

DISTRICT COURT ADAMS COUNTY, COLORADO Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80601	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case Number: 2016CV842 Courtroom: M
Plaintiff: KYLE ROBERTS v. Defendant: PRODUCTIONS OF THC, INC.	
TRIAL MANAGEMENT ORDER	

I. STATEMENT OF CLAIMS AND DEFENSES

On May 28, 2016, five year old Marley Roberts jumped or fell from a fourth-floor window of her residence after eating several marijuana edibles packaged like candy. She died from her injuries three days later. At the time of the incident, the Plaintiff, Kyle Roberts, had ingested a marijuana edible that had been individually wrapped and that Kyle Roberts purportedly believed contained 10 mg of THC but which actually contained three times that amount. As a result of ingesting three times the normal maximum dose of THC, Kyle Roberts claims to have been dazed and disoriented, and unable to properly watch over Marley Roberts.

The Plaintiff, Kyle Roberts, is pursuing a single claim for wrongful death, based on the assertion that the Defendant, Productions of THC, Inc., a/k/a POT, Inc., was negligent in failing to exercise reasonable care to prevent the marijuana edibles from creating an unreasonable risk of harm to individuals who might reasonably be expected to consume the marijuana edibles and that the improper packaging and labeling of the marijuana edibles resulted in the death of the Plaintiff’s daughter, Marley. The Plaintiff seeks noneconomic damages for loss of filial consortium, emotional distress, mental distress, mental anguish/suffering, and loss of ability to enjoy life.

The Defendant admits that it manufactured the marijuana edibles at issue in this case but denies that the packaging or labeling was improper and denies that the packaging or labeling caused the death of Marley Roberts. The Defendant has asserted the

affirmative defenses of comparative fault, contributory negligence, and failure to mitigate. The Defendant also disputes the amount of the Plaintiff's claimed damages.

II. STIPULATIONS

The parties have stipulated to the following:

1. The exhibits identified in the witness statements are the same as the trial exhibits.
2. The signatures on the witness statements and all other documents are authentic.
3. Chain of custody for evidence is not in dispute.
4. Stipulations cannot be contradicted or challenged.

III. PRETRIAL MOTIONS

There are no unresolved pretrial motions.

Pursuant to the ruling on the "Motion for Determination of a Question of Law," if the Plaintiff recovers an amount for noneconomic damages and the Plaintiff is found to be less than 50% at fault, the amount of noneconomic damages awarded will be reduced by the court in proportion to the amount of fault attributable to the Plaintiff. If the reduced amount is less than the statutory amount for solatium, the Plaintiff will instead recover the full amount for solatium. If the Defendant is found to be liable, but is found to be less than 50% at fault, the Plaintiff will recover the amount for solatium only.

IV. ITEMIZATION OF DAMAGES OR OTHER RELIEF SOUGHT

The Plaintiff is seeking noneconomic damages in the statutory maximum amount of \$436,070, for loss of filial consortium, emotional distress, mental distress, mental anguish/suffering, and loss of ability to enjoy life. Alternatively, the Plaintiff seeks a minimum of \$87,210, which is the adjusted statutory amount for solatium. The Plaintiff is not seeking any economic damages.

V. IDENTIFICATION OF WITNESSES AND EXHIBITS – JUROR NOTEBOOKS

(A) Witnesses

The Plaintiff will call the following witnesses:

Kyle Roberts

Jordan Garcia

Dr. Blake Weir – designated as an expert witness

The Defendant will call the following witnesses:

Reese McKernan

Parker Lesh

Bailey Kreutzmann – designated as an expert witness

(B) Exhibits

Exhibit 1 - CV Bailey Kreutzmann

Exhibit 2 - Police Report

Exhibit 3 - CV Blake H. Weir, M.D.

Exhibit 4 - Image of LaffyTaffy vs. WackyTaffy

Exhibit 5 - Image of WackyTaffy Label

Exhibit 6 - Image Individually Wrapped LaffyTaffy and WackyTaffy

Exhibit 7 - Image of False Balcony

Exhibit 8 - Image of New Edibles Product

Exhibit 9 - Handout

VI. TRIAL EFFICIENCIES AND OTHER MATTERS

The “Motion to Bifurcate” was denied, and the trial is proceeding with regard to both liability and damages.

The parties are limited to the claims and defenses as set forth in section I above; however, the parties are not required to argue every possible theory of recovery or defense. Instead, the parties may tailor the details of the theory of their case to the evidence as it is ultimately presented at trial.

SO ORDERED this 31st day of October, 2016

BY THE COURT:


District Court Judge

DISTRICT COURT ADAMS COUNTY, COLORADO Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80601	
Plaintiff: KYLE ROBERTS v. Defendant: PRODUCTIONS OF THC, INC.	▲ COURT USE ONLY ▲
Attorney for Plaintiff: Vincent Gambini Gambini & Associates, LLP 6789 E. Bromley Lane Brighton, CO 80601 Telephone: (970) 555-3179 E-mail: Vincent_Gambini@vglaw.com	Case Number: <i>2016CV842</i> Courtroom: <i>M</i>
COMPLAINT AND JURY DEMAND	

COMES NOW the Plaintiff, by and through counsel of record, and alleges as follows:

PARTIES

1. Kyle Roberts (“Plaintiff”) is a resident of the city of Brighton, county of Adams, state of Colorado.
2. Productions of THC, Inc., a/k/a POT, Inc. (“Defendant”) is a corporation with its principal place of business in the city of Brighton, county of Adams, state of Colorado.

VENUE

3. Venue is proper in Adams County pursuant to C.R.C.P. 98(c) as the Defendant resides here and the tort was committed here.

GENERAL ALLEGATIONS

4. The Defendant is a supplier and manufacturer of marijuana products.
5. On or about May 26, 2015, the Plaintiff purchased an edible marijuana product (the “Product”) manufactured and packaged by the Defendant.
6. The Product contained individually wrapped marijuana edibles; however, each individual edible contained three times the maximum dose of tetrahydrocannabinol (“THC”), the principal psychoactive constituent in marijuana edibles.

7. Due to Defendant's failure to properly package and label the product, including an intentional and deliberate effort to theme the product as candy, the Plaintiff's daughter, Marley Roberts, consumed the marijuana edibles in dangerous quantities on May 28, 2015.
8. As a result of consuming the marijuana edibles, Marley Roberts jumped or fell from a fourth-floor balcony of her apartment.
9. Over the next three days, Marley Roberts received medical treatment in the intensive care unit for her catastrophic injuries.
10. On May 31, 2015, Marley Roberts died as a result of injuries suffered due to her fall.
11. Marley Roberts was the Plaintiff's primary source of joy and deeply loved by the Plaintiff. The Plaintiff spent time every day playing with Marley or doing school work together, even when the nanny was available. The Plaintiff looked forward to the drives to and from school every day, where they would talk about school, friends and life.
12. The Plaintiff also had a close and loving marriage that fell apart because of the stress of losing a child. The experiences of seeing the child after the fall and being loaded into the ambulance and waiting at the hospital were highly traumatic to the Plaintiff. After the Marley's death, the trauma resulted in severe depression and the inability to function, to enjoy life, and being overwrought with guilt and sadness.
13. The Plaintiff now lives in isolation due to the depression and is suffering emotional distress, mental distress, mental anguish/suffering, and loss of ability to enjoy life.

CLAIM FOR RELIEF

(Wrongful Death / Product Liability)

14. The Plaintiff hereby incorporates paragraphs 1 through 13, above, by reference as if each paragraph were set forth herein in its entirety.
15. The Defendant is an entity that produces and prepares marijuana products prior to the sale of those products to their eventual consumers, and is, therefore, a "manufacturer" pursuant to C.R.S. § 13-21-401(1).
16. The Defendant produced, prepared, packaged and introduced into commerce the Product, which consists of marijuana edibles called "WackyTaffy."
17. The Defendant knew and intended that the Product would be ingested.
18. Because of the style of its packaging, the Defendant knew that children might reasonably be expected to consume the Product.

19. The Defendant failed to exercise reasonable care to prevent the Product from creating an unreasonable risk of harm to the Plaintiff and to the Plaintiff's daughter, Marley Roberts, while the Product was being used in the manner the Defendant might have reasonably expected.

20. The Defendant's failure to exercise reasonable care resulted in the death of the Plaintiff's daughter, Marley Roberts.

21. As a result of Marley Roberts' death, the Plaintiff suffered a loss of filial consortium, emotional distress, mental distress, mental anguish/suffering, and loss of ability to enjoy life.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff prays:

(1) That the Court grant Plaintiff judgment against Defendant in an amount determined to fully and fairly compensate the Plaintiff for all harms and losses incurred, or to be incurred, as the direct and proximate result of the acts and omissions of Defendant, including loss of filial consortium, emotional distress, mental distress, mental anguish/suffering, and loss of ability to enjoy life.

(2) That the Court grant such other and further relief as it deems necessary and proper in the circumstances.

THE PLAINTIFF HEREBY DEMANDS TRIAL TO A JURY OF SIX PERSONS.

Respectfully submitted this 20th day of May, 2016.

Vincent Gambini

Vincent Gambini, Esq.

DISTRICT COURT ADAMS COUNTY, COLORADO Adams County Justice Center 1100 Judicial Center Drive Brighton, CO 80601	
Plaintiff: KYLE ROBERTS v. Defendant: PRODUCTIONS OF THC, INC.	▲ COURT USE ONLY ▲
Attorney for Plaintiff: Jim Trotter, Esq. The Law Offices of Trotter & Trotter 4444 Eagle Boulevard Brighton, CO 80601 Telephone: (303) 555-4567 E-mail: jtrotter@trottertrotter.com	Case Number: 2016CV842 Courtroom: M
DEFENDANT’S ANSWER AND JURY DEMAND	

The Defendant, by and through its undersigned counsel, answers the Plaintiff’s complaint as follows:

1. The Defendant admits the allegations contained in Paragraphs 2, 3, 4, 15, 16, 17.
2. The Defendant denies the allegations contained in Paragraphs 7, 18, 19, 20
3. The Defendant is presently without knowledge or information sufficient to form a belief as to the truth of the allegations contained in Paragraphs 1, 5, 8, 9, 10, 11, 12, 13, and 21, and, therefore, denies them.
4. The Defendant admits that pieces of the Product were separately wrapped and that each piece contained three 10 mg doses of THC, but denies the remaining allegations in Paragraph 6.
5. Paragraph 14 restates allegations previously set forth in the Plaintiff’s complaint. The Defendant, therefore, restates its responses to those allegations as though fully set forth herein.

AFFIRMATIVE DEFENSES

6. The Plaintiff was comparatively negligent, which negligence, if any, would bar or reduce the Plaintiff’s claims.

7. The Plaintiff's claims are barred or subject to reduction by a failure to mitigate.

WHEREFORE, the Defendant requests that the Court enter an Order dismissing the complaint, with prejudice, and that the Defendant be awarded its costs and attorney fees pursuant to statute and rule, and such other relief as the Court deems proper.

