

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

- Representation of multiple clients in multiple states on various corporate, finance, and operational issues in the cannabis industry.
- 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.
- Representation of national cannabis operators and ancillary cannabis businesses with respect to M&A, debt and equity financings, joint ventures, and restructurings and receiverships.
- Representation of banks and credits union in developing a cannabis banking and/or lending policies.
- Representation of lenders, equity investors, and funds with respect to investing in the cannabis industry.
- Advising cannabis operators and other related companies with respect to corporate governance, fiduciary duty issues, and D&O insurance issues.

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).