



## David Standa

*Partner*

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David Standa is a partner in the Cannabis Law practice group at Greenspoon Marder. He currently focuses on the rapidly evolving cannabis industry and how recently passed legislation, like state-level legalization statutes and many pending federal regulations, impact companies with marijuana, hemp and CBD products.

Mr. Standa advises cannabis clients throughout the Midwest on topics ranging from state-level licensing issues, compliance with seed-to-sale tracking requirements, tax issues, and litigation. Mr. Standa is a frequent speaker on cannabis issues, including the FDA's regulation of CBD products, the potential liability arising out of CBD and edible marijuana products, packaging and labeling, and navigating Illinois' Cannabis Regulation and Tax Act.

Additionally, Mr. Standa has extensive experience in business and consumer finance litigation as well as corporate transactions, securities and regulatory matters, food and beverage compliance and litigation, and healthcare litigation. He has defended several alcoholic beverage industry clients in class actions alleging deceptive labeling and marketing practices, and has assisted industry clients with compliance in the development of product labels.

Mr. Standa is also engaged in health insurance reimbursement disputes. He has represented insurers and hospital systems in litigation and arbitration involving insurance and healthcare disputes and arbitrations, including complex issues surrounding the business of insurance, insurance regulatory matters, Medicare/Medicaid disputes and False Claims Act litigation. At his previous firm, Mr. Standa advised a national health insurance provider on a series of joint ventures with regional hospital systems involving the creation of new insurance networks, and provided regulatory guidance about potential statutory exposure to an insurance holding company.

Mr. Standa's litigation and arbitration cases have included various individual and class action lawsuits concerning claims under the Truth in Lending Act (TILA), Home Affordable Modification Program (HAMP), Telephone Consumer Protection Act (TCPA), Equal Credit Opportunity Act (ECOA), Fair Credit Reporting Act (FCRA) and Fair Debt Collection Practices Act (FDCPA) as well as claims for fraud, breach of contract, and breach of fiduciary duty.

Mr. Standa represents banks and other institutions in commercial and industrial foreclosures, replevin actions and injunction proceedings to recover outstanding collateral. His experience includes handling asset-based and real estate loan workouts, negotiating forbearance agreements, restructuring loans and liquidating collateral, including sales pursuant to the Uniform Commercial Code (UCC).

Additionally, Mr. Standa assists clients with compliance and regulatory advice. This includes advice regarding state and federal statutory and regulatory requirements for forward and reverse-mortgage products as well as advice regarding debt collection efforts. He is extensively familiar with relevant statutes and regulations, including the FDCPA/Regulation F, TILA/Regulation Z, RESPA/Regulation X, and state statutes and regulations governing consumer debt collection and consumer lending products.

### **Court Admissions**

- U.S. District Court for the Northern District of Illinois
- U.S. Bankruptcy Court for the Northern District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. Bankruptcy Court for the Southern District of Illinois
- U.S. District Court for the Northern District of Indiana
- U.S. District Court for the Southern District of Indiana
- U.S. District Court for the District of Colorado

## **Bar Admission**

- Illinois
- Minnesota
- New York (Candidate for Admission by Motion)

\*Admitted to practice only in Illinois and Minnesota.

## **Education**

- J.D., *cum laude*, University of Notre Dame Law School, 2009
- B.S., Finance, Indiana University, 2004

## **Practice Areas**

- Cannabis
- Litigation
- Class Action Defense
- Corporate

## **Representative Experience**

- Represented health plan in litigation involving Medicare/Medicaid insurance disputes
- Represented international medical insurance association in action asserting claims under the False Claims Act for bribery and kickback scheme involving medical device manufacturers
- Represented Aetna, Inc., in its joint venture with Texas Health Resources
- Represented a whiskey manufacturer in a class action involving allegations of deceptive marketing practices based on information contained on the products label
- Assisted trade association with submission of petition to the FCC for clarification and declaratory ruling on the TCPA's "Established Business Relationship" exception
- Advising clients on developing vigorous TCPA compliance programs for direct marketing, marketing through independent agents and lead vendors
- Assisted venture capital firm with due diligence review of target company's TCPA compliance efforts and potential TCPA exposure
- Represented captive insurance corporation in trade secret litigation over the improper use of its proprietary tax planning services
- Represented individual in dispute involving his First Amendment right to protected internet speech
- Representing multiple mortgage servicers in actions alleging FDCPA and FCRA violations based on credit reporting taking place after the borrower surrendered the property in bankruptcy and received a bankruptcy discharge
- Represented a commercial landlord in a dispute with a Chapter 7 bankruptcy trustee over the trustee's right to postpone his obligation to accept or reject the debtor's lease
- Representing institutions in TCPA class actions alleging that defendants skip trace cell phone numbers and then call the numbers with an auto-dialer without obtaining consent
- Represented national financial institution in various real estate transactions related to REO property