DEFENDANT REQUESTS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

Respectfully submitted this 10th day of June, 2016,

The Law Offices of Trotter & Trotter

/s/ Jim Trotter

Jim Trotter, Esq.

(Filed electronically, original signature on file with counsel)

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of June, 2016 a true and correct copy of the above and foregoing Defendant's Answer and Jury Demand was filed electronically with the Court via ICCES and was sent by electronic service via ICCES to:

Vincent Gambini
Gambini & Associates LLP
6789 E. Bromley Lane
Brighton, CO 80601

/s/ Yazzmine Chrisp

Yazzmine Chrisp, Paralegal

(Filed electronically, original signature on file with counsel)

1 **Statement of Kyle Roberts**

2 My name is Kyle Roberts. My daughter, Marley, was a beautiful, happy five-year-old
3 little girl with the world ahead of her. She was sweet and friendly, and always smiling. We had
4 her later in life, and we were not able to have another child, so she was everything to me.
5 Because POT Incorporated could not make the effort to label its products correctly, my beautiful
6 little girl is dead, and my life is destroyed.

7 I used to have the perfect life—a child who was my reason for living, a wonderful
8 marriage and a career that I loved. Now all I have is my work, and it feels hollow and empty.
9 Before my daughter Marley, I started my own business providing social media monitoring to
10 smaller companies. I keep an eye on all social media—Facebook, Twitter, blogs, news sites, you
11 name it—to see what is being said about the products and services of my clients. I also help with
12 social media marketing plans and provide advice on how to deal with the inevitable problems my
13 clients create for themselves on social media. The best part of my job was that it let me stay
14 home with my daughter after she was born. My ex-spouse is an account manager for one of the
15 bigger investment companies, so we were able to live a good lifestyle in an upscale, two-story
16 condominium. We also had enough money to hire an *au pair* named Parker Lesh. My ex was
17 actually the one who came up with the idea of hiring an *au pair* to help us with Marley, but I
18 would have been okay without Parker’s help. Parker helped with housework, made breakfast for
19 Marley in the morning and looked after Marley when I had to deal with work issues. Still, I was
20 a very involved and active parent. I made Marley’s lunches and most dinners, I drove her to
21 preschool every morning and picked her up afterwards, I was the room parent for Marley’s class,
22 and I was on the PTO board at Marley’s school. Also, every day after school we would go to the
23 playground or the park together. Sometimes we would also go on trips to the zoo or museum.
24 Marley absolutely loved stuffed animals and I probably bought her a hundred of them. We would
25 have tea parties with them, dress them up, or take them outside on adventures just about every
26 day. They all had crazy names that Marley had come up with, and she loved to quiz me on the
27 names. “Who is this? And who is this?” I knew them all, but I would always get one wrong on
28 purpose because Marley would squeal with delight and tell me “no, silly!” It breaks my heart
29 every time I think about something like that. I need to talk about something else or I am not
30 going to be able to finish this statement.

31 So, let me move on to what this case is all about. I used marijuana occasionally in college
32 before it was legal, but I always thought it should be legalized. When Colorado legalized medical
33 marijuana in 2000, I got a medical marijuana card. Technically, the cards were only supposed to
34 be for people with medical conditions that would be helped by marijuana, but that is not how it
35 worked out. All you had to do was tell a doctor you had some kind of pain and you could get a
36 marijuana card. I got my card by telling a chiropractor that my back hurt, and the chiropractor
37 owned the dispensary. I always thought that was a conflict of interest, but it worked to my
38 benefit so I was not about to complain.

39 The truth is I did not have back pain, but that does not really matter now because
40 recreational marijuana has been legal since 2012. I still buy medical marijuana, but that is only
41 because the taxes are lower so it costs much less. But even if I could not get medical marijuana, I
42 would buy recreational marijuana. Yes, I still use marijuana today. It helps me cope with my
43 grief, and I don't blame the marijuana for Marley's death. I blame POT Incorporated and its
44 owner, Reese McKernan.

45 Anyway, my preference is to use marijuana edibles. I switched to edibles after Marley
46 was born. That way I did not have to smoke in front of her. Smoking stinks up the house, the
47 smell gets in your hair and clothing, and it sets a bad example for children. With edibles, I could
48 avoid all of that. Also, with edibles, you know exactly what you are getting. There is a carefully
49 measured dose of THC that is the same each time. However, that is where I got in trouble right
50 before Marley died.

51 There was a new product at the dispensary I used, called WackyTaffy. It cost a lot less,
52 but it looked like high quality packaging. Some products are in cellophane bags with cheap
53 labels, but others look really nice—like a lot of money and effort went into the process. I asked
54 the employee behind the counter about it, and he said it was from a new manufacturer they were
55 trying, called POT Incorporated. The employee said that they had just started selling it, but they
56 had heard great things about the company. In fact, he said that he had personally tried one of
57 their products and it was excellent. I bought the WackyTaffy on May 26, 2015. The employee in
58 the dispensary told me to make sure to follow the dosing recommendations on the label, but they
59 always say that, even when I bought the same brand of edibles that I had been buying every
60 month for several years. Because I had been using edibles for years and I knew that they could

61 only have 10 milligrams of THC per serving, I figured I did not need to read the dosing
62 recommendations to know that I wanted one serving.

63 The WackyTaffy was individually wrapped and looked just like the candy taffy you can
64 buy at just about any convenience store. There was nothing on the individual packaging
65 indicating that there was more than one dose per packet, and the taffy was not divided in any
66 way inside the packets to suggest that it was more than one dose. There was just one piece of
67 candy in the packet. The only thing that suggested there was more than one dose per piece of
68 taffy was in small print on the back of the box. The front of the box said “Unrivaled Potency and
69 Purity,” but manufacturers make all kinds of claims about their special strains of marijuana and
70 how they are better than other strains. I had no idea that “Unrivaled Potency and Purity” meant
71 there were three 10 milligram doses in one piece of candy, let alone that I was apparently
72 supposed to get a knife and cut each piece into three smaller pieces. I assumed individually
73 wrapped pieces meant individual doses. That’s how the other brand I was using packaged their
74 products.

75 Now, I never used marijuana in front of Marley. I usually used it in the evening after she
76 had gone to bed, although I occasionally used it in the afternoon when she took a nap. I also
77 never talked about marijuana with her. When she got older I would have, but she was only five
78 years old. She would not have understood what I was talking about and telling a child they
79 cannot have something just makes them want it more. I always kept the package of edibles in a
80 cupboard above the stove in the kitchen. It was high enough up that it was almost hard for me to
81 reach it, and there is no way that Marley ever saw it up there.

82 On May 28, 2015, I had had a rough morning. I had spent all morning in a conference
83 call with one of my newer clients and his lawyer. The client was pressuring me to reduce my bill.
84 A lot of older clients do not understand social media and they think just about anyone can surf
85 the internet, so why do I charge so much? Not everybody can do what I do, and clients pay for
86 my experience and expertise. In the end, the client saw it my way, but it made for a stressful
87 morning. After the phone call, I went and picked up Marley from preschool. When I got home, I
88 put Marley down for her nap, and once she was asleep, I opened a single packet of the
89 WackyTaffy and ate just one piece. After that, I sat down and clicked on the TV to relax for a
90 little bit. I always put my edibles out of sight and out of reach of Marley when I am done with
91 them, but for some reason that day I apparently left the open box on the dining room table. I am

92 certain I would have put the box away before Marley got up if it had not been for the effect that
93 one edible had on me.

94 Since the WackyTaffy turned out to have much more THC than I was used to, it hit me
95 hard—much harder than I had ever experienced before. I was watching TV, and I remember
96 getting very confused. It felt like the whole room got small and all I could think about was how
97 stupid the TV show was and that I wanted to get up and change it, but I just sat there staring at it.
98 I have no idea how long I sat there staring blankly at the TV. It felt like it could have been days. I
99 do not remember Marley getting up from her nap or coming downstairs. All I know is that I was
100 jarred to my senses by somebody banging on the front door to our condominium.

101 I went and opened the door and there was a police officer standing there looking very
102 distressed. He said “excuse me, does a child live here?” I instantly knew something was wrong
103 and started yelling for Marley. I ran to her room, but the door was open and she was not there.
104 There were WackyTaffy wrappers on the floor, and I realized she must have gotten into the box
105 somehow. At the top of our staircase is a pair of full-length windows that open onto a false
106 balcony. As I was running by, I saw that the windows were open. It did not register with me at
107 first, but it came crashing down on me as I was standing in Marley’s room looking at the
108 wrappers on the floor. I ran out of her room to the false balcony just as the police officer was
109 coming up the stairs after me. The false balcony has a metal railing around it, but Marley could
110 have climbed over it. The windows were always latched, but a five-year-old figures out how to
111 get into everything. The condominium is on the third and fourth floors of the building, and I ran
112 to the window crying “no, no, no, no!” The police officer tried to stop me, but I got to the
113 window first. No parent should ever have to see what I saw. There were ambulances, fire trucks,
114 and police cars, with people everywhere, and on the sidewalk straight down from the balcony
115 paramedics were loading a little body onto a stretcher. I remember seeing blood running along
116 the sidewalk into the grass, and I broke down and collapsed on the floor. All I remember was
117 sobbing “no, no, no” and calling for Marley.

118 Marley did not die from the fall, but she died in the hospital three days later, on May 31,
119 2015. I was there every day, but she never woke up. Those were the worst days of my life. Her
120 little body in that hospital bed. If you have not lost a child, you cannot understand how awful that
121 was.

122 My ex-spouse wants nothing to do with this lawsuit and has signed a waiver of all claims.
123 My ex blames me for Marley's death, but it was not my fault, and we ended up getting divorced
124 about three months after Marley died. According to my ex, I am just trying to ease my own guilt
125 for being a neglectful parent, but if I had known that there were three doses of THC in each
126 wrapped piece of those edibles, or if that box had not looked like a box of candy, this never
127 would have happened.

128 I still do not know exactly why I left the box of WackyTaffy on the table. I never did that
129 before May 28, 2015. I was always very careful to keep the marijuana away from Marley and to
130 put it up in the cupboard every time. Usually I put it away as soon as I was done with it, but even
131 when I did not put it away immediately, I always put it away before Marley got up from her nap.
132 I heard that one of the police officers said the edibles were in a cookie jar on the table. That is
133 simply wrong. The cookie jar was on the table, but it had cookies in it. Marley was allowed to
134 get one cookie out after her nap. I never, ever, ever put the edibles in the cookie jar. As for the
135 box of edibles, if it had not been for the fact that I unknowingly took three times my normal
136 amount of THC, I am sure I would have put the box away this time too. I know that Parker Lesh
137 says I used to leave boxes of edibles out all the time, but that is just not true. Parker is bitter and
138 getting back at me over getting fired for stealing about a month before Marley died. I caught
139 Parker taking twenty dollars out of a dresser drawer, and I called the police. It was a small
140 amount, but I had noticed other things missing, and stealing is stealing. Without Parker around, I
141 was responsible for watching Marley, but it was not really that much of a change from what I
142 had been doing all along. I just adjusted my work schedule so that I got my work done before
143 Marley finished preschool or I worked later at night after my ex got home from work. Yes, I
144 would sometimes take an edible when Marley took her nap, but it was just to relax from all the
145 stress of my job plus watching a five-year-old, and it did not affect my ability to be a good
146 parent. Besides, if I had known that each piece of taffy had 30 milligrams of THC and that I was
147 supposed to cut it into thirds I never would have eaten a whole piece. In fact, I would not have
148 even bought it. I now know that the back of the box said each piece contains three doses, but I
149 did not read that. Besides, it was one piece of taffy in the wrapper and it did not say anything
150 about three servings. Why would I scour the back of the box to see if maybe a small, individual
151 piece of candy was something other than a single serving? For that matter, why would anyone
152 expect people to eat a third of a piece of candy? I think it was a game to trick you into believing

153 the “Unrivaled Potency and Purity” label on the front of the box. Purity is not the same thing as
154 three times the legal dose. And why make it look like candy anyway? It is illegal to sell
155 marijuana to children, why market to them?

