

Scott H. Moskol | Partner
Cannabis

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CO-CHAIR, CANNABIS PRACTICE

Scott Moskol has developed a national platform representing and counseling clients with respect to all legal issues that may arise in restructurings, workouts, bankruptcies, receiverships, and other insolvency-related matters including distressed mergers and acquisitions (“M&A”).

Scott’s practice also consists of advising clients with respect to the purchase and/or sale of distressed assets, companies, and loan portfolios. He also represents clients with respect to financings and lending transactions, as well as general corporate matters, sometimes serving as outside general counsel.

Since 2013, Scott has been providing corporate counsel to clients in the cannabis industry. His nationwide base of clients in this growing practice includes investors, lenders, operators of cultivation and dispensary facilities, funds, and family offices. Scott is often retained for capital raises, M&A, structuring appropriate vehicles for investment in the industry, drafting operative documents, and for general business and regulatory advice with respect to the industry.

Prior to joining his previous firm, he served as vice president, senior asset manager, and counsel for Capital Crossing, a division of Lehman Brothers Bank, FSB/Capital Crossing Servicing Company, LLC. He also managed all outstanding legal matters and cases for the nonperforming loans in the portfolio, which included assessing risk and cost of various options, and negotiating, resolving and restructuring the loans.

Select Engagements

Select Finance, M&A, Bankruptcy, and Restructuring Engagements

- Representation of debtors and secured creditors in corporate and real estate reorganizations under Chapter 11.
- Representation of borrowers and lenders in commercial and mortgage debt financing and restructuring transactions.
- Business acquisition and divestitures through bankruptcy, secured party sales transactions, and other distressed situations.
- Representation of clients with respect to general corporate issues, including public-private partnership matters.
- Serving as outside general counsel to corporate clients.
- Advising a Board of Directors with respect to insolvency and bankruptcy issues including fiduciary duties, D&O policies, and zone of insolvency obligations.

Select Cannabis Engagements

- Represented a cannabis company in bridge financing and a business combination with three other cannabis companies to create one of the largest leading California cannabis companies.
- Represented an institutional lender in over \$200 million of lending transactions to single state and multistate cannabis operators on a national basis.
- Represented a premier multistate cannabis company in a \$58 million senior secured loan transaction.
- Represented a cannabis technology company in a \$50 million acquisition of two leading brands in hemp extraction and post-processing.
- Represented a bank client in connection with its \$40 million revolving line of credit facility to one of the largest cannabis companies in the United States.
- Advised a bank client with respect to a \$40 million senior secured loan to a multistate cannabis company.
- Represented a cannabis retailer in a \$35 million sale of equity.
- Represented a cannabis holdings company as a secured lender in receivership proceeding that resulted in the sale of the collateral operations for \$35 million.
- Represented a multistate cannabis producer and dispensary company in a \$28 million loan transaction.
- Served as transaction counsel for a cannabis retail company in potential deals valued at over \$26 million.
- Represented a cannabis technology company in a \$25 million private placement.
- Represented a bank client in a \$20 million loan to a cultivation company.
- Represented a cannabis technology company in its financing procurement of a \$20 million convertible secured note from a national cannabis consumer packaged goods company.
- Represented a bank client in connection with a \$10 million term loan to a multistate vertically integrated cannabis company and certain of its operating subsidiaries

- Represented a cannabis operator in a capital raise of \$8.5 million; secured lease, mortgage, and construction financing loan to construct a cannabis cultivation and product manufacturing facility.
- Represented a cannabis-focused investment firm in various debt and equity financings, including an investment in a cannabis-focused vertically integrated events and financial services firm via secured convertible note financing.
- Represented a premier multistate cannabis company in its acquisition of a dispensary in Illinois.
- Represented a health products company in its acquisition of a hemp company known for CBD-infused personal care products.
- Represented a cannabis retailer in its acquisition of a cultivation company.
- Assisted a multistate operator with consolidating ownership structure and eliminating third-party involvement in subsidiary financing.
- Represented a cannabis-focused investment firm in the merger of two companies.
- Advised a client on all public disclosure obligations.
- Served as special counsel for a cannabis company in the acquisition of an adult-use retail company.
- Served as counsel for a cannabis banking and business solutions company in all regulatory matters relating to financing and obligations. Advised on legalization of psychedelics in various states.
- Represented a trade company and its parent in the sale of a cannabis trade company to another cannabis trade company.
- Counseled a client on seed and Series A capital raises for the first cannabis industry digital payments solution.
- Served as counsel for a cannabis company in all regulatory and M&A issues, as well as matters relating to financing and obligations.
- Facilitated and closed an Article 9 secured party sale with respect to two cannabis facilities for a realty company and investment company
- Represented a lender in obtaining the first receivership of a cannabis operator in Massachusetts.
- Represented a secured creditor of a cannabis company in connection with a successful receivership resulting in a sale of a portfolio of retail, distribution, and cultivation assets located in Nevada.
- Counseled an investment firm in an investment in marijuana breathalyzer technology company via convertible note financing.

Admissions

- Supreme Court of the United States
- Massachusetts

Memberships

- American Bankruptcy Institute
- Massachusetts Bar Association

- Boston Bar Association
- Turnaround Management Association Northeast Chapter
- Washington D.C. Bar Association

Education

- Brown University, AB
- Emory University School of Law, JD

Recognitions

- 2024, listed in *Lawdragon* 500 Leading Global Bankruptcy & Restructuring Lawyers
- 2023, Leading Bankruptcy & Restructuring Lawyer, listed in *Lawdragon*
- 2018, Cannabis Trailblazer, listed in the *National Law Journal*
- 2006–2007, Massachusetts “Rising Star,” listed in *Super Lawyers*

Professional Activities

Scott served as the president of Turnaround Management Association, Northeast Chapter, in 2022. He is a member of the board of directors of Elevate Northeast. Scott is a former vice chair of City Year Boston Legal Community Breakfast and former co-chair of the Boston Bar Association Cannabis Law Conference. Scott previously served as the Chair of the Board of Directors for BAGLY (Boston Alliance of Gay Lesbian Bisexual and Transgendered Youth).