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## **Court Victory Means L.A. On The Verge Of Shutting Down Medical Marijuana Shops; But More Lawsuits Are Likely**

A judge this week denied an emergency legal attempt to stop the city from shutting down four medical marijuana dispensaries, but more lawsuits against Los Angeles appear to be on the way, a City Attorney's office official told the Weekly.

The victory Wednesday came after the four dispensaries sought a temporary injunction that would bar the city from shutting them down on June 7, when a tough new ordinance that would criminalize most L.A. pot shops takes effect. A hearing on a permanent injunction was set for June 18 -- after the City Attorney's office plans to start legal proceedings against dispensaries that violate the new law.

However, Jane Usher, senior adviser to City Attorney Carmen Trutanich and the former head of the L.A. planning commission, told the Weekly that two additional pot-shop lawsuits against the city, on top of four existing ones, were rumored to be in the works.

Still, Usher expressed confidence that the city would remain in a winning position in court. "There is at the moment no judicial order restraining the city's enforcement come June 7," she said.

On Wednesday a judge indicated he might just give the plaintiffs their injunction. But when he said he was unable to preside over a subsequent hearing for a permanent injunction, the suit was transferred to Judge David P. Yaffee, who shut the door on the foursome of dispensaries.

Attorneys for the shops had argued that the city's new law denied them due legal process -- there's virtually no pathway for legality under the new ordinance -- and equal protection under the law (because they weren't part of a 2007 group of shops grandfathered in by the city for possible legality).

Now it's full steam ahead for a June showdown with weed retailers that don't close their doors. On June 7 at least 400 or so of the 583-and-counting dispensaries in the city will be out of compliance with the new law, and the City Attorney's office will "proceed methodically with enforcement," Usher said.

It sounds like some pot shops will become examples for the rest. The new law establishes mandatory, 1,000-foot distances from "sensitive use" sites such as schools, churches and playgrounds -- thresholds that most dispensaries violate. It also only allows the 186 dispensaries that existed before a 2007 city moratorium to apply to continue operating if they are compliant with the new rules.

Interestingly, the City Attorney's office, in its attempts to warn operators of the impending rules via letter, keeps coming across new pot shop locations. Asked if they were brazen new

dispensaries, Usher was only sure enough to say they could be ones that had moved from one address to another. But it's possible. In any case, she indicated, most are doomed:

"If I am someone who can never comply with an ordinance and I'm the potential recipient of the penalties, I would shut down," she said. "I think those who don't comply are rolling the dice."