156 I also know Parker Lesh says my marriage was falling apart before Marley’s death, but it
157 was not. We had a storybook marriage, but no marriage can survive the death of a child. You
158 close yourself off from everyone and everything, including your spouse. My ex suggested we try
159 counseling, but I knew our relationship was unrepairable and that counseling would do us no
160 good. It has been more than a year since Marley died, and I can still barely get up in the
161 mornings. Most days I am just numb. There is no joy in life. I stumble through it like a zombie.
162 Then other days it all hits me and I am overwrought with guilt and sadness. I miss the crazy
163 things we talked about when I drove her to and from school. I miss our tea parties with her
164 stuffed animals. I miss seeing the smile on the face of my beautiful little girl and when I think
165 about how I will never see it again, how I won’t get to see her get her first boyfriend, or go to the
166 prom, or share any of those experiences that every other parent gets to share with their
167 daughter—I almost do not want to go on living. I find no joy in anything anymore. I cannot even
168 talk to my ex about this. I know I could go to therapy, but I just do not see the point. There is
169 nothing a therapist could do to help me because a therapist cannot bring back my daughter. I am
170 totally alone, and my world has been completely destroyed. And for what? So that POT
171 Incorporated could save money on printing? So it could sell a few more boxes of edibles? I will
172 never forgive POT Incorporated for ruining my life and killing my daughter.

173 Exhibits 4, 5, and 6 are all accurate pictures of how the WackyTaffy looked, and the
174 LaffyTaffy in two of them is accurate as well. Exhibit 7 is an accurate picture of the false
175 balcony that Marley fell from. I do not recognize the other exhibits.

176 I have carefully reviewed this statement. It is true and accurate, and it includes everything
177 I know of that could be relevant to the events I discussed. I understand that I can and must
178 update this statement if anything new occurs to me before the trial.

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Kyle Roberts

Kyle Roberts

1 **Statement of Jordan Garcia**

2 My name is Jordan Garcia and I used to work at Productions of THC, Inc., but everybody
3 calls it POT, Inc. or POT, Incorporated. I got a job in the marijuana industry right after high
4 school. It seemed like a perfect way to combine my two biggest interests in life: one, marijuana,
5 and two, making enough money that I would not starve to death. Actually, my second interest is
6 art but that is not what got me my first job. I went to work for a cousin of mine who ran a
7 dispensary with its own grow operation. I liked taking care of the plants, but I hated working the
8 counter. If I was going to take orders and work a cash register, I might as well have got a job at a
9 fast food place.

10 One day a guy came in wanting to talk to my cousin about stocking his edibles. It
11 sounded like a real first class operation. They did not have any dispensaries, but they grew their
12 own strains of marijuana, distilled and refined the oils, manufactured them into edibles, then
13 packaged and sold them to dispensaries. Then I found out they paid \$10.25 an hour. That was
14 almost two dollars more an hour over the minimum wage amount my cousin paid me.

15 So, I made a great sales pitch to the owner of POT, Inc., Reese McKernan, and I got hired
16 in the grow house. I did not leave on good terms with my cousin, however. I had borrowed some
17 money from him when I was working at his dispensary, but that was because he did not pay me
18 enough. Anyway, he called it an advance on my salary, and when I quit he said I had to pay him
19 back with interest. I told him that he did not have anything in writing so good luck collecting. He
20 called the police and claimed I stole company property. I did not steal anything, but the DA
21 offered a deferred judgment and my public defender said I would be stupid not to take it. My
22 public defender said a jury would not believe my story that my cousin was lying about stealing
23 because I owed him money. Plus, it would make me look bad to try to even claim that I
24 borrowed money that I now refused to pay back. So I took the deal. I had to agree to pay
25 restitution, which, surprise, ended up being the same amount I owed my cousin on the loan. I
26 was put on probation, but the deal was that if I complied with the probation, the case would later
27 be dismissed.

28 Unfortunately, one of the conditions of probation is that you have to be employed. Ever
29 since I got fired by Reese McKernan, I have not been able to find work. So, my deferred
30 judgment got revoked last month, and I now have a conviction for felony theft on my record. I

31 had paid off my restitution, and the judge said getting a conviction was enough punishment, so
32 he did not give me any prison time but closed my case as unsuccessful.

33 Anyway, going back to my job at POT, Inc., at first I thought everything was perfect. The
34 truth, though, is that Reese is not an easy boss to get along with. Sure, you get paid a lot more,
35 but it is crazy stressful there. Everything is push, push, push, and you get yelled at all the time.
36 Even when you are not the one getting yelled at, Reese was always upset at somebody, and it
37 flows downhill as they say.

38 You would think that a marijuana business would be laid back, but we were anything but
39 laid back. Reese was all about being the future Coca-Cola of marijuana. Everybody knows that it
40 is just a matter of time before marijuana is legal across the country and we were supposed to be
41 growing the business fast enough to be ready to expand nationwide when the time came. It was
42 like all the worst parts of corporate greed and cold heartedness had been rolled up in this one
43 marijuana business. Of course, POT, Inc. put on a good face to the rest of the world—we were
44 environmentally conscious, employees got paid more—but it was all for show.

45 One of the really strange rules was that employees could not use marijuana, and we had
46 to sign an agreement that we would comply with monthly testing. The employee manual said we
47 could be fired if we tested positive. Reese claimed it had something to do with employee efficiency
48 and our public image, but I think it was really that Reese was afraid that if employees used the
49 product, those employees would steal product from the company. That rule eventually turned out
50 to be my downfall. Mostly, the monthly testing was not actually done. My guess is that it cost
51 too much. Still, I cleaned up before I hired on, and I was actually good for about six months.
52 Unfortunately, I screwed up and tried one of our own edibles at a party. I did not take it from
53 work. A guy at the party found out I worked at POT, Inc. and pushed me to try one. He kept
54 saying: “Come on, it’s just one piece. You work there. How can you sell something when you
55 don’t even know if it’s any good?” I gave in and had one gummy bear. One. It was the only
56 THC I had in months. It seems so ironic that I could get fired for sampling our own product, but I
57 talked to a lawyer who said that I had no chance because of my employment contract and the
58 Dish Network case.

59 Anyway, before I got fired, I decided to see if I could rise up in the company. Like I said,
60 one of my passions, besides marijuana, is art, and our packaging was weak. The actual packages
61 were fine, but the artwork looked like a third grader designed it. So, I drew up some much better

62 labels and Reese loved them. I immediately got promoted to Packaging Supervisor, but the
63 promotion did not mean I made any more money or that I would be doing any less in the grow
64 rooms. Basically it just meant I still had my same old job for the same amount of money, but
65 now I was also responsible for designing some new packages. I was not even supervising
66 anyone. It turns out the old cheap looking labels were designed by Reese McKernan.

67 Before I got started redesigning the labels, Reese came in and threw down a fat stack of
68 regulations on recreational marijuana. The State regulates everything when it comes to
69 recreational marijuana. How it can be grown, how it can be packaged, what the labels have to
70 say. The strange thing is that they do not have the same regulations for medical marijuana. It has
71 something to do with how the two constitutional amendments were passed, but I do not really
72 understand it or care to know anymore.

73 What I do know is that I had to read all the rules and make sure the packaging for our
74 recreational marijuana edibles complied with them. So I made sure that our recreational products
75 were in child resistant packages, that if a single wrapped edible had more than one serving that it
76 was physically marked so it was obvious how much was a single dose, that the word “candy” did
77 not appear on the packaging, and that the box had a full ingredient list and a whole series of
78 warnings on it, including a specific warning about the serving size. We also had required
79 statements about contaminant testing and potency testing on the retail products. The big rule was
80 that retail marijuana packaging could not appeal to people under 21 years old. That meant no
81 cartoon characters, and Reese said stay away from copying candy packages, even if we did not
82 use the word “candy.” The strange thing is all those requirements only applied to recreational
83 marijuana, not medical marijuana. My understanding is that some things changed at the start of
84 October 2016, but this all happened long before then.

85 I suggested to Reese that it would be more efficient just to make the packaging the same
86 for both kinds of edibles. Sure, all the special warnings were not required, but it would not hurt
87 to have them. Reese said that it was easier to market products without all the restrictions to
88 medical marijuana dispensaries. Reese especially liked selling candy knock-offs to the medical
89 marijuana dispensaries. Apparently lots of money had been borrowed to manufacture the candy
90 part – the taffy for WackyTaffy, the gummy bears that looked like the Grateful Dead bear, the
91 hard candy for the Jolly Reefers—and Reese wanted to keep selling them in similar packages for
92 as long as possible.

93 It bugged me that we were designing medical edibles that appealed to kids when we
94 knew it was against the regulations for recreational products. Just because something is not
95 illegal does not make it right. So I went to Reese and really pushed hard to change the way we
96 were doing things. That was on a Friday, and on Monday, out of the blue, I got drug tested. I
97 would have been just fine if it was not for that stupid party that weekend. Sometimes I wonder if
98 Reese had somebody go to the party and push that edible on me so that I would fail the test, but
99 there is no way to prove that.

100 There is one last thing that I have to get off my chest. Back when I was designing new
101 packaging, I went to Reese McKernan with an idea to get away from the candy style packaging
102 that would appeal to kids and to go with an upscale product design aimed at adults. I had
103 packaging designs and a brand new product line worked out. I put a lot of time into it and I
104 thought it was a great idea. Everything was really classy and sophisticated. Reese pretty much
105 laughed me out of the office and said it was the dumbest idea ever. About a month after I got
106 fired, I was in a dispensary. I was not buying any product—that would have violated my deferred
107 judgment. I was there with a friend. Well, what do I see on a shelf? A whole new product line by
108 Productions of THC, Inc. Yeah, you guessed it; it was all the stuff I had pitched to Reese before I
109 was fired. My packaging, my drawings, everything! Apparently the whole approach is wildly
110 successful and other companies are copying it. POT, Inc. and Reese McKernan are making tons
111 of money off my idea, and I did not get a freaking penny out of it. I talked to my lawyer about
112 suing, but apparently my employment contract signed over all intellectual property rights to
113 Productions of THC, Inc., whatever that means. I told my lawyer that I did not read the contract,
114 but she said that did not matter. She said when you sign something without reading it, your
115 negligence in not reading it bars you from arguing in court that you did not know what you
116 agreed to.

