

R. Lance Boldrey

Member

Lansing

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Lansing, MI 48933



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Areas Of Practice

Government Policy & Practice
Cannabis Law
Gaming & Indian Law
Political Compliance, Elections & Campaign Finance

Bar Admissions

Michigan, 1995

Court Admissions

U.S. District Court, Eastern District of Michigan, 1995

U.S. District Court, Western District of Michigan, 1995

U.S. Court of Appeals, 6th Circuit, 1996

U.S. Supreme Court, 2004

Education

Duke University, J.D.

James Madison College and the Honors College at Michigan State University, B.A.

- with honors

R. Lance Boldrey is the leader of the Firm's Cannabis Law Practice, representing a wide range of industry participants, from small retail establishments, to large vertically integrated players, to lenders and investors. He specializes in licensing, regulatory matters, and legislative issues, and quarterbacks Dykema's representation on real estate, corporate and M&A work, and other aspects of serving the needs of this rapidly changing industry. Mr. Boldrey's practice also encompasses Indian law, with an emphasis on gaming, economic development, and state-tribal relations. He represents tribes, developers, banks and other non-tribal businesses, as well as state and local governments, and is a frequent speaker on Indian law topics.

Prior to joining Dykema, Mr. Boldrey served as Deputy Legal Counsel to former Michigan Governor John Engler and was responsible for all aspects of the State of Michigan's relations with tribal governments.

Experience

- Mr. Boldrey has been at the forefront of the development of a licensed and regulated cannabis industry in the State of Michigan. He has been heavily involved in lobbying activities with respect to the State's Medical Marihuana Facilities License Act (MMFLA), particularly with respect to the promulgation of administrative rules. He served on a State-created workgroup and regularly interfaces with State department officials and legislators to advocate for his clients' interests in implementation of both the MMFLA and the State's new Adult Use measure.
- Mr. Boldrey has represented well in excess of 100 applicants and supplemental applicants for State licensure, assisting in the preparation and shepherding of license applications for every available license type. He counts among his victories the very first commercial grow licenses issued in the State.
- At the local level, Mr. Boldrey has worked to ensure that his clients' goals are advanced in local ordinances, and has overseen successful and pending local license applications in numerous Michigan municipalities.
- In addition to government relations and licensing matters, Mr. Boldrey has been involved in cannabis-related capital raises, lending, M&A work, joint venture agreements, licensing agreements, real estate matters (leasing, property acquisition, zoning and permitting), and banking issues. As the leader of the Firm's large and expanding Cannabis team, he can bring the right resources to bear for virtually any client needs.

R. Lance Boldrey (Cont.)

- Mr. Boldrey's Indian gaming experience includes transactional work concluding business agreements between consultants, developers, management companies and tribes; negotiating tribal-state gaming compacts; and negotiating intergovernmental agreements involving tribes. In the litigation arena, Mr. Boldrey has been involved in federal and state court tribal gaming matters at the trial and appellate levels, as well as arbitrations.
- Mr. Boldrey has also assisted state and local governments in navigating complex tribal gaming matters. In addition to serving as counsel to Michigan Governor John Engler, Mr. Boldrey has been retained as special counsel by Wisconsin Governor Scott Walker and Indiana Governor Eric Holcomb to advise their states on gaming and state-tribal relations.
- Administrative law experience includes work on tribal fee-to-trust applications, the application of all of the Indian Gaming Regulatory Act's exceptions that permit gaming on "after-acquired lands," and approvals of tribal-state gaming compacts.
- Indian gaming financing work includes representing tribes, banks and investors and interacting with the National Indian Gaming Commission to obtain de facto approval of financing agreements. Mr. Boldrey has led or assisted on deals totaling over \$850 million.
- Mr. Boldrey has long been involved in tribal treaty rights matters, serving as lead for the State of Michigan Governor's Office in the formulation of a consent decree governing tribal and state fishing in much of the Great Lakes. He presently represents the Emmet County Lakeshore Association and private businesses and residents defending against claims by a Tribe that a 300+ square mile area of Northern Michigan is today an Indian reservation.
- Mr. Boldrey has advised tribes and tribal companies on economic development matters. He has also represented utilities, general contractors, hospitals, architects, and other businesses in doing business with Indian tribes.

