

Michelle R.E. Donovan

Senior Counsel

Michelle R. E. Donovan advises cannabis companies regarding medical and adult-use marijuana licensing, regulatory, compliance, business entity formation, and litigation. As one of the fastest-growing industries, Michelle's experience and connections allow her to strategize and advise cannabis companies on how to navigate the constantly changing legal landscape that surrounds this emerging market.

Along with national experience, Michelle has an extensive background with Michigan's Medical Marijuana Facilities Licensing and Michigan Regulation and Taxation of Marijuana Act and has successfully assisted clients with the process of applying for pre-qualification and license qualification status. Michelle obtained the first licensed provisioning center in Oakland County. Michelle filed the litigation successfully challenging the State of Michigan's cannabis supply regulations and case of first impression on behalf of a medical marijuana patient for access. She is frequently in the media for her expertise and knowledge and recently featured on Michigan's Cannabis Industry Association cover for "Women Power and Industry" and feature article.

Additional Areas of Focus

Real Estate

Michelle represents clients both locally and nationally in all areas of real estate, including mortgage and deed fraud, construction liens, eminent domain, property tax appeals, title insurance, and municipal issues.

Probate

Michelle has extensive experience in all facets of probate law, including trust, probate and estate administration, guardianship and conservatorships. Michelle is a Macomb County Public Administrator, an appointed position with powers and duties primarily related to intestate decedent estates where there are apparently no known heirs. In this position, she also serves as guardian and/or conservator for minors and mentally disabled persons, as well as personal representative of deceased estates where there is no family or when an impartial fiduciary is needed. She was appointed by the Michigan Attorney General in 2017.

Litigation and Trial Experience

Michelle has extensive experience as a trial attorney, where she achieved many successful results in cannabis, real estate, and corporate matters. Highlights of her experience include:

- The Curing Corner, LLC v Michigan Department of Licensing and Regulatory Affairs (Lansing, MI 2019), obtained after four (4) days of filing its complaint, an Emergency Rule was issued to allow patients to temporarily purchase medical marijuana from licensed caregivers for purchase from licensed provisioning centers.
- Hoover v Michigan Department of Licensing and Regulatory Affairs (Detroit, MI 2019), case of first impression for constitutionality of State of Michigan's licensing for medical marijuana access to patients.
- COEUS, LLC v Greenhouse of Walled Lake, et al (Oakland County, MI 2019), obtained dismissal of all claims against Greenhouse of Walled Lake for marijuana-related complaints.
- Performance Real Estate Holdings, LLC v Peak Athletic Club, LLC, et. al. (Rochester, MI 2017) Awarded jury verdict in landlord-tenant and sanctions for fees and costs in excess of \$50,000.
- Blue Chip Talent dba Computer Consultants of America v Debbie Broich, et al (Oakland County, MI 2017) Successfully recovered funds in embezzlement by a prior employee.
- Carey Becker, et al v Ritz Craft, et al (Tuscola County 2017) awarded a no cause in a construction defect case.
- Commonwealth Land Title Insurance Company v Metro Equity Services (Oakland County, MI 2016) Judgement obtained in the amount in excess of \$1,00,000 including case evaluation sanctions against Defendant, as successor liability theory as a mere continuation of the prior entity.

Distinctions

Michelle is a frequent speaker and author on legal topics related to the cannabis industry and is frequently interviewed by the local and national media concerning this topic. Michelle also serves as an Adjunct Professor Western Michigan University Cooley Law School, a role which she has held since 2009.



Office

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Education

J.D., Thomas M. Cooley Law School,
Lansing, Michigan, 1999

B.A., University of Detroit Mercy,
Detroit, Michigan, 1991

State Bar Licenses

Michigan

Court Admissions

U.S. District Ct., E.D. of Michigan
U.S. Supreme Court

Michelle also advocates for and educates others on the condition of vocal chord paralysis, a condition which she manages personally. Through her group on social media, Vocal Cord Paralysis Support Group, she brings others together in the community to discuss challenges with voice projection and breathing techniques.

Practices, Industries & Services

Cannabis
Corporate Law
Litigation

Memberships

- Macomb County Bar Association
- Macomb County Probate Bar Association
- Cannabis Law Section of the Michigan State Bar, Council
- Michigan Cannabis Industry Association
- National Cannabis Industry Association
- International Cannabis Bar Association
- Italian American Bar Association
- Wayne County Probate Bar Association
- Michigan Land Title Association
- American Land Title Association
- State Bar of Michigan, Faculty Member, Real Property Law Section

Honors

- Appointment by the Attorney General, Public Administrator for Macomb County, 2017
- Adjunct Professor Western Michigan University Cooley Law School 2009 - Present

Presentations

- "The Blunt Truth: Your Local Pot Shop and Hashing out the Legal Details," OCBA Webinar, September 2, 2020
- "Michigan Marijuana Law and Business Operations," Half Moon Education, Inc., August 25, 2020
- "Advise Marijuana Start-Up," ICLE Webcast, April 6, 2020
- "Marijuana and Real Estate," Oakland County Bar Association Real Estate Committee Meeting, September 24, 2019
- Speaker, "State Bar of Michigan Professionalism in Action Orientation, Western Michigan University Cooley Law School, Auburn Hills Campus, August 28, 2019
- "Real Estate and Land Use," Business of Marijuana in Michigan Conference, Grand Rapids Michigan, June 20, 2019
- Speaker, Senate confirmation hearing for Andrew Brisbo, the Director of Marijuana, May 2019
- Panelist, "New Business of Cannabis, Hemp, CBD in Michigan," April 29, 2019
- "Cannabis - From Cradle to Grave," Risk Management Association West Michigan Chapter seminar, Grand Rapids, Michigan, May 15, 2018
- State Bar of Michigan Professionalism in Action Orientation, Speaker, Western Michigan University Cooley Law School - Auburn Hills campus, Jan. 15, 2018
- State Bar of Michigan Professionalism in Action Orientation, Speaker, Western Michigan University Cooley Law School - Auburn Hills campus, Aug. 30, 2017
- Legalities for Surveyors, Michigan Society of Professional Surveyors Annual Convention 2016
- "Quiet Title Actions: Best Practices," ICLE Seminar, Webinar April 17, 2014
- "Snapshot of a Civil Trial" and "The Court System" Lecturer, Michigan Society of Professional Surveyors Annual Meeting, 2013
- "Realtors Law," Michigan Society of Professional Surveyors, Annual Meeting, 2012

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- Legal Descriptions Involving Land Assessed on a Larger Parcel, Seminar Various Title Insurance Companies 2010
 - “Curing Title Through Foreclosure,” Moderator, LORMAN Educational Services, 2008