117 I hate POT, Inc. I hate Reese McKernan. Would I lie to get them in trouble after Reese
118 got me arrested and made a bunch of money off of the ideas that Reese stole from me? You bet I
119 would. But I am not lying. Everything I have said in this statement is the absolute truth.

120 Exhibits 4, 5, and 6 are accurate pictures of the WackyTaffy we sold at POT, Inc. I know
121 because I designed the packaging. Reese McKernan designed packaging before that. Although it
122 still said WackyTaffy, it looked like a fifth grader drew it. Exhibits 4 and 6 also have accurate
123 pictures of LaffyTaffy, which is the candy I copied in designing the WackyTaffy packaging.

124 Exhibit 8 is an accurate picture of one of POT, Inc.'s new line of edibles that came out in July of
125 this year. Oh, excuse me, we are all sophisticated now. It is one of Productions of THC, Inc.'s
126 new lines. It is based on my designs, and it has all the warnings that recreational marijuana has
127 even though McKernan also sells it to medical marijuana dispensaries. I do not recognize any of
128 the other exhibits.

129 I have carefully reviewed this statement. It is true and accurate, and it includes everything
130 I know of that could be relevant to the events I discussed. I understand that I can and must
131 update this statement if anything new occurs to me before the trial.

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Jordan Garcia

Jordan Garcia

1 **Affidavit of Dr. Blake Weir**

2 I am Dr. Blake Weir, and I am a pediatrician at Children’s Hospital in Colorado. The
3 deceased child, Marley Roberts, was not a patient of mine, but I was retained by Kyle Roberts’
4 attorneys to talk about the risks and dangers that marijuana in general, and marijuana edibles in
5 particular, pose to children. I am the hospital’s resident specialist in pediatric marijuana issues.

6 In 2014, I authored a paper titled: *The Growing Pediatric Risk of Legalized Marijuana*.
7 Other doctors have published papers on the subject, as well. I am not a fan of legalized
8 marijuana, and I think Colorado made an enormous mistake, but I am a pragmatist. Marijuana is
9 legal at the state level in Colorado, and people are using it. Whether I like it or not, this impacts
10 me as a pediatrician.

11 We have seen hundreds of patients under 12 years of age for unintentional ingestion in
12 Colorado since marijuana was legalized, and most of our visits involve some type of marijuana
13 edible. Problems increased significantly after medical marijuana was legalized, but when
14 recreational marijuana was legalized, emergency calls for marijuana poisoning in Colorado
15 skyrocketed. In fact, between 2012 and 2014, adult emergency calls went up 148 percent and
16 child emergency calls increased by 153 percent. And this is not just a problem in Colorado.
17 Remember, even though recreational marijuana is still only legal in Colorado and Washington,
18 medical marijuana is now legal in some form in 24 states, plus Washington D.C. and Guam. Just
19 last year, poison control facilities throughout the country reported over 4,000 cases involving
20 marijuana exposure with children and teenagers.

21 As a general matter, tetrahydrocannabinol, known as THC, is the main psychoactive
22 ingredient in marijuana. Normally, too much THC results in increased lethargy. An overdose,
23 however, can also cause confusion, abnormal muscle movements, respiratory problems, anxiety,
24 and, in large enough quantities, psychosis or hallucinations. It is estimated that an intravenous
25 dose of THC of 30 milligrams per kilogram could be fatal, but there has not yet been a reported
26 case of a fatality due solely from an overdose, at least in the United States. A French study in
27 2014 looked at cases with medical complications from marijuana and found that 2 percent of
28 them involved cardiac problems, including nine fatal heart attacks. More importantly, since
29 recreational marijuana became legal in Colorado, there have been three prominent reported
30 fatalities prior to the Marley Roberts case arising from the reactions caused by an overdose, and
31 each involved marijuana edibles. In March 2015, a 23-year-old from Tulsa shot himself during a

32 family ski trip in Colorado after eating marijuana cookies and ingesting just 50 milligrams, five
33 times the recommended dose, of THC. Almost a year before that, in April 2014, a man suffered a
34 psychotic episode in Denver after eating marijuana candy. He shot and killed his wife in front of
35 their three children. Finally, just a month before that, in March 2014, a 19-year-old college
36 student fell four stories to his death after eating a marijuana cookie while staying at a hotel with
37 friends in Denver. According to his friends, he started acting and talking erratically, pulling
38 things off the wall. They got him to bed, but he jumped out, then ran and dove over the balcony.

39 One of the problems with edibles in particular is that marijuana is processed by the body
40 differently when it is ingested rather than inhaled. When a person eats an edible marijuana
41 product, it takes longer for the THC to have an effect, sometimes hours, but when it does finally
42 take hold, the effect lasts far longer and is often more intense. The problem is the effect is so
43 delayed after the ingestion that people will wait a little while, but when the edible does not seem
44 to be producing the desired high, they will sometimes take more; however, the original THC is
45 still being metabolized and it will all hit eventually. Of course, everyone is physiologically
46 different, and individual THC absorption rates can vary dramatically based on a person's
47 metabolism, size, weight, physical activity level, whether there are other foods or drinks in the
48 system and other random factors.

49 With children the problem is of even greater concern. Generally, if children eat
50 something that makes them sick or tastes bad, they will stop eating it. But most marijuana edibles
51 are manufactured in the form of cookies, candies, brownies, or other sweets. For children,
52 marijuana edibles are indistinguishable from the treats they look like, and since the edibles taste
53 good and do not make them sick right away, children will often eat as many as they can get their
54 hands on. This results in overdoses and related complications.

55 The effects of a marijuana overdose are also often more severe in children. First, while 10
56 milligrams is considered a standard dose for an adult by the marijuana industry, it is far too high
57 a dose for a child. So even when a small child eats just one edible, it is like an adult eating two or
58 three in terms of the dose. Next, children tend to ingest marijuana accidentally, often by getting
59 hold of marijuana edibles that look like candy, soft drinks, cookies or cakes, and that are
60 wrapped in colorful, enticing packages. As a result, they often end up ingesting more than even
61 the recommended maximum for adults.

62 When children overdose on THC, we have seen everything from sleepiness and lethargy,
63 to respiratory problems, up to children going into a coma and needing a breathing tube. We also
64 occasionally observe extreme anxiety in children who have overdosed to the degree that it
65 manifests with psychotic-like symptoms. Along these lines, there is some evidence that
66 marijuana can worsen psychiatric issues for people who are predisposed to them, or bring
67 psychiatric symptoms on at a younger age.

68 Marijuana also has demonstrated adverse side effects. THC binds to cannabinoid
69 receptors, which are concentrated in areas of the brain associated with thinking, memory,
70 pleasure, coordination and time perception. The effects of marijuana can interfere with attention,
71 judgment and balance. Then there are the anxiety attacks with psychotic-like symptoms. They
72 are rare, but they are scary when you see them.

73 There is also concern with children because marijuana interferes with brain development.
74 Specifically, it interferes with the development of connections being made in the brain right at a
75 time when critical growth is occurring. I have a SPECT imaging scan on my wall of the brain of
76 a 16-year-old who had used marijuana for two years. A SPECT scan shows the blood flow to the
77 brain, and reveals what areas of the brain are working and what areas are not. Compared to a
78 normal 16-year-old brain scan, the picture on my wall looks like Swiss cheese. It is tragic.

79 As part of my research I have looked at the various products sold at dispensaries in the
80 Denver area. Some of them look exactly like regular candy. I have also found that there can be
81 big differences between edibles sold in medical marijuana dispensaries and those sold in
82 recreational marijuana dispensaries. Products in recreational marijuana dispensaries always have
83 extensive labels and warnings, but I did not see that with the products in medical marijuana
84 dispensaries. My bigger concern, however, was how many edibles had more than one dose. I
85 have seen cookies that contained 60 milligrams of THC. That is 6 adult doses. I do not know
86 how people are expected to reliably cut a cookie into six equal pieces. With the recreational
87 edibles, they all now appear to have clear physical markings and indentations, but that was also
88 not always true with the edibles at medical marijuana dispensaries.

89 Of course, when it comes to children, my biggest concern of all is the problem caused by
90 enticing packaging without sufficient warning labels. Edibles too often are made to look like real
91 candy. I have seen products named “Twixed,” “Munchy Way,” and “Kif Kat Bar” that are
92 obviously designed to mimic the packaging of their harmless candy bar counterparts. Some

93 people may find the packaging amusing, but when a young child mistakes an edible for piece of
94 candy, the results are far from humorous. Even when they do not copy a recognizable product,
95 the edible packaging is commonly bright and flashy. This is also an invitation for children. When
96 it comes to marijuana edibles, in my opinion, a package should not look like candy, a cookie, or
97 an energy drink. Although I question their maturity and intelligence, adults who want to use
98 marijuana do not need to be enticed with packaging that appeals to children.

99 Another problem with the marijuana industry in Colorado is that the regulatory scheme is
100 different for medical marijuana than it is for recreational marijuana. As part of my research, I
101 reviewed the regulations governing marijuana issued by the Colorado Department of Revenue.
102 There are over 200 pages of regulations, however, the vast majority of them are directed toward
103 recreational marijuana and do not even apply to medical marijuana. This is particularly true
104 when it comes to edibles. Under the regulations for retail marijuana, there cannot be more than
105 100 milligrams of THC in an entire product package. Also, when individual pieces of a
106 recreational marijuana product contain more than one 10 milligram dose of THC, each piece has
107 to be physically marked so that a reasonable person can intuitively determine how much
108 constitutes one dose, and the product must be easy to separate into individual doses with minimal
109 effort. There is no such requirement for medical marijuana.

110 More importantly as it pertains to children, recreational marijuana must be in child-
111 resistant packaging and the labeling on the package may not target individuals under 21. That
112 means no cartoons or other labels that would appeal to children. Again, there are no such
113 restrictions for medical marijuana. Ostensibly, medical marijuana and recreational marijuana are
114 used for different purposes, but the risk of overdosing due to confusing serving sizes is the same,
115 and the risk to children who find what looks like a box of candy is equally disastrous. In my
116 opinion, the regulations should be the same, and even if they are different, the medical marijuana
117 industry should voluntarily follow the safety restrictions that the recreational marijuana industry
118 follows regardless of what the law says. I suppose that is the difference between doctors and
119 lawyers. Doctors see the tragic effects of these products every day in hospitals across America.
120 Lawyers and legislators just seem to be more interested in writing laws and regulations to
121 legalize these dangerous products so they can get paid their exorbitant fees and get their hands on
122 the tax revenue these products generate. It is shameful if you ask me.

