, to obtain the lowest available fares, early booking is recommended.

- The taping or recording of DRI seminars is prohibited without the written permission of DRI.
- Speakers and times may be subject to last-minute changes.
- A small portion of your room rate offsets the costs of the seminar.
- DRI policy provides there will be no group functions sponsored by others in connection with its seminars.

Hotel Accommodations

A limited number of discounted hotel rooms have been made available at the **Loews Chicago Hotel, 455 N Park Dr. Chicago, IL 60611** ([click here](#) to view hotel photos).

Take advantage of the group rate of **\$279 Single/Double** in one of two ways:

- 1) Reserve online: [Click here](#) or visit dri.org and go to the **DRI Marijuana Law Seminar page** and click on the "Book hotel" button.
- 2) Or **contact the hotel directly at 312.840.6600** and mention the **DRI Marijuana Law Seminar**.

The hotel block is limited and rooms and rates are available on a first-come, first-served basis. You must make reservations by **May 28, 2018**, to be eligible for the group rate. Requests for reservations made after **May 28** are subject to room and rate availability.

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Westin Copley, Boston, MA

April 25–27
Construction Law
Hilton Nashville Downtown, Nashville, TN

April 26–27
Business Litigation
The Ritz-Carlton Denver, Denver, CO

April 26–27
Intellectual Property
The Ritz-Carlton Denver, Denver, CO

April 26–27
Trucking Law
Hilton Chicago, Chicago, IL

May 3–4
Retail and Hospitality Litigation and Claims Management
Loews Chicago, Chicago, IL

May 10–11
Drug and Medical Device Litigation
New York Marriott Marquis, New York, NY

May 16–18
Employment and Labor Law
Loews Chicago, Chicago, IL

June 14–15
Diversity for Success
Marriott Downtown Magnificent Mile, Chicago, IL

June 20–22
Young Lawyers
Portland Marriott Downtown, Portland, OR

September 6–7
Cybersecurity and Data Privacy
Loews Chicago, Chicago, IL



Diversity and Inclusion in DRI: A Statement of Principle

DRI is the largest international membership organization of attorneys defending the interests of business and individuals in civil litigation.

Diversity is a core value at DRI. Indeed, diversity, which includes sexual orientation, is fundamental to the success of the organization, and we seek out and embrace the innumerable benefits and contributions that the perspectives, backgrounds, cultures, and life experiences a diverse membership provides.

Inclusiveness is the chief means to increase the diversity of DRI's membership and leadership positions. DRI's members and potential leaders are often also members and leaders of other defense organizations. Accordingly, DRI encourages all national, state, and local defense organizations to promote diversity and inclusion in their membership and leadership.

Harassment and Discrimination

DRI is committed to the policy of equal opportunity regardless of race, color, religion, sex, sexual orientation, gender, national origin and disability in all of its programs and activities, as well as maintaining an environment in our programs and activities which is free from all forms of harassment or discrimination of any kind. Pursuant to this policy, if any person who attends our programs or activities experiences unlawful discrimination or harassment, this should be reported to the Executive Director so that appropriate action may be taken.

Marijuana Law Seminar

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Are you a first-time attendee at this DRI seminar? Yes No

How many attorneys _____ What is your primary
are in your firm? _____ area of practice? _____

REGISTRATION FEE

Registration fee includes seminar attendance, networking receptions and course materials. DRI will email a link to download the course materials to all registrants two weeks in advance of the seminar.

	On or before May 28, 2018	After May 28, 2018	
<input type="checkbox"/> Member	\$875	\$975	<i>For inclusion on the preregistration list and to receive course materials in advance, register by June 4, 2018.</i>
<input type="checkbox"/> Nonmember	\$1,195	\$1,295	
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