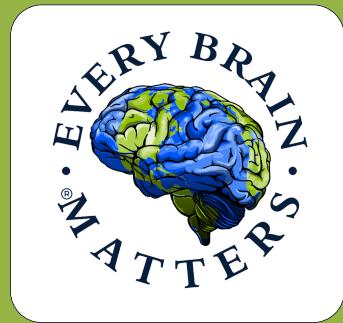


HAVE YOU OR A FAMILY MEMBER BEEN HARMED BY MARIJUANA/CANNABIS?

► Key Criteria for Legal Action



Families may be able to sue marijuana companies **when harm was foreseeable, preventable, and linked to industry actions or products**. Lawsuits focus on whether companies failed to warn, misled consumers, or sold dangerously potent products without adequate safeguards.

Below are the **key criteria courts and attorneys consider**.

1. Serious Harm or Loss Has Occurred

A lawsuit generally requires significant, documentable harm, such as:

- Mental health crisis (psychosis, schizophrenia onset, suicidality)
- Addiction or cannabis use disorder
- Cognitive, emotional, or developmental harm (especially in youth)
- Injury, overdose, or death
- Long-term inability to work, attend school, or live independently
- Heart attack or stroke after consuming marijuana/cannabis
- Injury or death associated with impaired driving
- Emergency department visit with persistent vomiting

Medical records, hospitalizations, or death certificates often form the foundation of a case.

2. The Harm Is Linked to Marijuana Use

Families must show a connection between marijuana use and the harm, for example:

- Use of cannabis products (vapes, concentrates, edibles)
- Heavy, frequent, or escalating use
- Symptoms that began or worsened after marijuana use
- Medical or expert opinions linking cannabis exposure to the condition

Marijuana does not need to be the only cause—only a substantial contributing factor.

3. The Company Acted Wrongfully or Negligently

Cases are strongest when companies engage in conduct such as:

Failure to Warn

- No clear warnings about psychosis, addiction, or mental health risks
- Labels that minimize or omit known dangers

Deceptive or Misleading Claims

- Marketing marijuana as “safe,” “natural,” or “non-addictive”
- Downplaying risks while promoting benefits

Excessive THC Potency

- Selling products far stronger than consumers reasonably expect
- No guidance on safe dosing or delayed effects (especially edibles)

Targeting Youth or Vulnerable Populations

- Youth-appealing flavors, packaging, or social media campaigns
- Designs or devices that encourage rapid intoxication or dependence

4. The Harm Was Foreseeable

Families are legally stronger when evidence shows:

- Scientific research already warned of these risks
- The industry knew or should have known about the harms
- Warnings were ignored despite growing evidence

Internal documents, studies, or public health advisories can help establish foreseeability.

5. There Are Damages

Courts look for measurable losses, including:

- Medical and psychiatric costs
- Lost income or future earning ability
- Pain and suffering
- Loss of companionship or support (wrongful death cases)

6. Evidence Families Should Gather

Families do not need to have all the evidence before contacting a lawyer—but collecting what you can may strengthen a case.

Proof of Marijuana Purchases or Exposure

These help show what was used, how often, and how strong it was:

- Dispensary receipts
- Bank or credit card statements
- Loyalty program or app purchase histories
- Product packaging or labels showing THC percentage
- Screenshots of online orders or delivery confirmations

Even partial records can be useful.

Medical and Mental Health Records

These documents show harm and timing:

- Emergency room or hospital records
- Psychiatric diagnoses or evaluations
- Therapy or counseling records
- Medication histories
- Discharge summaries or treatment plans

Records showing symptoms started or worsened after marijuana use are especially important.

Evidence of Behavioral or Functional Changes

Courts often rely on before-and-after evidence, such as:

- School records (grades, withdrawals, disciplinary actions)
- Employment records (job loss, reduced performance)
- Journals, texts, or emails describing changes
- Statements from family members, teachers, or coworkers

Personal observations can be powerful when documented.

Evidence of Addiction or Escalation

These support claims of dependence or loss of control:

- Increasing frequency or potency of use
- Switching to concentrates or vapes

- Failed attempts to stop
- Financial strain tied to marijuana purchases
- Rehab or substance-use treatment records
- Unable to quit despite negative consequences

Marketing or Advertising Materials

These may show deception or targeting:

- Screenshots of ads, social media posts, or influencer promotions
- Claims that marijuana is “safe” or “non-addictive”
- Youth-appealing branding, flavors, or imagery

Save dates, sources, and screenshots whenever possible.

Financial and Life Impact Documentation

These help establish damages:

- Medical bills and insurance statements
- Therapy and medication expenses
- Lost wages or reduced earning capacity
- Funeral or burial costs (wrongful death cases)

7. Time Limits Matter

- Every state has a statute of limitations
- The clock may start when the harm was discovered, not when use began
- Speaking with an attorney early is critical

Important Notes for Families

- You do not need to confront the marijuana company or dispensary
- You do not need perfect records to seek legal advice
- Lawsuits may involve manufacturers, distributors, retailers, or marketers
- Many attorneys offer free consultations and work on contingency

This Is Not Legal Advice

Every case is different. A qualified attorney can help determine whether your family’s experience meets legal criteria. For more information or to connect with a lawyer, please get in touch with info@everybrainmatters.org