123 When I was contacted by Kyle Roberts' attorneys they asked if I would look at Marley
124 Roberts' medical records at the hospital, but I declined to do so. What would have been the
125 point? I am certain there would have been blood tests that would have shown the amount of THC
126 in her blood, but I am equally certain those tests would have been meaningless because they are
127 completely unreliable. Marijuana does not work like alcohol. THC is fat soluble while alcohol is
128 water soluble. The brain has a lot of fatty tissue and measuring THC in the blood does not really
129 tell us how much is in the brain. Lab tests will often find trace amounts of THC in the blood of a
130 marijuana smoker after a couple of hours even though the person is still high. Moreover, when
131 you eat marijuana rather than smoke it, blood levels of THC never get very high. When
132 consumed orally, it can take several hours for blood THC levels to peak, long after the effect on
133 the brain has begun. On the other hand, chronic marijuana users will have a constant, moderate
134 level of THC in their blood even when they are not high. Accordingly, there would have been
135 little benefit in testing Kyle Roberts' blood either. That is not to say that chronic users are not
136 affected negatively. There are documented studies showing chronic users who continued to be
137 cognitively impaired for 28 days after their last use because of the time it took the THC to leech
138 out of the fatty tissues in their bodies, including their brains.

139 I did the review all the pleadings in this case as well as the witnesses' statements. Based
140 on that, the case seems pretty cut and dried to me. This case is no different than the dozens of
141 pediatric cases I see every year. A child eats an edible that he or she thinks is candy and tragedy
142 results. I am no lawyer—thank heavens—but I place the blame squarely on the manufacturer of
143 this poison. Sure, perhaps the manufacturer complied with the letter of the state regulations, but
144 we need to hold them to a higher standard when it comes to the safety of our kids. Anyone who
145 knows kids as well as I do can easily predict what will happen if a child sees something that
146 looks like candy within reach. The child will eat it. In my opinion this manufacturer was clearly
147 negligent when it produced a product like WackyTaffy. It is common sense that the product is
148 essentially irresistible to little kids. As a society we should not let them skate through a legal
149 loophole just because some lawyers at the statehouse cannot draft regulations correctly.

150 On the other side of this equation, I have to admit that adults who use marijuana edibles,
151 especially parents, need to make sure to keep them out of the reach of children. It would help if
152 the packaging for edibles had big warnings to keep them out of the reach of children, but adults
153 should know that anyway. Any kind of medicine or vitamin can cause harm if taken in the wrong

154 way, even medicine you can buy without a prescription. I tell parents to pick a place their
155 children cannot reach—like a place too high for a child to reach or even to see. In fact, I believe
156 parents who use marijuana in any form should consider purchasing a medication lock box. It is a
157 safe, convenient, and affordable way to keep children safe. Critically, parents have to be vigilant.
158 They have to put the marijuana away every single time, and they can never leave it out on a
159 counter or a table, even if they are going to be using it again in a few hours. Always put every
160 marijuana product and other medicine away every time you use it, including those you use every
161 day. Finally, parents need to talk to their children about marijuana, just like they would with any
162 drug or medicine. They need to explain what it is and why the children should never handle it.

163 The fact that parents need to be responsible, however, does not alleviate manufacturers
164 and dispensaries from their responsibility. When you sell a product that looks like candy, in a
165 package that is enticing to children, children are going to get into it at some point.

166 Exhibit 3 is my curriculum vitae. That particular copy is one that I updated last week. I
167 saw all of the other exhibits during my review of this case.

168 I have carefully reviewed this report. It is true and accurate, and it includes everything I
169 know of that could be relevant to the events discussed therein. I understand that I can and must
170 update this report if anything new occurs to me before the trial.

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Blake Weir

Blake Weir, M.D.

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Statement of Reese McKernan

I am Reese McKernan and I am the owner, sole shareholder, and manager of Productions of THC, Inc. I graduated top of my class at Stanford—double major in nutrition and childhood development with an emphasis on the effect of diet and exercise on the development of the child brain. In undergrad, I was a pretty good student, evidenced by my class rank, but I was suspended for one semester after attending a party where drugs were found. I was not responsible, but I was guilty by association. I drank and partied like everyone else; it did not hold me back. The issue that got me suspended did not even involve the police; it was a pretty minor school policy matter. I still have a spotless record as far as alcohol or drug offenses are concerned and have never been accused of drug abuse or selling drugs illegally. I have a very deep respect for the danger inherent to drug misuse, which I will touch on later, and take it all very seriously. Being law abiding and safe are both priorities for me.

My final semester, and beyond college, I held a very prestigious internship at the USFDA. There I gained and applied an even deeper understanding for the regulations and laws that control sales of processed products, such as marijuana. Instead of just learning what the laws were and how to get along with them, I now know why and how they are developed, and what happens when they are not followed closely. The internship was supposed to last for eighteen months, but it got cut short three months early because of another vice-like misunderstanding. I showed up one morning after I had been out drinking pretty heavily, and apparently I still smelled like the club. My supervisor thought I had been drinking out in the parking lot right before work, and since there had been other pseudo-infractions like that while I was with the office, I was sent home.

That is all background though—where I am coming from—but my present personal life is pretty conscientious. I have two kids, a 4-year-old son and a 6-year-old daughter, so I do not get out or party much any more, though my spouse and I occasionally get a babysitter and have a night out over the weekend. I am pretty open with my kids that my business involves enabling adults to pursue a recreation and experience they enjoy, and that it is perfectly safe and ok when adults exercise reasonable control. But they could also explain to you pretty well what our products could do to a kid and how kids struggle with self-restraint. I have taught them a lot, so

31 they have a healthy fear of the plant. I do not use marijuana, but if I did, I would never leave it
32 out where my children could accidentally get ahold of it. No responsible parent would.

33 I spend most of my free time with my family, but I also do some philanthropy and
34 community outreach projects. Ten percent of all revenues returned from my manufacturing go to
35 the Denver Children's Hospital, and every other Friday I visit the Brain Trauma Center of the
36 Denver Children's Hospital, playing games with or reading to the patients and their siblings—
37 whoever is around.

38 As far as Productions of THC, Inc. is concerned, we are very green. I have always felt
39 keeping the air clean is important—especially in my industry, which relies on very specific
40 conditions for plant success. There is a certain amount of pollution incident to any
41 manufacturing, but we treat and clean ours, and really keep vapors, odors and emissions to a
42 minimum.

43 The EPA arranges to inspect our factory pretty regularly, and we have always passed
44 easily. Our production employees are also generally happy, which I take to mean they care about
45 what we do and how. Sure, we have had the occasional, “I don't like who I work with,” or “I
46 don't like my job,” but for the most part we have a satisfied workforce, and go to great lengths to
47 preserve that. State minimum wage is only \$8.31, but everybody on my ship makes at least
48 \$10.25; most make more, and promotions are frequent, based on tenure. The other unique thing
49 about working on our manufacturing side is that when someone displays a knack for something,
50 like designing labels, customer service, marketing, or something technical, we foster that
51 opportunity and the employee's ability to express that for the benefit of the company—we are a
52 family.

53 Just like our spotless environmental record, my corporation has a good track record with
54 safety and working conditions—if you were to walk through our employee break rooms,
55 bathrooms, hallways, and so on, you would notice reminders about being cautious at all times. It
56 is so important to me that no one is hurt in our plant—not only because it damages our legal
57 credibility and puts a hurt on us financially, but because the employees need to be healthy and
58 intact. Besides, we definitely do not want OSHA up in our business!

59 When we are selling product, consumer satisfaction is critical. We make our packages
60 stand out from our competition—modern, colorful graphics and branding. The reason for that is
61 my personal view that marijuana should be celebrated; so we design our atmosphere to advance

62 that spirit. There are a lot of different customer types, and the products we sell unite and help us
63 all celebrate together.

64 Packaging often comes up in the industry, and my corporation is unique there. We have
65 had only one semi-blemish prior to this current situation and it ultimately turned into nothing. It
66 involved a potential discrepancy between the product and its packaging. A customer contended
67 the product was more potent than the packaging suggested and we had negligently allowed the
68 mistake. The customer appeared to have had pre-existing health issues, experienced a rough
69 reaction to the product and was hospitalized for a week or so because, he claimed, the packaging
70 led him to misuse the product. He filed a lawsuit, but before anything really happened, besides
71 pre-trial bluster, the guy had a fatal heart attack. The family dropped the suit. In fact, my lawyers
72 were ready to prove that the cause of his reaction and untimely death were actually his pre-
73 existing conditions, and I am sure the suit would have settled anyway. Our labels and marketing
74 were never proven deficient, so I considered our business whole and did not file a countersuit for
75 reputation damages from the estate.

76 When it comes to the user's safety, it is really hard for us to take much responsibility. I
77 mean, think about it. Marijuana contains THC, and it is a drug in any form. Only the user can
78 know how it will truly affect him or her. Users must take responsible precautions with any
79 marijuana product and need to accept as much responsibility for controlling their use of it as they
80 do with traditional ingested supplements, vitamins, and prescription meds. If you use marijuana,
81 especially medical marijuana, you as the patient are in the best position to know your condition
82 and how it is best treated.

83 Nevertheless, we take the precaution of providing handouts to dispensaries that buy our
84 products with disclosures and disclaimers regarding the risks involved, along with a link to our
85 website. We ask the dispensaries to either make them available or give them out to new
86 customers of our products, but we cannot make the dispensaries do that. A page on our website
87 has a brief summary of the dangers of marijuana, as well as other resources from sources like my
88 friends at the FDA that give scientific details. Our website content trends otherwise toward the
89 up side of marijuana culture: its history, creative things to do while using it, different ways to
90 consume, lists of our products, and so on. Analytics show the safety page gets only about 20
91 percent of the traffic, but I sleep better knowing I have tried to warn our customers.

92 Honestly, once the products are out the door, it is really in the buyers' hands, especially
93 with medical marijuana. Those customers have pushed back when our packaging has "made
94 decisions for them" as to dosages and frequencies of use. We are not pharmacists, they say, and
95 while I care personally how our products serve the market, as a corporation we have to remain
96 objective and respond to customer feedback. Most end users do not take well to micro-
97 management.

98 Instead of offending customers, I usually soft-pedal the topic when I am working sales. It
99 is a delicate balance; we do not want to discourage people from using our product. This is a
100 business after all, and I am not just looking for a tax shelter like Donald Trump's casinos.

101 We do a reasonable job of passively curbing misuse or unintentional over-consumption
102 though. Along with the handouts, I put conspicuous potency and content messages on all
103 products. I signal to customers how the product may differ from expectations, especially with
104 medical marijuana edibles where the lack of formal purity laws leads to varied product quality
105 out there. Ultimately, I can only go so far though—customers need to read labels and not assume
106 medical-grade and recreational products work or look the same. Different regulations mean
107 different products.

108 I also approach the medical marijuana customer as a sophisticated user, who knows his or
109 her affliction and how best to control it. People with lifelong, debilitating pain and other
110 conditions that led them to seek medical marijuana patient cards deserve more latitude for self-
111 direction than some punky recreational tourist user.

