

VICENTE SEDERBERG LLC

BRIAN VICENTE, ESQ.
CHRISTIAN E. SEDERBERG, ESQ.
JOSHUA KAPPEL, ESQ.
STEVE FOX, ESQ. (MA ONLY)
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ADAM FINE, ESQ. (MA, PA, NJ ONLY)
JORDAN WELLINGTON, ESQ.

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JESSICA SCARDINA, ESQ.
COLIN FLETCHER, ESQ.

August 13, 2015

City of Cathedral City – Expert Legal Assistance RFQ
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234
Via email: jmeza@cathedralcity.gov

To Whom It May Concern:

Our law firm, Vicente Sederberg LLC, is pleased to submit this letter of intent to assist Cathedral City in developing responsible regulations for marijuana businesses. Your request for expert legal assistance in the development of regulations of medical marijuana businesses in California makes it clear that the Cathedral City government is interested in responsible and effective regulation of marijuana businesses. This approach is directly aligned with the philosophy of our law firm, which has three decades of combined experience developing marijuana regulations, representing clients in the marijuana industry and working on marijuana policy reform. Our firm is the most recognized marijuana law firm in the country and is committed to bringing our expertise to other localities to develop and implement sensible regulation. Our firm would appreciate the opportunity to assist in the development of regulations for Cathedral City and, for the reasons set forth below, I believe we are uniquely qualified for this position.

Our attorneys were key players in the historic effort to tax and regulate medical and retail marijuana in Colorado, including co-authoring Amendment 64, directing the Amendment 64 campaign, and participating in Governor Hickenlooper's Amendment 64 Implementation Task Force. Leveraging our unique and in-depth knowledge of marijuana regulatory policy, we have advised policy makers and assisted in the development of responsible regulations across the country and globe, including California, Minnesota, Rhode Island, Vermont, Florida, Texas, France, Germany, Denmark, Columbia, and Jamaica. In Colorado, our attorneys remain involved in regulatory development and are regular participants in regulatory work groups to perfect and revise the Colorado regulations for medical and retail marijuana centers, cultivation facilities, and testing facilities.

In addition, our firm serves as legal counsel to Pueblo County on marijuana issues. Pueblo County is a leader in Colorado and the nation in regulating the marijuana industry, both comprehensively and responsibly. We have had the privilege of developing and drafting the County's regulations governing medical and retail marijuana businesses, personal cultivation, and the cultivation of industrial hemp.

Since adopting comprehensive regulations, we have been rewarded by watching a struggling county develop into a sophisticated business environment and hub for entrepreneurs, industry leaders and applications for new technology. In turn, approximately 1,500 marijuana-related jobs have been created in the County and more than \$500,000 in marijuana taxes have been collected. Other localities, states, and countries looking to regulate marijuana, such as Alaska, have been known to visit Pueblo to see an example of a successful regulatory environment.

Leading the Vicente Sederberg LLC team would be Shawn Hauser. Shawn is a Senior Associate at Vicente Sederberg LLC and the firm lead in our representation of Pueblo County. In this capacity, Shawn drafted the County's marijuana regulations which include: implementing a local sales and excise tax, zoning, security requirements, regulations designed to prevent diversion, licensing procedures and public hearing processes, procedures for suspension, revocation and enforcement, qualifications for licensure, advertising restrictions, form and character requirements, and other regulations that ensure the regulatory structure is compliant with the federal government's enforcement priorities. Prior to representing Pueblo County, Shawn led Sensible Colorado's local government implementation project following the passage of Amendment 64, which afforded her the opportunity to work with local governments across the state to develop and implement regulations appropriate for their community. Through these experiences, we have developed an intimate understanding of the many issues a local government faces in regulating this new and rapidly growing industry.