- Defended financial institution against claims asserting violations of ECOA and Section 1983 of the Civil Rights Act
- Represented mortgage servicer in multiple actions involving HUD's interpretation of "branch office" as set out in its servicing requirements for FHA insured loans
- Represented mortgage servicer in putative class action alleging TILA, RESPA and FDCPA violations based on alleged violations related to the transfer of servicing and ownership rights of mortgage loans
- Represented multiple mortgage servicers in actions involving the Illinois Appellate Court's decision in *First Mortgage Company v. Dina*, 2014 IL App (2d) 130567
- Represented consumer products manufacturer in AAA arbitration based on the un-merchantability of products and purported violations of the Illinois Consumer Fraud and Deceptive Business Practices Act
- Represented national financial institution in putative class action related to debit card overdraft fee litigation
- Represented national financial institution in putative class action alleging unauthorized HELOC reductions based on regional property valuations
- Represented mortgage servicer in putative class action alleging violation of the FDCPA based on allegedly fraudulent activity in an underlying foreclosure action
- Represented individuals in FINRA arbitration actions involving securities litigation
- Represented landlords in both commercial and residential eviction proceedings
- Represented loan servicers in connection with litigation involving HAMP and loan modification disputes
- Represented secured creditors in bankruptcy proceedings

## **Professional and Community Involvement**

- American Bar Association, Member
- Chicago Volunteer Legal Services, Volunteer

## **Speaking Engagements**

- Speaker, "Unveiling Minnesota's Cannabis Adult Use Rollout," Blunt Business Podcast, February 21, 2024
- Speaker, "MJBizCon 2023 Meet and Greet Networking Event," Canna Connect Minnesota, November 17, 2023
- Speaker, "Recreational Marijuana use with Egg Donors & Surrogates," SEEDS Brown Bag Luncheon, November 15, 2023
- Speaker, "Cannabis Litigation Trends," NORML Denver Legal Seminar, June 9, 2023
- Speaker, "Dispensary Ownership in New York: People With Marijuana Convictions To Get A Head Start," April 28, 2022
- Speaker, "Delta-8 THC: What is it and Where is it Legal?, Illinois Women in Cannabis, June 23, 2021
- Speaker, "The Regulatory Side of Transferring a Cannabis License," Grown In: Cannabis & Capital Summit, June 16, 2021
- Speaker, "HR Legislation in the Stoned Age: Marijuana Legalization," Sterling Webinar, October 8, 2019
- Speaker, "The Land of Lincoln (and Weed): An Analysis of Illinois's Recreational Marijuana Law, Celesq AttorneysEd Center Webinar, July 23, 2019
- Speaker, "Products Liability & Dram Shop Liability," Emerging Legal Trends in the Cannabis Industry Conference, June 27, 2019
- Speaker, "What's Next for CBD? FDA Speaks," Celesq AttorneysEdCenter Webinar, June 10, 2019
- Speaker, "Emerging Legal Trends," Cannabis Industry Conference, June 27, 2019
- Speaker, "Foodservice Legal 101," IFMA Presidents Conference, Phoenix, November 5, 2018
- Speaker, "ADA Website Accessibility Requirements," Colorado Mortgage Lenders Association (CMLA) Operational and Compliance Forum, August 15, 2018
- Speaker, "Website Content & the Americans with Disabilities Act," Utah Mortgage Bankers Association Operational and Compliance Forum, Sandy, UT, January 9, 2018
- Speaker, "Website Content & the Americans with Disabilities Act," Utah Mortgage Bankers Association Operational and Compliance Forum, January 9, 2018
- Speaker, "The Recent & Future Trends for Food & Distilled Beverage Manufacturers," Food & Beverage Litigation Conference: A Look at Hospitality, Liquor and Food Liability, Chicago, October 25, 2017

- Speaker, “Data Points: Key Issues in Cybersecurity & Data Privacy Litigation,” Chicago Bar Association Consumer Credit Meeting, October 4, 2017

## In the News

- Featured, “Greenspoon Marder Nabs Ex-Locke Lord Cannabis Law Attys” *Law360*, July 7, 2021
- Quoted, “After felony convictions, Elgin man now has chance to become a marijuana craft grower,” *Daily Herald*, January 20, 2020
- Quoted, “How much can IL expect from taxes, fees on legal marijuana? Tough to tell, attorney says,” *Cook County Record*, November 13, 2019