112 Access by children is a topic that comes up too. All you see in the news are stories about
113 kids whose parents allowed them to get ahold of the drug, like with the little girl in this case. It is
114 actually pretty rare though, although it is tragic when it does happen. But like I said about
115 balancing safety and customer demand, it is not our responsibility to also be a parent for every
116 customer's kid. If a parent or guardian is using our product, society expects them to keep it out of
117 the kid's reach. If a child gets the drug and is injured or killed as a result, the parent bears the
118 moral and legal accountability for negligence and carelessness, not me or my business. We do all
119 that we can to operate safely and "greenly," while being generous and affordable to our
120 community. We cannot attempt to deal with every possible scenario when the product leaves our
121 control. The feedback from the retail side is that edibles are pretty much always misused at first,
122 which is why we disclose our potency on all our labels.

123 My lawyers have told me that an ex-employee of mine, Jordan Garcia, may be a witness
124 against Productions of THC, Inc. in this case. You need to understand, Jordan is a pathological
125 liar. I am not the only one who says this, either. Jordan desperately wants to work in the
126 marijuana industry, but Jordan has a reputation pretty much with everyone at Productions of
127 THC, Inc. and everyone at Jordan's old dispensary job of being untruthful. When I first hired
128 Jordan Garcia, Jordan's own cousin said "if Jordan's mouth is open, lies are coming out." I wish
129 I had listened. Pretty soon we were all saying that same expression around Productions of THC,
130 Inc. Eventually, I had to let Jordan go. I had a policy that our employees, other than in our
131 research and breeding department, cannot use marijuana. I know that sounds strange, but you
132 have to run a business like a business. If you choose to use marijuana, I support your right to use
133 it 100 percent—but I want you as a customer, not an employee. So we test employees on a
134 monthly basis and Jordan failed out three months in a row. Jordan always had some excuse—it
135 was a contact high, it was a holdover from old use—but the rule was clear at Productions of
136 THC, Inc. Three strikes and you are out.

137 Exhibits 4, 5, and 6 look like accurate pictures one of our old products, WackyTaffy,
138 along with pictures of a candy called LaffyTaffy in exhibits 4 and 6. We used to make a lot of
139 medical marijuana edibles that parodied brands of candies. Obviously, we modeled the
140 packaging for WackyTaffy off of LaffyTaffy. I have never denied that. It is a parody, and
141 parodies are fair use. Users enjoyed the joke and the parody brands were great sellers. Exhibit 8
142 is an accurate picture of one of our new edibles lines that we released this past summer. I had
143 read about the little Roberts girl dying back when it happened, but I did not know it was
144 supposedly related to one of our products. As soon as we got sued, I immediately got rid of all of
145 our parody products that might appeal to children and I started the new line. It has actually been
146 very successful. I like to think that the consumer base is maturing a little and the industry is
147 gaining a more mainstream appeal. Exhibit 9 is one of the handouts that we give to dispensaries
148 to make available to their customers. I have not previously seen any of the other exhibits.

149 I have reviewed the above statement, and I swear that it is true to the best of my
150 knowledge and information. It is also full and complete, and it contains all information that I
151 believe is relevant to this case.

152 Reese McKernan
153 Reese McKernan

1 **Statement of Bailey Kreutzmann**

2 I am Bailey Kreutzmann, and I am an investigator for the Division of Child Welfare
3 Services of the Colorado Department of Human Services.

4 After I graduated high school, I went to the University of Minnesota, Duluth to get my
5 Bachelor of Science in Psychology. I am an eidetiker, but despite my memory, I always knew
6 that I wanted to do work that would save children. I lost a good friend of mine, Corey, at a young
7 age because his parents were reckless like most folks. I never understood how you need to have a
8 license to drive a car, but anyone is allowed to have a child.

9 Corey's parents lived in a home with beautiful Colorado mountain views. The trick was
10 to sit on the roof. The views were twice as nice. His parents loved taking a bottle of wine with
11 them to the rooftop to enjoy the views at sunset. One particular Saturday afternoon, Corey
12 decided to go up on the roof by himself. Nobody knows what his parents were up to. Probably
13 drunk out of their minds if you ask me. He slipped on a shingle, fell over 30 feet, fractured his
14 spine and remained in a coma. After eight months the physicians decided it was best to pull the
15 plug. After that, I decided to do whatever it would take to make things right.

16 To get the credentials I needed to make a difference, I needed a Master's degree in social
17 work. The top two educational institutions for that degree were either the University of
18 Louisville or University of Denver. I decided on the University of Denver, because of the high
19 quality of education.

20 I loved my studies. Unfortunately, I fell in with what I guess could be called the wrong
21 crowd, joining a co-ed fraternity with too many parties. I was not much of a marijuana user, but
22 everyone around me was. At the time, it was not legal in Colorado. One night, one thing led to
23 another and I found myself in a mess I did not know how to get out of. Our house was raided and
24 the police found almost 10 pounds of marijuana in our freezer. I had no idea it was there. There
25 were four of us that rented the house. I found out that one of our roommates, whom we knew to
26 be a constant user, used our house to store marijuana for her boyfriend.

27 The DA said that we would be best served to just accept the plea deal. I had nothing to do
28 with the marijuana. To make matters worse, our roommate had a 5-year-old and she took
29 chances for easy money. Anyone who would dabble with marijuana and has kids should pay the
30 price. It just looked bad and we did not have the money to hire fancy lawyers to defend

31 ourselves. We were all expelled from the school for a full year with a mandate for 1,000 hours of
32 community service of our choosing before we could apply for readmission.

33 After that, I decided to join the marines. After four years of active combat duty, I joined
34 the Marine CID—criminal investigation division—investigating internal affairs. It was
35 incredibly sophisticated. I became an expert at what I did, gave lectures, and even developed an
36 investigative technique that was recently named after me. It is basically the same method
37 physicians use to deduct the most likely cause of the problem.

38 At one point, I decided to complete my master's in social work. The school gladly
39 accepted my military service as community service. I left the Marine CID because of an error in
40 investigation on the part of the team I was overseeing; I was not directly at fault, but the way it
41 turned out, if I stepped down it saved the backs of the entire unit.

42 After I completed my master's degree, the universe just offered up my dream job on a
43 silver platter. It was to become the lead investigator of Child Welfare Services—it was my dream
44 job, so I jumped at the opportunity. It uses all the skills I developed at the CID, which are now
45 being utilized in the child protection services setting. I have held that position for around 7 years
46 now. I have dealt with everything from assault cases to gross neglect involving minors. I have
47 been very successful and have received recognition for my work, including helping new adoptive
48 or foster parents ensure that they have a safe home for their new child. I am certified in any child
49 safety field you can imagine. Everything from house-proofing to child nutrition. I am good
50 parents' best friend and bad parents' worst enemy. However, most of the time my job involved a
51 mandatory investigation as a result of a suspicious injury or death to a minor.

52 I greatly enjoy the work I do, I believe that justice is the highest moral good people can
53 achieve. In this world it needs to be enforced, and when it is not upheld it needs to be punished.
54 My job is to find out who is responsible. Outside of work, I am a proud parent of four, and I
55 enjoy spending time with my kids. I have a heart for kids—their innocence and their
56 helplessness—and a heart for justice and protection; because of that, I spend weekends when I
57 am not otherwise obligated to work or recreation, working as a volunteer security guard at the
58 Denver Children's Museum. It is in my blood to protect those who cannot protect themselves,
59 and that is a good way to do it.

60 I was assigned to the Marley Roberts case on May 29, 2015. A five year old girl got into
61 marijuana edibles that were negligently left out where she could get into them. She ate several

62 pieces then jumped or fell from a fourth-floor window and eventually died of a spinal injury. The
63 police investigated immediately, but child services gets called in a little later. I ended up going
64 out the following day to investigate if the child needed to be taken out of her parents' custody.
65 Marley Roberts later died from her injuries, but she was still alive on May 29, when the
66 Department's investigation into whether her injuries were the result of child abuse was opened.
67 As always, the first and most important thing I do is survey the scene, taking note of all the key
68 factors at play. I do that before I speak with the parents because they are not always honest about
69 what happened.

70 The first thing I noticed about the condominium where Marley lived was that it was very
71 modern. It was modest, but it was designed and decorated such that the architecture looked like
72 what you might see on the internet: square doorways, lightly colored smooth hardwood floors,
73 square furniture, bright windows, and overall minimalist design. The stairs were this newer style
74 where they are up against the wall on one side, climbing up to a floor and doorway at the top—
75 aside from the side with the wall, however, it was all open. In other words, there was no railing;
76 just open stairs. The stairs were white on the side, with bookshelves built into underneath them,
77 and the stepping surface was the same smooth hardwood texture as the rest of the condominium.
78 It was about 12 to 14 feet from the floor at the top of the stairs straight down to the floor at the
79 bottom. Given the neighborhood and the age of the condominium, the interior obviously was not
80 originally designed in this modern, minimalist style, it had been seriously renovated. I have done
81 a fair share of remodeling in my life and can tell the difference between a professional job and an
82 almost professional, home job. This was the latter of the two, leading me to believe that at least
83 parts of it had been done by the residents. Something that really stood out about it was the
84 aforementioned stairs, and the floor above them; I have seen the style before, but something
85 about this made me feel more uncomfortable when I was walking around on it. I cannot imagine
86 what it would be like to walk on in the dark, or carrying a baby, or what it would be like for an
87 elderly person or a toddler. Frankly, the dangerous condition of the stairs alone made me
88 question the Roberts' parenting ability.

89 All of the bedrooms were upstairs, one which had been converted into a home-office or a
90 study with double French doors. The main level was primarily the kitchen/dining room and the
91 living room. At the top of the stairs was a set of the same style French doors that opened onto a

92 false balcony. The police reports reveal that Marley Roberts fell from that false balcony. It was
93 very stylistic, but like the stairs, that balcony was not safe for a child.

94 The biggest thing I wanted to learn was where the marijuana edibles had been kept, what
95 the packaging was like, and how the child may have gotten them. By the time I inspected the
96 house, the police had already collected the edibles and the box they were packaged in and placed
97 them all into evidence. I read a police report that said the edibles were found in a cookie jar. It
98 was a standard report by one of the many officers who went through the house right after Marley
99 Roberts was transported to the hospital—the kind of report they have to write in every case. I
100 saw the cookie jar on the dining room table and looked inside it. It was empty, confirming that it
101 must have held the edibles that the police took into evidence.

102 After I visited the house, I went and met with the detective assigned to the case. He
103 printed me a picture of the box the marijuana edibles came in and a picture of three of the
104 individually wrapped edibles. He also showed me the actual box, five unopened edibles, and four
105 empty wrappers the police collected from the scene. The edibles were called “WackyTaffy” but I
106 immediately recognized they were made to look like a candy called “LaffyTaffy.” It was striking
107 enough that I decided to compare the edibles to the real candy that the child might have seen and
108 maybe even eaten in the past. I laid a LaffyTaffy next to the picture of the WackyTaffy. Neither I
109 nor my assistant could tell which was which. The similarity between the two was overwhelming.