Rounding out the team leads for this project on Vicente Sederberg LLC's behalf would be Jordan Wellington and Allen Hopper. Jordan served as the Senior Policy Analyst at the Colorado Marijuana Enforcement Division during the development and drafting of the rules governing medical and retail marijuana. In addition, he was the sole legislative staffer assigned to shepherd the Amendment 64 implementing legislation through the Colorado General Assembly. Since joining Vicente Sederberg LLC, Jordan has worked with countless local governments, states, and other countries on the development of responsible marijuana regulation. Allen is a California attorney and consultant with over twenty years of experience in drug policy and criminal justice reform, including serving as a legislative policy advocate for the American Civil Liberties Union. His experience in medical marijuana regulation and implementation is focused on assisting California adopt responsible marijuana policies with a strong focus on public safety issues. Allen has been directly involved in marijuana regulation in California, assisting in drafting statewide ballot initiatives to tax and regulate marijuana and working with various local government officials, including Santa Cruz County, and other stakeholders to develop solutions to criminal justice and medical marijuana regulatory issues

In assisting Cathedral City in the development of its regulations, we would bring unparalleled professional expertise in marijuana regulatory policy. In addition, our team members have experience working with stakeholders of all kinds, including law enforcement, local, state, and national governments, marijuana businesses, and anti-marijuana advocates. Above all, our team believes responsible marijuana regulations should be designed to meet the needs of each community, while protecting patient access and public safety.

City of Cathedral City – Expert Legal Assistance RFQ

August 13, 2015

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Thank you for considering Vicente Sederberg LLC to assist in the development of your regulations. Please feel free to contact me any time via email or phone if you would like to learn more about our firm or schedule a time to talk.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shawn Hauser".

Shawn Hauser, Esq.
Vicente Sederberg LLC

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CATHEDRAL CITY LOI, REFERENCES

Sam Toles
Head of Content
Vimeo
New York, NY
(323) 401-2587
(Former City Council Member, Cathedral City)

Sal Pace, Commissioner
Pueblo County
Pueblo County Courthouse
215 W. 10th Street
Pueblo, Colorado 81003
(719) 583-6536
pace@co.pueblo.co.us

Joan Armstrong, Director
Pueblo County Planning & Development
229 West 12th St.
Pueblo, CO 81003-2810
(719) 583-6100
(719) 821-8881, cell
armstron@co.pueblo.co.us

W. Lewis Koski, Director
Colorado Marijuana Enforcement Division
455 Sherman St., Suite 390
Denver, CO 80203
(303) 205-2355
lewis.koski@state.co.us
(Reference for Jordan Wellington only)

Dana McRae, Counsel
Santa Cruz County
701 Ocean Street, Room 505
Santa Cruz, CA 95060
(831) 454-2040
CSL001@co.santa-cruz.ca.us
(Reference for Allen Hopper only)

Susan Mauriello, CAO
Santa Cruz County
701 Ocean Street, Room 520
Santa Cruz, CA 95060
(831) 454-3400
susan.mauriello@co.santa-cruz.ca.us
(Reference for Allen Hopper only)

Ron Kammerzell, Senior Director
Colorado Marijuana Enforcement Division
1881 Pierce St.
Lakewood, CO 80214
(303) 205-1378
ron.kammerzell@state.co.us
(Reference for Jordan Wellington only)

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CATHEDRAL CITY LOI, ATTORNEY RATES

Our current fee schedule for professional services will be based upon hourly rates as follows:

<i>Founding Partner</i> , Brian Vicente	\$350
<i>Founding Partner</i> , Christian Sederberg	\$350
<i>Partner</i> , Joshua Kappel	\$350
<i>Of Counsel</i> , Steve Fox	\$350
<i>Of Counsel</i> , Allen Hopper	\$350
<i>Senior Associate</i> , Jordan Wellington	\$275
<i>Senior Associate</i> , Shawn Hauser	\$275