## Publications

- Co-Author, “New Mexico Health Department Quietly Issued a Last-Minute Cultivation License Before Handing Over Control of the Program” *GM Cannabis Blog*, September 15, 2021
- Co-Author, “FDA and CDC Issue Warnings Regarding Delta-8 THC, Which Remains in Legal Grey Area” *GM Cannabis Blog*, September 15, 2021
- Co-Author, “New Mexico Has Begun Accepting Cannabis Producer Applications; Here’s What You Need To Know And What’s Next” *GM Cannabis Blog*, August 26, 2021
- Author, “New Jersey’s Initial Rules For The “Personal-Use Of Cannabis” (That Is New Jersey’s Term For “Adult Use”) Restrict Vertical Integration And Focus On Equity” *GM Cannabis Blog*, August 23, 2021
- Author, “SD Ruling Threatens Marijuana Legalization Momentum,” *Law360*, February 15, 2021
- Co-Author, “Supreme Court Denies Review of ADA Website Accessibility Lawsuit, Highlighting Litigation Risks to Website and App Operators,” *The Computer & Internet Lawyer*, January 2020
- Author, “4 Recreational Marijuana Tax Revenue Takeaways For States,” *Law360*, October 23, 2019

## Blogs

- Minnesota OCM Launches New Enforcement Effort to Stop Illegal Hemp Sales
- Minnesota’s OCM Looks to Rein in Marijuana Being Sold as “Hemp”
- Registration Now Open for Companies Selling Lower-Potency Hemp Products in Minnesota
- Cannabis Law Client Alert: New York Cannabis Licensing Application Preparation
- Minnesota’s First Dispensary Announced
- Minnesota Governor Indicates First Recreational Sales May Come From Tribes
- Minnesota Officially Becomes 23rd State to Legalize Recreational Cannabis
- Could Minnesota Legalize Psychedelics Soon?
- Minnesota Poised to Become the 23rd State to Legalize Adult-Use Cannabis
- Minnesota Continues to Move Toward Recreational Legalization
- Illinois Announces Another Round for Dispensary Licenses, Are More Lawsuits Likely to Follow?
- The Ms Have It! Otherwise, Mixed Results for Cannabis in Midterm Election
- Scariest Trends in the Cannabis Industry Right Now
- Can New York’s CAURD Program Deliver? Will the State Pivot to try to Meet its Self-Proclaimed End of the Year Deadline?
- On the Path to Normalization: Cannabis Odor Does Not Give Rise to Probable Cause Says Illinois Appellate Court
- The Ocean State Officially Becomes 19th State to Legalize Adult-Use Cannabis
- Big Candy and Big Food Companies Ask Congress To Intervene on Illicit Cannabis Packaging
- Patience is a Virtue: New York Senate Bill Sets Out Harsh Penalties For Anyone That Jumps the Gun on Cannabis Sales...or Transfers, Gifts and Trades
- People With Marijuana Convictions to Get Head Start on Dispensary Ownership in New York
- Illinois Lawmakers Poised to do the Right Thing: House Passes Bill Providing Workplace Protections for Cannabis Consumers
- SCOTUS Looks to the Solicitor General in Deciding Whether Medical Marijuana is Covered by Workers Compensation

- Ramping Up: New York Issues New Medical Cannabis Regs.
- ADA Website Compliance Suits Start to Target Cannabis Companies
- Connecticut to Start Accepting Cannabis Business Applications in February
- The Time is Nigh! New Jersey Announces Application Release Dates, and They Are Not Far Away
- New Mexico Health Department Quietly Issued a Last-Minute Cultivation License Before Handing Over Control of the Program
- New Mexico Has Begun Accepting Cannabis Producer Applications; Here's What You Need to Know and What's Next
- New Jersey's Initial Rules for the "Personal-Use of Cannabis" (That is New Jersey's Term for "Adult Use") Restrict Vertical Integration and Focus on Equity

## News

- Greenspoon Marder Cannabis and Immigration Practice Groups Rank in the Legal 500 U.S. For 2023
- Minnesota Continues to Move Toward Recreational Legalization
- The Ms Have It! Otherwise, Mixed Results for Cannabis in Midterm Election
- New Mexico Health Department Quietly Issued a Last-Minute Cultivation License Before Handing Over Control of the Program
- New Mexico Has Begun Accepting Cannabis Producer Applications; Here's What You Need to Know and What's Next
- New Jersey's Initial Rules for the "Personal-Use of Cannabis" (That is New Jersey's Term for "Adult Use") Restrict Vertical Integration and Focus on Equity
- Greenspoon Marder Expands Cannabis Law Practice in the Midwest and Names New Cannabis Group Chair