110 The police had a couple of pieces of the WackyTaffy tested. I reviewed the legally
111 required lab report of the analysis and learned that each piece had exactly 30 milligrams of THC.

112 Though there were no witnesses to the actual act of the child getting the toxin, my
113 professional opinion is that the child consumed edibles she thought were candy. There are four
114 things that could have been done by the parents to prevent this: 1) not use recreational marijuana
115 in the household at all, as it can lessen a parent’s ability to care for a child; 2) not purchase a
116 marijuana product that looked so remarkably similar to a type of candy; 3) been responsible
117 enough to not leave the marijuana candy in a place where the child could reach it; and 4) not
118 store the edibles in a container that the child would associate with treats, in this case a cookie jar.

119 When I went upstairs, besides noticing the somewhat hazardous stair step design and
120 structure and the dangerous false balcony, I also noticed that in the main upstairs bathroom the
121 sink was plugged and filled with cold water, and that the toilet seemed to have overflowed. In
122 the master bedroom, everything was meticulously tidy except for the drapes by the window

123 having been torn off, and the coffee table having been tipped on its side. These randomly
124 chaotic parts of the house were particularly out of place considering how tidy the rest of the
125 house was—especially the downstairs.

126 My reconstruction of the facts is as follows. The child went to the kitchen for an
127 afternoon snack while the parent was sacked out in front of the TV. She saw the cookie jar on
128 the table and looked inside it to find what looked like candy. She took several pieces up to her
129 room and ate them. At some point, the massive quantities of THC put her into a psychotic state.
130 Her room, when we found it, was in disarray—her books had been thrown on the floor, one of
131 the drawers from her dresser had been pulled out and spilled onto the floor, and her bed was torn
132 open with the pillowcases pulled off of her pillows. Somehow, in her psychotic state, she got the
133 windows to the French balcony open, assuming they were even locked, and then jumped or fell
134 four stories to the sidewalk below.

135 This tragedy could easily have been prevented. Although it did not help that the edibles
136 were packaged to look like candy, this was clearly a case of parental neglect, inattention, and
137 inexcusable carelessness.

138 Exhibit 1 is my CV. I update it every few years, but I have not updated it in the last
139 couple of years. Exhibit 2 is the police report I mentioned. It is typical of the reports by
140 responding officers I see all the time. They are legally required to report their observations, so
141 even if they have just one minor task, they document it. Exhibits 4, 5, and 6, are accurate pictures
142 of WackyTaffy and LaffyTaffy. Exhibit 7 is an accurate picture of the outside of the false
143 balcony at the Roberts' residence. I have not seen the rest of the exhibits in this case before now.

144 I have carefully reviewed this statement. It is true and accurate, and it includes everything
145 I know of that could be relevant to the events I discussed. I understand that I can and must
146 update this statement if anything new occurs to me before the trial.

147

148

149

Bailey Kreutzmann

Bailey Kreutzmann

1 **Statement of Parker Lesh**

2 My name is Parker Lesh, and I write this statement of my own free will, as a pure
3 volunteer and an unbiased witness of the Roberts family for five years, including the terrible,
4 tragic and stupid death of their daughter Marley.

5 I have been called the “housekeeper,” but I am more than that. I was the family’s nanny,
6 tutor, and only part housekeeper. The root of the term “nanny” is nurse, dating from when
7 families had nurses to care for the purely physical needs of infants. As children grew, parents
8 often replaced the nurse with a governess—a separate profession—to educate their children,
9 what today we call a tutor. I have had several nanny positions over the last three years. I
10 consider myself very experienced in this area of child care. I was hired when Marley was an
11 infant, and served as her nanny in the traditional sense. This included day-to-day care, including
12 hygiene, cooking and feeding, dressing including shopping for clothes, exercise, play, and
13 management of her health including doctor visits and immunizations. My role evolved into tutor
14 and educator.

15 With the Roberts there was always an element of the “*au pair*”: not that I am of foreign
16 birth, but in that I was treated as an equal by the family, and as a family member—that is what *au*
17 *pair* means, literally “on par.” I took my meals with family and cooked and cleaned up
18 afterward. I often stayed with the family in my own bedroom as a convenience to us all, even
19 though I had my own place after my first year.

20 Before meeting the Roberts, I graduated from Metro with a degree in education. I got my
21 teaching certificate, did graduate work in child development, lost my roommate and needed to
22 move, met the Roberts through friends and they suggested I stay with them as a part-time nanny
23 in return for room and board. I had CPR training and first aid, and helped raise my siblings, so I
24 thought I could handle it pretty easily. Part-time became more than that, I started getting an
25 allowance, part-time became full time and a salary, and then regular time became overtime, but I
26 did not get paid for that.

27 But here is the point. Every child is extraordinary, a miracle, but from a teacher’s
28 perspective, some children really are very special. Even as a baby Marley had great empathy and
29 could sense what others felt. What was most surprising about Marley is that she did not get it
30 from her parents. The Roberts were nice people generally, but as they say, it was always all
31 about them. For all practical purposes, I was closer to Marley than they were—they delegated

32 responsibility for Marley to me, and I think were relieved and glad that I took the responsibility.
33 It allowed them to become absentee parents. They even took vacations without Marley. It
34 worked for them because of my relationship with Marley. It seems cliché now to say it, but
35 Marley really was the child I never had.

36 My work evolved to being a tutor and confidant, in addition to nanny. As Marley grew,
37 we did age-appropriate things: fun things, but many or most times with a developmental aspect.
38 We often went to the park, played inside and out, with playmates and not, read books, I taught
39 her to read, played games—I avoided TV almost entirely, except for Sesame Street or something
40 else from public television. I taught her things like Legos, engineering blocks, croquet, and
41 during the summer I taught her how to swim. Oh, we played with dolls, and she had a full set of
42 little-girl toys, but mostly her play had a point. I tried to get the Roberts to participate, but they
43 were always ill-at-ease with Marley.

44 When Marley started pre-school, she became a very good student. She had a good mind,
45 she was curious. We could talk, and I helped her a lot. She achieved a lot more with me than she
46 would have otherwise. Educationally, we were a match made in heaven. Marley was always
47 very creative, and I had made a detailed study of how our schools had come to kill creativity, and
48 I studied techniques used to enhance and develop creativity. As a result, Marley thrived
49 academically. I fully absorbed and utilized the lessons of Ken Robinson, the famous British
50 educator, that he introduces in his TED talks. In fact, you can view his first TED talk on-line. It
51 is worth watching and you should look it up.

52 One of the reasons why Marley and I were so close was her absentee parents. Plus, as
53 Marley matured from toddler to child, the Roberts' relationship started to come apart, and
54 Marley's relationship with both parents went downhill. It was the result of stress, conflict, and
55 unhappiness. I had always been Marley's comfort, but in the last couple of years I became, in
56 effect, a counselor. Here I was on thin ice, because I am not a trained child counselor, much less
57 a degreed psychologist, and my counsel very often verged on psychological diagnosis and
58 prescription. But Marley had a need, the situation we faced was unavoidable, and I dare not
59 recommend Marley see a professional counselor because the Roberts would have gone berserk.

60 A major problem was Kyle's success. Over the years, Kyle's social media business grew
61 and matured. It virtually ran itself, which allowed the Roberts increasing amounts of disposable
62 income and free time, which they used for drugs, travel without Marley, and lots of parties in our

63 home with people that were not good for Marley to be exposed to. The fact is that the Roberts'
64 use of recreational drugs went from almost nothing to routine, and went from marijuana to, I
65 think, coke and maybe other things. Kyle, especially, was impaired more and more often as
66 Marley grew up. And the fights! The Roberts always fought some, but kept it away from Marley
67 for a while. I think they just got so used to me that they could fight in front of me. But later they
68 started fighting in front of Marley, complete with shouting and swearing. And they fought over
69 money, despite how well they were doing with their work.

70 The drugs must have been a financial drain.

71 There were all sorts of warning signs. Marley started having separation anxiety from me
72 when I would leave, she got overly excited at the prospect of having someone to play with and
73 talk, and she was always hungry when I was over. Didn't they ever feed her? Oh, and the
74 Roberts both lost a lot of weight, too. The last couple of years, whenever I arrived, Marley was
75 upset—either crying, or stuck in timeout for something she said she did not understand. Marley
76 just did not need discipline of that sort, so for her to constantly be in timeout or upset was a lot
77 worse than odd. And the Roberts did less and less for themselves, leaving more work for me,
78 increasing the overtime, but they did not raise my pay for it.

79 I put up with it because I knew it was not going to last forever. And I would not air dirty
80 laundry now except for what happened. You see, I knew that when Marley eventually started
81 grade school I would probably be demoted to only part-time and have to do a lot more
82 housekeeping. My role as a tutor would be limited. So, it would be time for me to go. It was
83 nothing personal: that result was just built-in to the situation. I knew I would feel sad leaving but
84 not bad. I would miss Marley terribly, but I would not miss the Roberts. So when the Roberts
85 fired me later to hide the Social Security mess, my leaving came sooner than I expected, but I
86 was already emotionally prepared.

87 When I found out Marley died I was devastated. I loved her far more than I ever loved
88 anyone. I knew that she would grow up and move away, and that she really was not mine any
89 more than any parent owns any child. But she was more mine than the Roberts. I still grieve, for
90 me, yes, but not for just me. I am heartsick for the loss of a truly beautiful person from a world
91 that badly and desperately, needs every truly beautiful person-especially that beautiful little girl.

92 And I am angry. Here's the thing, Marley's death was an avoidable, stupid, tragedy, and I
93 will never forgive myself. I will also never forgive the Roberts. You see, Marley's death, or

94 some other stupid accident, was almost predictable. The Roberts were selfish, absentee parents,
95 and the only thing that saved them from being negligent was me. And I? I enabled them. I
96 supported their irresponsibility. I let them evade even the self-knowledge that they were failing
97 as parents. By filling in as a parent I let them off the hook, and by not being there when I was
98 needed the most, I contributed to poor Marley's death. Oh, I know it is not my fault, but in some
99 karmic sense I feel responsible.

100 Looking back, there were warning signs from the beginning. There is a dangerous set of
101 stairs that the Roberts never fixed, despite that once I fell coming down the stairs. The house is
102 modern architecture—minimalist. It is a nice design, but the front stairs to the second floor do
103 not have a railing! The side away from the wall is completely open, a sheer drop. If it were a
104 short set of stairs this might be acceptable, but 14 stairs are enough that a fall off the side is very
105 dangerous. To make matters worse, the stairs are smooth hardwood. If one is wearing socks,
106 slippers, or leather-soled shoes, it is very slippery. These stairs scared me to death for Marley. I
107 never let her use those stairs, but the Roberts did. When I fell, I slid down several stairs,
108 straining my back and bruising my legs and elbows. After this, I refused to use those stairs, and
109 used only the back stairs.

