

## MVP: Dentons' Eric Berlin

By Jonathan Capriel

*Law360 (October 5, 2023, 1:08 PM EDT)* -- Eric Berlin of Dentons US LLP led the way in helping cannabis company Bright Green secure authorization from the Drug Enforcement Administration to grow federally approved cannabis for research purposes and get it a listing on Nasdaq, earning him a spot among Law360's 2023 Cannabis MVPs.

### *Why he's a cannabis attorney:*

Berlin said he doesn't "flinch" at being called a cannabis attorney; in fact, he's quite proud of the title. He gave up his litigation practice to pursue cannabis law after he learned that marijuana consumption showed real promise in helping those with gastrointestinal illnesses and other diseases, he told Law360.

About 15 years after starting his cannabis journey, Berlin said his work has helped cannabis become more accessible to those who need it.

"I don't know how to grow weed. I'm not a marketer. I'm not a media person. I'm a lawyer," he said. "So I felt the best way I could help is by continuing to push for safe, legal and affordable access for folks who could benefit from cannabis or cannabinoid-based medicines."

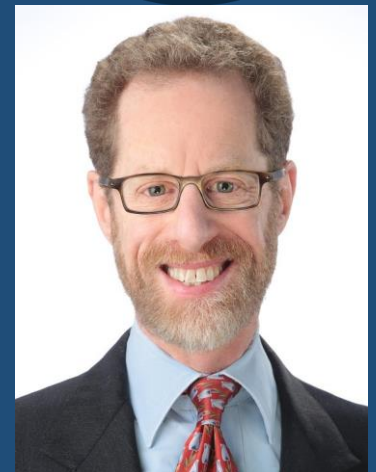
Berlin told Law360 he was diagnosed with Crohn's disease at a young age and has remained active in the organizations that fund research into gastrointestinal illnesses, including being a board member of the GI Research Foundation at the University of Chicago. It was around 2008, when California passed new laws decriminalizing marijuana possession and new research papers suggested that people with digestive diseases found relief through cannabis, that he started to take a second look at the drug.

"I went to folks in the community who had Crohn's, colitis and other diseases and just sort of asked what they know about patients using cannabis, and half of them looked at me surprised and asked, 'Aren't you?'" Berlin said.

During those early years, Berlin worked to get Illinois' original medical cannabis law passed and later helped draft a similar bill in Ohio.

2023

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**MVP**



**Eric Berlin**  
Dentons

***His proudest moment this past year:***

For decades, the DEA had only permitted the University of Mississippi to grow cannabis for medical research, so getting Bright Green on the shortlist was a huge moment for both the firm and Berlin, he told Law360. Doing so put Berlin at the table with DEA agents in conversations about farming legal marijuana, a topic he could hardly imagine the DEA entertaining for many years, he said.

"I almost wanted to pinch myself," Berlin said. "I was talking to the DEA, not about knocking down doors or imprisoning people, but about growing cannabis for medical use and research."

He said the DEA was very helpful and responsive, and recalled a notable moment in those talks. One DEA official who was "pretty high up" told Berlin that he could not imagine the political pressure the official was under from "above" to get the ball rolling on this.

"I thought that was an interesting indication that this is coming from high in the administration and it is consistent with Biden's promises on cannabis when he was running for office," Berlin said.

"[The DEA is] in a pretty challenging position, but I think they are handling it pretty well while acknowledging that the issue is in need of congressional action," he said.

***His biggest challenge in the past year:***

Without a doubt, the decline in investments going to businesses operating in states that legalized cannabis coinciding with the stock value drop of many publicly traded cannabis companies has been the biggest challenge for the industry as a whole and for Dentons' cannabis practice, Berlin said.

"All of this has contributed to pain felt by owners and operators," he said. "Simply put, there is less money to buy new assets, make deals and all of that."

This means fewer deals that companies need the firm's help in handling, he noted. But that has not translated to less work for Berlin's team. Notably, more clients are seeking guidance on navigating state regulations when it comes to releasing Delta-8 products and other hemp-derived intoxicants, he said.

"The change has meant less transactional work and an increase in regulatory counseling," he said. "That has taken up a lot more of our time than it has in past years."

***Other notable work:***

Berlin helped lead the way in getting Canadian cannabis company Canopy Growth Corp. listed on the Nasdaq. He specifically focused on getting the public exchange to accept the business's plan to restructure under a new U.S.-based holding company Canopy USA LLC, which Canopy Growth would maintain a controlling interest in.

"They had never seen this structure before," he said. "So working day in and day out with the legal team to get them comfortable with the deal was my critical role."

He also worked with Dentons teams from Canada and the U.S. in serving as legal counsel to California-based cannabis company TPCO Holding Corp. in its merger with Gold Flora, another California-based cannabis producer.

Berlin, however, was hesitant to take full credit for the Canopy Growth deal or any other cannabis deal Dentons has accomplished. He stressed that it all remains a team effort.

"I am very honored to get this award, but it is a team award," he said. "There is just no way I can do the work I get recognition for without a team of amazing minds and specialties. And this was a challenging year."

*--As told to Jonathan Capriel*

*Law360's MVPs of the Year are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals, and complex global matters. A team of Law360 editors selected the 2023 MVP winners after reviewing more than 900 submissions.*

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