

# Landmark Case: Supreme Court Reviews Trucker's Termination Over THC Test Linked to CBD Use

The U.S. Supreme Court has agreed to hear a case involving a trucker, Douglas Horn, who took legal action against Medical Marijuana, Inc. after being terminated for a positive THC test allegedly caused by consuming a hemp-derived CBD product. The case raises questions about false advertising, employment rights, and the intersection of cannabis and federal law.

## Background of the Case

In 2015, Douglas Horn filed a lawsuit against Medical Marijuana, Inc. under the Racketeer Influenced and Corrupt Organizations (RICO) Act, alleging that the company falsely advertised its CBD product as containing "0% THC." Horn claims he used the product for pain management based on this representation.

## Legal Proceedings

A lower court ruled in favor of Horn, allowing the RICO lawsuit to proceed. However, Medical Marijuana, Inc. appealed the decision to the U.S. Supreme Court, which has now agreed to hear the case. The lawsuit centers on whether the company's false advertising led to Horn's termination and constitutes mail and wire fraud under the RICO statute.

## Implications of RICO in Civil Cases

While RICO cases are commonly associated with criminal prosecutions, they can also be applied in civil matters. Horn's case alleges that his termination resulted in financial losses, including current and future wages, insurance, and pension benefits, all tied to his employment.

## Broader Legal Context

Horn's case is part of a broader legal landscape concerning cannabis use and employment rights. A separate case settled in January involved a DEA special agent who was rehired after testing positive for THC, which he attributed to CBD use for chronic pain. This case highlights the complex legal issues surrounding CBD and drug testing in employment settings.

## Pending Supreme Court Cases

Additionally, the Supreme Court is expected to decide on the constitutionality of a federal gun ban for marijuana users, addressing whether it violates the Second Amendment. This case underscores the ongoing legal challenges related to cannabis use and federal law.

The U.S. Supreme Court's decision to hear Douglas Horn's case reflects the growing legal significance of CBD-related THC testing in employment disputes. As the case unfolds, it will provide clarity on the responsibilities of cannabis companies regarding product labeling and the rights of individuals who use CBD.

products in federally regulated industries.

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