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January 29, 2016

VIA ELECTRONIC MAIL

Rachel A. Barry, M.A.
Stanton A. Glantz, PhD
Center for Tobacco Control Research and Education
Philip R. Lee Institute for Health Policy Studies
School of Medicine
University of California, San Francisco
San Francisco, California 94143-1390

**Re: Forthcoming Publication of A Public Health Analysis of Two
Proposed Marijuana Legalization Initiatives for the 2016
California Ballot: Creating the New Tobacco Industry**

Dear Ms. Barry and Dr. Glantz:

Our firm represents the proponents of the Control, Regulate, and Tax Adult Use of Marijuana Act of 2016 (hereafter "AUMA"). We recently reviewed a draft of the above-referenced report in which you purport to analyze AUMA and a second initiative you refer to as the Reform CA Initiative. Quite frankly we were stunned by the frequently inaccurate and completely misleading manner in which your report describes AUMA. The report is nothing but outrageous in both its Executive Summary and approach. In the short time we had to analyze your report, we identified numerous errors and misleading conclusions which we have articulated in the seven page summary attached to this letter. We write now to insist you correct the blatantly false and misleading nature of your report.

As a threshold matter, your report blurs the distinctions between AUMA and the Reform CA Initiative by repeatedly asserting what the "the initiatives" do or do not do in your view. For example, the report asserts that "the initiatives . . . only include minimal protections for the public that are unlikely to prevent public health harms caused by the burgeoning marijuana industry." (p. 3.) Contrary to this statement, the "highest priority" of AUMA's lead regulatory body is protection of the public and AUMA contains detailed provisions establishing testing, packing, and labeling requirements, and prohibiting advertising and marketing towards under age persons. This is but one of the many substantive policy differences between AUMA and the Reform CA Initiative. Indeed, the California Attorney General recognized the primacy AUMA places on protecting the public by including in the title and summary a specific reference to the fact that AUMA will "establish packaging, labeling, advertising, and marketing

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standards and restrictions for marijuana products.” No such statement was included in the title and summary for the Reform CA Initiative.

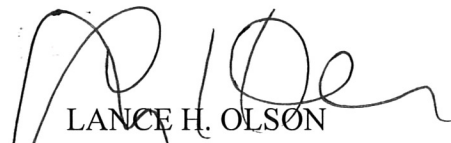
Moreover, as you know, the Reform CA board recently voted not to seek qualification of the Reform CA Initiative. As a result, your insistence on trying to equate AUMA with the Reform CA initiative not only creates confusion surrounding the substantive difference between those proposals, but also gives the reader the false impression that more than one marijuana legalization initiative is currently in circulation. Why you would waste time and resources analyzing a proposal that will never be before the voters is baffling.

Perhaps as a result of your efforts to equate AUMA with the Reform CA Initiative, the report also contains a number of inaccurate or misleading statements about what is contained – or not contained – in AUMA. As noted above we have attached a seven-page document identifying some of the statements in your report either inaccurately or misleadingly describing AUMA.

The policy choices inherent in legalizing adult use of marijuana in California are complex and worthy of robust public debate. Your report as currently drafted, however, does nothing to further that public debate. Given your status as scholars, we would expect you would take the time to ensure your presentation of AUMA is factually accurate so that your paper may meaningfully contribute to that debate.

Very truly yours,

OLSON HAGEL & FISHBURN LLP

A handwritten signature in black ink, appearing to read "LH Olson", written over the printed name "LANCE H. OLSON".

LANCE H. OLSON

RCM/LHO/lp