Shawn Elizabeth Hauser

Senior Associate, Vicente Sederberg LLC

1244 Grant Street, Denver CO, 80203 . 303-860-4501 . shawn@vicentesederberg.com

PROFESSIONAL EXPERIENCE

Vicente Sederberg LLC, Denver Colorado; *Senior Associate*; March 2013 - Present

- Represent marijuana businesses in corporate formation, acquisitions, mergers, and other corporate matters.
- Assist marijuana businesses in licensing and regulatory compliance.
- Draft marijuana regulations for Pueblo County, and represent the County in marijuana related matters.
- Assist businesses in transactional matters including intellectual property protection, licensing agreements, supply and distribution agreements, and real estate contracts.
- Engage in state and local government relations on behalf of clients.
- Assist marijuana businesses in applications for licensing on the state, local, and national level.
- Advise clients on regulations governing the cultivation of industrial hemp.
- Manage due diligence and closings of business transactions.
- Negotiate and facilitate mergers, acquisitions, and partnership agreements.
- Presented at the Cannabis Law and Tax Symposium on legality of cannabidiol.

Sensible Colorado, Denver Colorado; *Director of Local Implementation Project*; March 2013 - March 2014

- Directed Local Government Implementation Project, which included drafting model ordinances for marijuana regulations, meeting with government officials.
- Convened weekly stakeholder meetings regarding local government implementation of Amendment 64.
- Tracked marijuana regulations in over 100 Colorado localities.
- Speaker at city council meetings, state-wide, regarding responsible marijuana regulation.

Law Offices of Shawn Hauser LLC, Denver, Colorado, *Owner/Attorney*; May 2012 - May 2013

- Represented marijuana businesses in licensing and regulatory matters.
- Attended rule-making and stakeholder meetings for marijuana regulations.
- Represented and counseled clients in family law, including divorce and custody matters.
- Drafted parenting plans, contracts, and briefs.
- Represented parties in divorce and child custody proceedings.

McAllister Law Office, Denver, Colorado, *Associate Attorney*; October 2011 - February 2013

- Represented marijuana businesses in licensing and regulatory matters.
- Represented marijuana businesses in corporate formation, acquisitions, mergers, and other business matters.
- Assisted marijuana businesses in regulatory compliance.
- Represented clients in criminal matters, including court appearances, discovery, and trial preparation.
- Drafted motions, conducted case and trial preparation.
- Drafted parenting plans, contracts, and briefs.

McAllister, Darnell, & Gottlieb, P.C., Denver, Colorado, *Legal Intern*; May 2010 - October 2011.

- Assisted in trial preparation and drafting legal documents.
- Assisted in research and writing of law review article.
- Did research, case preparation, and case management.
- Drafted parenting plans, contracts, and briefs.

Law Office of Robert J. Corry, Jr, Denver, Colorado; *Legal Intern*; May 2009 - May 2010

- Drafted legal documents, researched medical marijuana law, and prepared literature review
- Assisted in jury selection and case preparation.
- Attended legislative hearings and hearings before the Colorado Board of Health.
- Designated speaker at Mark Emery Rally in Denver, Colorado on September 2009.

EDUCATION AND PROFESSIONAL BACKGROUND

The University of Denver Sturm College of Law, Denver, CO, May 2011

College of Law Scholarship

Co-President: DU Health Law Society, DU Law NORML

Member: American Bar Association, University Democrats, Jewish Law Students Association, and Mediation Clinic.