Significant Decisions

- *Taxpayers of Michigan Against Casinos v. State of Michigan*, 478 Mich. 99; 732 N.W.2d 487 (2007). Upholding validity of amendment process in tribal-state gaming compacts.
- *Taxpayers of Michigan Against Casinos v State of Michigan*, 471 Mich. 306; 685 N.W.2d 221 (2004), cert. denied, 543 U.S. 1146 (2005). Upholding validity of Michigan tribal-state gaming compacts and process of enactment.
- *LeRoux v Miller*, 465 Mich 594 (2002). Upholding validity of Michigan redistricting plans.

Seminars & Speeches

Marijuana in Your Community, Michigan Chamber of Commerce Chamber Day at the Capitol, Lansing, Michigan
May 21, 2019

Cannabis in Michigan and Beyond: What's New???, Michigan Credit Union League Government Affairs Conference, Lansing, Michigan
May 1, 2019

Marihuana Businesses: What Credit Unions Need to Know, Michigan Credit Union League Annual Conference and Exposition, Traverse City, Michigan
June 8, 2018

Legislative and Rulemaking Update: Status, Key Issues, and the Permanent Rules, CLE International 2nd Annual Cannabis Law Conference, Lansing, Michigan
April 16, 2018

Municipal Regulation of Medical Marihuana, Oakland County Bar Association Municipal Law Committee, Bloomfield Hills, Michigan
February 28, 2018

Medical Marijuana Out of the Shadows: A New Michigan Industry, Michigan Credit Union League Annual Conference & Exposition, Grand Rapids, Michigan
June 8, 2017

Next Steps under the Michigan Medical Marijuana Facilities Licensing Act: Rulemaking, Conference Chair, CLE International Michigan Medical Marijuana Conference, Lansing, Michigan
April 24, 2017

R. Lance Boldrey (Cont.)

The Shifting Boundary Between Tribes and States in Indian Gaming: Compact Issues from the State Perspective, Federal Bar Association, 41st Annual Indian Law Conference, Scottsdale, Arizona
April 7, 2016

Careers in Indian Law, National Native American Law Students Association Annual Meeting, Scottsdale, Arizona
April 6, 2016

Dealing with Offshore Sites, The Third Annual Conference on Legal Issues for Tribal Online Gambling, Scottsdale/Fountain Hills, Arizona
May 4-5, 2015

Michigan v. Bay Mills Indian Community: Implications for Sovereign Immunity, Tribal Gaming and State-Tribal Relations, Law Seminars International Telebriefing
June 17, 2014

The Bay Mills Ruling, Native American Finance Officers Association, Webinar
May 29, 2014

The Bay Mills Case: The Dispute Over Tribal Sovereignty, Native American Finance Officers Association 32nd Annual Conference, New Orleans, Louisiana
April 14, 2014

Electoral Politics and Governance, Moderator, James Madison College 2013 Senior Research Conference, East Lansing, Michigan
April 19, 2013

The Indian Gaming Regulatory Act at 25, University of Michigan School of Law, Native American Law Students Association Law Day, Ann Arbor, Michigan
April 5, 2013

Paths to Casino Gaming, Academy of Hospitality Industry Attorneys Fall Meeting, Orlando, FL
November 2, 2012

Incentives for Equity Investments in Tribal Member Businesses, Emerging Tribal Economies, Milwaukee, WI
September 20, 2012

Performing Due Diligence on Business Proposals, Michigan Economic Development Corporation Tribal Economic Development Forum, Lansing, MI
May 17, 2012

Indian Gaming 101: Establishing A Tribal Casino, Michigan State University School of Law American Inn of Court, East Lansing, MI
April 4, 2012

Structuring Tribal Businesses, Michigan Economic Development Corporation Tribal Economic Development Forum, Lansing, MI
May 16, 2011

Federal Indian Law & Environmental Policy, 2010 Morris K. Udall and Stewart L. Udall Foundation Scholar Orientation, Tucson, AZ
August 2010

An Overview of Federal Indian Law & Policy, 2009 Morris K. Udall Foundation Scholar Orientation, Tucson, AZ
August 2009

Tribal Gaming: Beyond the Indian Gaming Regulatory Act, Global Gaming Expo (G2E), Las Vegas, NV
November 2007

Future of Indian Gaming: Will D.C. Stop the Growth?, Moderator, Global Gaming Expo (G2E), Las Vegas, NV
November 2006

Tribal/State Relations and Negotiations, Moderator, Governors Interstate Indian Council Annual Meeting, Traverse City, MI
August 2004

R. Lance Boldrey (Cont.)

Legal Issues on Homeland Security, National Governors Association Legal Counsel Seminar, Seattle, WA
August 2002

