

# Court Dismisses Cannabis Lawsuit, Calls for Legislative Review

In a significant legal development, the U.S. District Court for the District of [Massachusetts's](#) Western Division has dismissed a lawsuit filed by major cannabis companies challenging federal prohibition of their in-state activities. The decision, rendered by Judge Mark G. Mastroianni, cited binding Supreme Court precedent that upholds the federal government's authority to regulate controlled substances, even within states that have cannabis legalization.

## Background and Legal Context

The lawsuit, titled *Canna Provisions v. Garland*, was spearheaded by multi-state operator Verano Holdings Corp., Massachusetts-based businesses Canna Provisions and Wiseacre Farm, and Treevit CEO Gyasi Sellers. Represented by prominent law firms Boies Schiller and Flexner LLP, along with Lesser, Newman, Aleo and Nasser LLP, the plaintiffs argued that the federal government's classification of cannabis under Schedule I of the Controlled Substances Act (CSA) lacked a rational basis.

Judge Mastroianni acknowledged the plaintiffs' arguments about the therapeutic benefits and safety of marijuana, but ultimately ruled that the relief sought by the lawsuit contradicted existing legal precedents. He emphasized that the Supreme Court's interpretation of the Commerce Clause grants Congress the authority to regulate businesses operating within states if their activities affect interstate commerce, including marijuana-related tourism.

## Legal Standing and Economic Impact

Despite dismissing the case, Judge Mastroianni recognized the plaintiffs' standing to challenge the CSA's provisions applicable to intrastate marijuana activities. He noted their demonstrated economic injuries resulting from federal prohibition and acknowledged the causal link between these injuries and the CSA's enforcement.

"The court finds Plaintiffs have demonstrated that they have standing under Article III to challenge the portions of the CSA applicable to intrastate activities related to marijuana," the order stated.

## Implications and Future Steps for Cannabis Legalization

While the court's decision marks a setback for the cannabis industry's legal challenges against federal prohibition, it leaves open the possibility for an appeal to the Supreme Court. Plaintiffs and their legal representatives have indicated they may pursue further legal avenues to advocate for cannabis reclassification or removal from Schedule I.

The ruling coincides with ongoing federal efforts, including a Department of Justice rulemaking process to potentially reclassify marijuana to a less restrictive schedule under the CSA. However, as of now, cannabis

remains classified as Schedule I, making most marijuana-related activities illegal under federal law.

### **Political Landscape and Public Perception**

Meanwhile, the Biden administration continues to address cannabis policy disparities inherited from previous administrations. The administration has emphasized a nuanced approach to marijuana, highlighting President Biden's support for clemency actions and public statements recognizing cannabis as less dangerous than previously perceived.

As debates over marijuana legalization evolve in federal courts and political arenas, stakeholders in the cannabis industry and advocacy groups are closely monitoring developments that could reshape the legal landscape surrounding marijuana regulation in the United States.

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