The University of Texas at Austin, Austin, TX, August 2007

Bachelor of Science, Psychology; Minor: Biology

Member: Alpha Epsilon Phi, Distinguished Speakers Committee

ACTIVITIES AND AFFILIATIONS

Colorado Bar Association

National Cannabis Industry Association,-Member

National Hemp Association,-Board Member

Women Grow,-Board Member

Jordan Wellington

1244 Grant Street, Denver CO 80203

Jordan@VicenteSederberg.com • (303) 860-4501

Professional Experience

Director of Compliance

Vicente Sederberg, LLC, Denver, CO

February 2014 – Present

- Advise policy makers and regulators across the United State and other countries on the implementation of responsible and efficient cannabis regulations, such as California, Minnesota, Rhode Island, Vermont, Florida, Texas, France, Germany, Denmark, Columbia, and Jamaica.
- Supervise the firm's Compliance Department, which responds to our client's compliance questions, drafts memoranda regulatory interpretation and standard operating procedures, provides educational opportunities for clients to learn about regulation, and audit our client's facilities for regulatory compliance.
- Served as a member of Florida for Care's Blue Ribbon Commission, the Colorado Department of Agriculture's Advisory Board on Marijuana Cultivation and Handling Practices, and the Colorado Marijuana Enforcement Division's Licensed Premises Work Group and the Multiple Topic Marijuana Regulation Work Group.

Senior Regulatory Analyst

Colorado Marijuana Enforcement Division, Denver, CO

May 2013 – February 2014

- Served as the sole policy analyst for Colorado's Marijuana Enforcement Division during the development of the historic, first-in-the-world regulations governing legalized adult-use marijuana.
- Drafted rules for adult-use marijuana and medical marijuana governing testing, cultivation, product manufacturing, concentrate production, retail distribution, production management, transportation, certification of laboratories, labeling, packaging, and storage.
- Organized the Division's stakeholder and public engagement process, which included hosting nine different working groups to discuss and analyze every aspect of the cannabis industry.
- Served as the Chair for the following working groups: The Labeling, Packaging, Product Safety, and Marketing Working Group, The Concentrate Production Safety Working Group, and The Mandatory Testing and Random Sampling Working Group.

Legislative Aide

Colorado House Majority Office, Denver, CO

February 2013 – May 2013

- Served as the sole legislative staffer handling all issues related to the implementation of Amendment 64, the Colorado State Constitutional Amendment that legalized marijuana.

- Advised representatives and senators during the Joint Select Committee through final passage of HB13-1317, HB13-1318, and SB13-283, which established the regulatory structure governing adult-use marijuana, the taxation of adult-use marijuana, various governmental studies concerning the impact of marijuana legalization and amending some criminal laws relating to marijuana.
- Acted as a liaison between legislators and all stakeholders on the legalization of marijuana, including industry lobbyists, the Executive Agencies, the Attorney General's Office, county and municipal governments, law enforcement, child protection advocates and all other interested parties.
- Assisted in the development and evaluation of legislation by researching policy issues and analyzing bills on a range of other issues including gun control, civil unions, oil & gas, and healthcare.

Associate Counsel

New Jersey Office of Legislative Services, Trenton, NJ July 2010 – July 2012

- Drafted over 50 different pieces of legislation, including the Regional Economic Development Councils Act, the Office of Clean Energy Act, and the Health Facility Reuse & Community Revitalization Act.
- Drafted confidential memorandum at the request of state legislators and their staff on issues including energy, economic development, telecommunications, transportation, and education.
- Served as an Aide to the Assembly Telecommunications and Utilities Committee; ensured all committee meetings were conducted in accordance with the Assembly's rules, recorded committee votes, and prepared committee statements and amendments to legislation considered by the committee.
- Drafted a legal opinion for the Office of Legislative Counsel and a background paper on NJ Transit's Capital Program, which was included in the Office of Legislative Service's analysis of the Fiscal Year 2012 Executive Budget.

EDUCATION

J.D., *cum laude*

Brooklyn Law School, Brooklyn, NY
GPA: 3.67, Top 10% (38/499)