Michigan Tribal Issues: What Every Municipal Attorney Should Know, Michigan Association of Municipal Attorneys, Lansing, MI
March 2002

Native American Tribal Issues, National Governors Association Legal Counsel Seminar, Kiawah Island, SC
September 2001

Cigarette Taxation and State-Tribal Environmental Issues, National Governors Association Tribal Issues Briefing, Washington, D.C.
April 2001

The Future of Indian Gaming, North American Gaming Summit, Detroit, MI
November 2000

The Judicial Appointments Process, State Bar of Michigan New Presidents Meeting, Harbor Springs, MI
June 1999

Native American Fishing Rights, James Madison College 30th Anniversary, East Lansing, MI
January 1997

Publications

"Weighing Investments in an Exploding New Industry"
February 2017
Marijuana Venture Magazine Vol. 4 No. 2

"Cannabis on Tribal Lands: An Alternative to Michigan Regulation of Marijuana"
August, 2016
Michigan Bar Journal

"Incentives For Joint Ventures Between Michigan's Tribes and Non-Indian Businesses"
September 2011
Michigan Economic Development Corporation (available at www.michiganadvantage.org/tribal-resources)

"Tribal Business Structures: A Guidebook On Different Structures for Tribal Business Entities"
September 2011
Michigan Economic Development Corporation (available at www.michiganadvantage.org/tribal-resources)

"The True Test of Tribal-State Cooperation: Resolving Issues of Taxation"
2010
Emerging Issues in Tribal-State Relations, Aspatore Books

"Proceed with Prudence: Advising Clients Doing Business in Indian Country" (with Jason Hanselman)
February 2010
Michigan Bar Journal

"After Change in Control, Michigan Supreme Court Reverses Itself in Major Insurance Decision"
Fall 2009
State Court Docket Watch

"Banking Indian Casinos: What Investors Need To Understand At The Outset"
September 2008
Global Gaming Business Magazine Vol.7 No.9

News

Lance Boldrey Earns Pioneer Award From State Bar of Michigan Marijuana Law Section
November 21, 2018

R. Lance Boldrey (Cont.)

Boldrey, McGee and Cheng Report on New Marijuana Legislation in *Law360*
July 10, 2018

Dykema Cannabis Law Blog Referenced in *Above the Law*
June 11, 2018

Lance Boldrey Talks to *Crain's Detroit Business* About Licit Marijuana Momentum in Michigan
December 17, 2017

Boldrey and Khalil Discuss Banking Issues for Marijuana Industry in *Detroit Free Press*
November 9, 2017

Lance Boldrey Quoted in *Law360* Report on Seneca Nation Suspension of Casino Proceeds Sharing
April 5, 2017

Lance Boldrey Advises Potential Investors in *Marijuana Venture*
February 23, 2017

Lance Boldrey Quoted in *Detroit Free Press* Article about Tribal Reservation Court Case
December 26, 2016

Lance Boldrey Quoted in *Law360* Article About Cannabis Law Practice Trends
December 19, 2016

R. Lance Boldrey Quoted in *ConstructionDive* Article about the Impact of Legal Marijuana on Building Industry
October 27, 2016

Lance Boldrey Quoted in *Law360* Article
August 2, 2016

R. Lance Boldrey Quoted in the *Detroit Free Press*
February 15, 2016

R. Lance Boldrey to Present at The Third Annual Conference on Legal Issues for Tribal Online Gambling
April 17, 2015

R. Lance Boldrey Participates in NAFOA Webinar
May 30, 2014

Seven Dykema Lawyers Named 2014 "Lawyer of the Year" by *Best Lawyers in America*
September 12, 2013

Boldrey to Participate in Panel Discussion at 2nd Annual Tribal Economies Conference
September 12, 2012

Blog Posts

Michigan's New Marijuana Regulatory Agency Issues Guidance on the Treatment of "Temporary Operators" and Caregiver Product

Governor Whitmer Eliminates the Medical Marijuana Licensing Board and the Medical Marijuana Advisory Panel

Unlicensed Michigan Medical Marijuana Facilities Must Close December 31

The STATES Act, Rooted in Federalism, Would Address Systemic Risk in Cannabis-Related Banking

BMMR News! Updates From Michigan Medical Marijuana Licensing Board

Michigan Medical Marijuana Licensing Board Divided on Licenses

Michigan Continues to Fine-Tune How Marijuana Businesses Can Operate Before Licensure

