

ADKT 0495

**MADDOX | SEGERBLOM | CANEPA**

June 30, 2016

**FILED**

**JUL 11 2016**

The Supreme Court of Nevada  
Attn: Clerk of the Court - Tracie K. Lindeman  
201 South Carson Street  
Carson City, Nevada 89701

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY *[Signature]*  
CHIEF DEPUTY CLERK

**RE: Medical Marijuana Misconduct Hearing**

Dear Justices of the Supreme Court of Nevada:

Please let this letter serve as a statement to be considered during the hearing that is scheduled to take place on July 7, 2016 at 1:00 p.m.

While no partners in our firm are currently financial investors in the constitutionally mandated medical marijuana program, our firm does represent multiple Medical Marijuana Establishments ("MME"s) throughout the State of Nevada. We are now voicing our concern about how the proposed Comment may affect our business and may be contrary to Nevada Law.

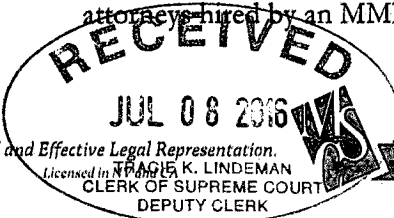
Specifically, we have concerns that the newly proposed Comment is overly broad and will not only be a direct interference with one's right to earn a living, but may also be construed to be in direct conflict with the following provisions of the constitutionally mandated Medical Marijuana scheme, as enacted (emphasis added):

**NRS 453A.510 Professional licensing board prohibited from taking disciplinary action against licensee on basis of licensee's participation in certain activities in accordance with chapter.** A professional licensing board shall not take any disciplinary action against a person licensed by the board on the basis that:

- 1. The person engages in or has engaged in the medical use of marijuana in accordance with the provisions of this chapter;** or
- 2. The person acts as or has acted as the designated primary caregiver of a person who holds a registry identification card issued to him or her pursuant to paragraph (a) of subsection 1 of NRS 453A.220.

**NRS 453A.120** defines "Medical use of Marijuana" as: (1) the possession, delivery, production or use of marijuana; (2) the possession, delivery or use of paraphernalia used to administer marijuana; or (3) any combination of the acts described in subsections 1 and 2, as necessary for the exclusive benefit of a person to mitigate the symptoms or effects of his or her chronic or debilitating medical condition.

Attorneys, such as our firm, who have been hired by MME groups are engaging in the medical use of marijuana as defined in NRS 453A.120. That is, attorneys who are either investors in an MME or attorneys hired by an MME for counsel, are furthering business relating to the medical use of



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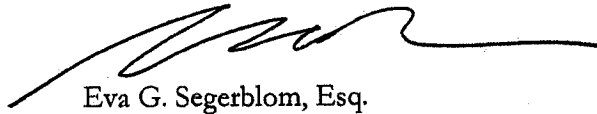
marijuana under Nevada Law and cannot be disciplined by the State Bar (a licensing board) pursuant to NRS 453A.510. We strongly believe that acceptance of the newly proposed Comment will be in direct violation of Nevada law and will abrogate the law making powers of the Nevada legislature.

We plan to attend the hearing to answer any questions and to hopefully engage in a meaningful conversation regarding the proposed Comment and the severe detrimental impact it will have to our Nevada licensed attorneys engaging in the lawful and advancing medical marijuana industry, which has been approved overwhelming by the citizens of our state.

Thank you in advance for your consideration and for giving Nevada practitioners the opportunity to provide guidance to the Court on this extremely important issue.

Respectfully,

**MADDOX, SEGERBLOM & CANEPA, LLP**



Eva G. Segerblom, Esq.



Ardea G. Canepa, Esq.