May 2009

B. A., Criminology and Criminal Justice

University of Maryland, College Park, MD

December 2002

VOLUNTEER WORK

Board of Directors

Prevent Child Abuse Colorado

June 2013 to Present

Board of Director

CORE Network

June 2014 to Present

LAW OFFICES OF M. ALLEN HOPPER

Allen Hopper is an attorney and consultant with 20+ years of criminal justice and drug policy experience, including more than a decade as a civil rights attorney and legislative policy advocate for the American Civil Liberties Union (ACLU). Mr. Hopper brings extensive policy and litigation experience in drug law enforcement, medical marijuana implementation and broader marijuana law reform to help clients navigate local, state and federal laws and regulations, and to envision and implement innovative public safety and criminal justice solutions with an emphasis on alternatives to incarceration and cannabis regulation. At the ACLU of California he founded and directed the state-wide Criminal Justice and Drug Policy Project (CJDP), developing strategies to reform California's criminal justice system and drug policies and down-size California jails and prisons. From 2004 through 2010, Mr. Hopper was the Litigation Director of the National ACLU's Drug Law Reform Project, where he coordinated the ACLU's drug policy litigation strategy, combining impact litigation with policy and legislative advocacy and public education to transform public understanding of, and government response to, drug use and the nation's drug policies. Mr. Hopper served as Senior Legal and Strategic Advisor to the Prop. 47 campaign, a voter-approved 2014 California ballot initiative that eliminated felony punishment for low level drug possession and theft crimes and redirected cost savings into community-based rehabilitative and reentry programs.

Mr. Hopper has been involved in the drafting of statewide ballot initiatives to legalize, tax and regulate cannabis and has worked closely with top public opinion research firms testing various approaches to legalization as well as broader criminal justice reform and mass incarceration issues. He has also worked extensively with local government officials and stakeholders on criminal justice and medical marijuana regulatory issues, including collaborating with Santa Cruz County supervisors, County Counsel and members of the medical marijuana industry seeking to improve local cultivation ordinances. Mr. Hopper has co-authored law review articles analyzing the complex intersection of federal and state marijuana laws, as well as California's prison overcrowding crisis and political resistance from the organized law enforcement lobby to reforming the state's sentencing laws. (See *Cooperative Federalism and Marijuana Regulation*, 62 UCLA L. Rev. 74 (2015), avail. at <http://tinyurl.com/p3jyqcb>; *Shifting the Paradigm or Shifting the Problem? The Politics of California's Criminal Justice Realignment*, 54 Santa Clara L. Rev. 529 (2014), avail. at <http://tinyurl.com/oba8pqp>.) Mr. Hopper published an analysis of the continued validity of state medical marijuana laws after the U.S. Supreme Court's 2005 decision in *Gonzales v. Raich*, and a similar analysis of the constitutional validity of Prop. 19, the 2010 California marijuana legalization ballot initiative. He has been quoted extensively in the national news media on numerous criminal justice topics, including the intersection of federal and state drug laws. He has also litigated these issues in federal and state courts, including, among other cases, defeating San Diego County's challenge to all California medical marijuana laws as preempted by federal law (*San Diego County v. NORML*, 165 Cal.App.4th 798 (2008), *rev. den.* (2008), *cert. den.* 556 U.S. 1235 (2009), and bringing a Tenth Amendment challenge to federal law enforcement practices targeting medical marijuana patients and providers working collaboratively with local government officials. (*County of Santa Cruz v. Gonzales*, No. C 03-01802 JF, 2008 WL 3892019 (N.D. Cal. Aug. 20, 2008)). Mr. Hopper also testified as a constitutional law expert before the California State Assembly Public Safety Committee's historic hearings on the legalization of marijuana in 2009.

Mr. Hopper received his B.A. in 1988 from New College of Florida, that state's public honors college, and his J.D. from the University of California, Davis, in 1992, where he received the Martin Luther King, Jr., Award for Public Service. Before joining the staff of the ACLU, Mr. Hopper's private practice focused on criminal defense, prisoners' rights and police misconduct litigation and he was a staff attorney for the California Appellate Project in San Francisco, established by the California Supreme Court and the California State Bar to oversee and provide case assistance to the lawyers appointed by the Court to represent death row defendants in their state and federal post-conviction proceedings.

LAW OFFICES OF M. ALLEN HOPPER

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