Michigan Gets Recommendations for Medical Marijuana Rules, New Advisory Panel Members

Major Michigan Announcements: Licensing Checklist, Proposed Capitalization Requirements, Other Important Standards

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Michigan Announces “Road Shows” on Marihuana Licensure
 Michigan Issues Advisory Bulletin on Marijuana Testing
 Michigan Releases “FAQ” on Marihuana Facility Licensing
 A Busy Week for Marijuana-Legislation in Michigan!
 Michigan to Allow “Stacking” of Multiple Grower Licenses
 Michigan Issues Advisory Bulletin on Co-Location of Medical Marihuana Facilities
 September 12 Michigan Medical Marihuana Board Meeting: December Closure Date for Existing Businesses Likely
 Michigan News Flash: LARA to Existing Facilities—Close by December 15
 Major Announcements Coming at Next Michigan Medical Marihuana Licensing Board Meeting
 Michigan Medical Marihuana Board Announces More Meetings
 Medical Marijuana Rulemaking Process Officially Underway in Michigan
 Michigan Medical Marihuana Licensing Board Meets
 Michigan’s Medical Marihuana Licensing Board Announces First Meeting
 Michigan Medical Marihuana Facilities Licensing Board Appointed!
 Michigan’s Committee to Regulate Marijuana Like Alcohol Announces Filing of 2018 Ballot Initiative
 Michigan Announces Bureau of Medical Marihuana Regulation, Seed-To-Sale Solution
 Michigan Seeks Input On Marihuana Testing Rules
 Michigan State University Extension Hosts Workshops on Local Regulation of Licensed Marijuana Facilities
 Michigan Seeks Input on “Inventory Startup,” Transition Issues
 Suits to Resurrect MI Legalize 2016 Initiative Failing, Attention Turns to 2018
 Michigan Coalition to Regulate Marijuana Like Alcohol Releases Draft Initiative for Comment
 Michigan’s Joint Committee on Administrative Rules: Profiles of House of Representative Members
 Michigan Seeks Input on Multiple Licenses and Co-Location
 State of Michigan Issues RFP for Marijuana Seed-To-Sale Tracking
 No Marijuana Measure on November Ballot—Federal Judge Rejects Bid to Halt Michigan Election Process
 MI Legalize Petition Signers Head to Federal Court, but Are Unlikely to Find Early Relief
 State Board of Canvassers Unanimously Rejects “MI Legalize” Initiative Petitions to Legalize Adult Use of Marijuana
 Michigan Elections Staff Recommends Rejection of “MI Legalize” Initiative Petitions to Legalize Adult Use of Marijuana
 “MI Legalize” Files 2016 Initiative Petitions to Legalize Adult Use of Marijuana in Michigan, Legal Hurdles Remain
 Adverse Decision in Menominee Hemp Case Still Leaves Path for Tribal Hemp Activities
 Key Takeaways from the Spring 2016 Marijuana Business Conference & Expo

Memberships & Involvement

- State Bar of Michigan Marijuana Law Section
- National Cannabis Bar Association

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- Federal Bar Association, Sarah T. Hughes Civil Rights Award Committee
- Ingham County Bar Association

Community/Civic Activities

- Trustee of the Morris K. Udall and Stewart L. Udall Foundation, presidential appointee, 2003-2014
- Past President and Member, Board of Directors, James Madison College Alumni Association

Awards & Recognition

Named a Leading Lawyer in Native American Law by *Chambers USA*, 2016-2019

Fellow, Michigan State Bar Foundation, 2015-Present

Distinguished Brief Award for Best Brief to Michigan Supreme Court, Thomas M. Cooley Law Review, for brief on behalf of Little Traverse Bay Bands of Odawa Indians in *Taxpayers of Michigan Against Casinos v. State of Michigan*, 478 Mich. 99; 732 N.W.2d 487, 2007

Named Lansing's "Lawyer of the Year" for Gaming Law by *Best Lawyers*®, 2014

Recognized in *The Best Lawyers in America*® for Gaming Law and Native American Law, 2007-Present. Copyright 2018 by Woodward/White, Inc., Aiken, SC

Named a Michigan Leading Lawyer in the areas of Election, Political & Campaign, Gaming & Casino and Native American Law by the *Leading Lawyers Network*, 2014-2017. Law Bulletin Publishing Company

Named a Rising Star by *Law & Politics*, 2009-2010

Pioneer Award by the Marijuana Law Section of the State Bar of Michigan