Frost Brown Todd Earns Dismissal in Hemp Lawsuit

Colorado-based Elixinol cleared of manufacturing misleading products

May 26, 2020

Categories:

Hemp Legally Speaking
Press Releases

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A team of Frost Brown Todd (FBT) attorneys earned a dismissal in a class-action lawsuit against Colorado-based Elixinol, LLC. In *McCarthy v Elixinol, LLC*, the plaintiff claimed that Elixinol's various CBD products, including capsules, tinctures and dog treats, were illegal to sell under federal regulations. The plaintiff filed the suit in the U.S. District Court for the Northern District of California in December 2019.

Dallas-based FBT attorneys Martin Rose, Sean Whyte, and Ben West argued that the 2018 Farm Bill provides Elixinol with the right to transport and ship hemp. In addition, FBT's filing maintained that companies cannot be prohibited from selling hemp-based products under the Federal Drug Administration's current regulatory structure.

Previously, the above attorneys obtained a dismissal of a similar class-action pending in the U.S. District Court for the Central District of California captioned *Fausett, et al. v. Koi CBD, LLC*. FBT currently represents other CBD clients in pending lawsuits that allege damages from product impurities and failed drug tests.

"I'm proud of the outstanding and unrivaled work performed by Marty, Sean, and Ben on behalf of our hemp clients," says Jonathan Miller, chair of FBT's hemp industry team, and general counsel of the U.S. Hemp Roundtable, the industry's leading national advocacy organization. "From blocking in federal court early DEA efforts to seize hemp seed imports, to leading lobbying efforts in Congress to legalize the commodity, FBT has been at the forefront of efforts to defend hemp against attacks on all fronts. Our class action team is yet another example of how our full-service hemp practice uses an aggressive approach to help build and protect this exciting new industry."

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About Elixinol Global

Elixinol Global Limited (ASX:EXL; OTC:ELLXF) is a global leader in the hemp derived CBD industry, innovating, manufacturing and selling hemp derived CBD products. The Company's simplified business model is focusing on:

- In the Americas, innovating, manufacturing and selling high quality Elixinol branded hemp derived CBD products based in Colorado.
- In Europe and UK, educating and selling high quality Elixinol branded and co-branded hemp derived CBD products based in Amsterdam.
- In Australia, providing stronger unified planning and support across the group to enable the various regional offices to focus on operational strategy and execution through its Global Executive Office based in Sydney.
- Across the Rest of World, expanding distribution of Elixinol branded hemp derived CBD products through reputable distributors as key markets open.

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