110 And that is how I found out about the payroll fiasco. Not knowing any better, when I was
111 recovering I applied for Workman's Compensation, only to be turned down because the Roberts
112 had not been paying me as an employee and making the needed contributions. Instead they were
113 just paying me money as an independent contractor. After my application they scurried around to
114 cover things up, and paid me salary as I recovered, but they never did fix the employee thing.

115 I was astounded by the downright negligence of Kyle, especially. One time when I
116 arrived, Kyle was alone sitting on the couch with a drink and a raunchy movie. Don't ask me
117 where the other half of the dynamic parenting duo was. Marley, who was only an infant then—
118 between 1 and 2 years old—was crying in her room, yelling her head off. She was clearly
119 unusually stressed—this was not normal crying. I do not know how long the child had been
120 there like that, but she had clearly not been cared for in a significant amount of time. I asked
121 Kyle what was going on or if something was wrong. Kyle was actually offended that I asked—
122 totally surprised that the baby needed caring for or something. In later years, this became more
123 common, and the incidents were frightening. Plus, I knew for a fact that sometimes the Roberts

124 left Marley home alone, and there was not a damn thing I could do about it because they never
125 called me.

126 The most alarming thing I noticed, and the most compelling reason for me to air the dirty
127 laundry, was finding Marley in her room alone, and the parents passed out on the couch with
128 marijuana edibles on the table. This was within a year of the accident. At that time, I thought it
129 was not my place to tell my clients that I disapprove of their choices. I just tried to help Marley,
130 who was about 4 at the time, understand that the drugs were not candy or cereal. This was really
131 hard because the parents kept the small packages of edibles not in their original packaging, but in
132 a cookie jar in a cupboard. This was crazy. The edibles looked just like lollipops, and the cookie
133 jar they were in was located in the same cupboard as the real candy and snacks. Try as I might,
134 there was just no way to ensure that Marley would know the difference.

135 A few months before Marely died, my relationship with the Roberts went bad. Like I
136 said, when I fell on the stairs I applied for Workman's Comp, but I wasn't eligible because the
137 Roberts were not paying me as an employee, but as an independent contractor, which was
138 nonsense. The difference is that employees get Workman's Comp, paid for, essentially, by the
139 employer, and contractors do not, unless they pay into the State system themselves. I did not
140 know any better when I started, and when I found out, I was pretty upset. But the Roberts paid
141 my salary while I was out, so I didn't turn them in. But I found out about Social Security at the
142 same time, and it was the same story. After years of full-time work, I found out I was not eligible
143 for Social Security because the Roberts had never paid the employer's contribution and they did
144 not withhold for me. I trusted them and did not know any better. Overtime worked the same way:
145 I did not insist on it, so they did not pay me overtime. And the Roberts did my taxes, so I had no
146 reason to find out until I fell. When I found out about the Social Security issue, they said that
147 they would make things right. I did not want to make too much of it because they were family,
148 and by that time I loved Marley.

149 Contrary to what they said, when my next check came there was still no contribution to
150 Social Security. So, I asked the Roberts to make the contribution like they promised and also to
151 make a catch-up contribution for me to Social Security. They offered to give me an amount of
152 money that they said I could put into an IRA, and that it would amount to the same thing, but I
153 had checked and the amount they offered was less than half of what they would have had to pay
154 the government. When I asked them to be fair, Kyle got furious and called me an ungrateful,

155 sniveling, little weasel—then literally pointed at the door and yelled “get out, you’re fired!” Then
156 I heard that they told the police that they fired me for taking some jewelry before Marley was
157 killed! That is simply a giant lie, and it makes no sense because there was no police report of the
158 supposed theft. I asked the officer who interviewed me for this affidavit. I think they are
159 attacking me because I saw them wasted too many times, and they did not want the police to talk
160 to me. Now I am scared. I have not found more work except as a volunteer at Head Start, and I
161 have not been able to collect unemployment because the Roberts never paid for that either, and
162 on top of losing a child I have this supposed theft thing out there.

163 But what makes me the angriest of all? A couple of weeks after Marley died, I saw Kyle
164 having lunch on the patio at Racine’s in Denver with a friend. Despite our differences I was
165 going to express my condolences, but as I was walking over, Kyle started to laugh at something
166 the friend said. A parent should have been grieving, not laughing and carrying on over a glass of
167 wine with a friend! I was still emotionally devastated and there was Kyle Roberts having a grand
168 old time like Marley’s death meant nothing! I wanted to smash my fist into Kyle’s smug face,
169 but I turned and stormed away. I don’t think Kyle even saw me. I still regret not confronting
170 Kyle that day, but I guess I have enough problems of my own to worry about Kyle Roberts
171 anymore. But my problems just make things worse. The real problem is Marley. Based on the
172 growing pattern of harshness and neglect from the Roberts, and their growing drug problem, it
173 really should not have come as a surprise when their child was killed because of it. I mourn her,
174 knowing that if her parents had simply taken one moment of their lives to store their drugs
175 somewhere more discreet, to keep her from eating them, she would still be with us.

176 Exhibit 7 is an accurate picture of the outside of the balcony that was just at the top of the
177 stairs in the Roberts’ condominium. I recognize the candy in Exhibits 4 and 6. It’s called
178 LaffyTaffy. I am pretty sure I saw LaffyTaffy in the cupboard once with the other snacks and
179 candy but I am not positive. I have never seen that other candy named WackyTaffy before, if that
180 is some kind of marijuana edible, it is not the kind the Roberts used to have in the house. I do not
181 recognize any of the other exhibits.

182 I have carefully reviewed this statement. It is true and accurate, and it includes everything
183 I know of that could be relevant to the events I discussed. I understand that I can and must
184 update this statement if anything new occurs to me before the trial.

185

186
187

Parker Lesh
Parker Lesh

JURY INSTRUCTIONS

INSTRUCTION NO. 1

I will now explain the claims and defenses of each party to the case and the law governing the case. Please pay close attention to these instructions. These instructions include both general instructions and instructions specific to the claims and defenses in this case. You must consider all the general and specific instructions together. You must all agree on your verdict, applying the law, as you are now instructed, to the facts as you find them to be.

The parties to this case are: Kyle Roberts, the Plaintiff, and Productions of THC, Inc., the Defendant.

The Plaintiff claims: that on May 28, 2015, the Plaintiff's five year old daughter, Marley Roberts, jumped or fell from a window on the fourth-floor of her condominium, after eating several marijuana edibles, packaged to look like candy by the Defendant, that at the time of the incident the Plaintiff was disoriented and unable to properly watch over Marley Roberts as a result of having ingested a marijuana edible, manufactured by the Defendant, that misleadingly contained three times the maximum allowable amount of THC, that Marley Roberts died from her injuries two days later, and that Marley Roberts death was caused by the Defendant's improper packaging and labeling of the marijuana edibles. As a result, the Plaintiff brings a claim for wrongful death, asserting that the marijuana edibles as packaged created an unreasonable risk of harm as a result of the Defendant's negligence. The Plaintiff seeks damages for loss of filial consortium, emotional distress, mental distress, mental anguish/suffering, and loss of ability to enjoy life.

The Defendant admits that it manufactured the marijuana edibles at issue in this case but denies that the packaging of the edibles was improper and denies that the packaging caused the death of Marley Roberts. The Defendant asserts the affirmative defenses of comparative fault and failure to mitigate. The Defendant also disputes the amount of the Plaintiff's claimed damages. These are the issues you are to decide.

INSTRUCTION NO. 2

The Plaintiff has the burden of proving the Plaintiff's claim by a preponderance of the evidence.

The Defendant has the burden of proving its affirmative defenses by a preponderance of the evidence.

To prove something by a “preponderance of the evidence” means to prove that it is more probably true than not.

“Burden of proof” means the obligation a party has to prove that party’s claims by a preponderance of the evidence. The party with the burden of proof can use evidence produced by any party to persuade you.

If a party fails to meet its burden of proof as to any claim or defense, or if the evidence weighs so evenly that you are unable to say that there is a preponderance on either side, you must reject that claim or defense.

INSTRUCTION NO. 3

The evidence in the case consists of the sworn testimony of all the witnesses, all exhibits which have been received in evidence, all facts which have been admitted or agreed to, and all facts which have been judicially noticed.

In deciding the facts, you must consider only the evidence received at trial. Evidence offered at the trial and rejected or stricken by the Court must not be considered by you. Statements, remarks, arguments, and objections by counsel and remarks of the Court not directed to you are not evidence.

You are to consider only the evidence in the case and the reasonable inferences from that evidence. An inference is a deduction or conclusion that reason and common sense lead the jury to draw from other facts that have been proved.

INSTRUCTION NO. 4

Evidence may be either direct or circumstantial. Circumstantial evidence is the proof of facts or circumstances from which the existence or nonexistence of other facts may reasonably be inferred. All other evidence is direct evidence. The law makes no distinction between the effect of direct evidence and circumstantial evidence.

INSTRUCTION NO. 5

Any finding of fact you make must be based on probabilities, not possibilities. You should not guess or speculate about a fact.

INSTRUCTION NO. 6

You must not be influenced by sympathy, bias, or prejudice for or against any party in this case.

INSTRUCTION NO. 7

You are the sole judges of the credibility of the witnesses and the weight to be given their testimony. You should take into consideration their means of knowledge, strength of memory and opportunities for observation; the reasonableness or unreasonableness of their testimony; the consistency or lack of consistency in their testimony; their motives; whether their testimony has been contradicted or supported by other evidence; their bias, prejudice or interest, if any; their manner or demeanor upon the witness stand; and all other facts and circumstances shown by the evidence which affect the credibility of the witnesses.

Based on these considerations, you may believe all, part, or none of the testimony of a witness.

A witness qualified as an expert by education, training, or experience may state opinions. You should judge expert testimony just as you would judge any other testimony. You may accept it or reject it, in whole or in part. You should give the testimony the importance you think it deserves, considering the witness's qualifications, the reasons for the opinions, and all of the other evidence in the case.

The weight of evidence is not necessarily determined by the number of witnesses testifying to a particular fact.

INSTRUCTION NO. 8

For the Plaintiff to recover from the Defendant you must find all of the following have been proved by a preponderance of the evidence:

1. The Defendant manufactured the marijuana edibles consumed in this case;
2. The Defendant was negligent by failing to exercise reasonable care to prevent the marijuana edibles from creating an unreasonable risk of harm to a person who might reasonably be expected to consume the marijuana edibles while they were being used in a manner the Defendant might have reasonably expected;
3. The person who consumed the marijuana edibles was one of those persons the Defendant should reasonably have expected to consume the marijuana edibles; and
4. The Plaintiff had damages that were caused by the Defendant's negligence while the marijuana edibles were being used in a manner the Defendant should reasonably have expected.

If you find that any one or more of these statements has not been proved, then your verdict on this claim must be for the Defendant.

On the other hand, if you find that all of these statements have been proved, then your verdict must be for the Plaintiff.

INSTRUCTION NO. 9

The Plaintiff has the burden of proving, by a preponderance of the evidence, the nature and extent of the Plaintiff's damages. If you find in favor of the Plaintiff, you must determine the total dollar amount of the Plaintiff's damages, if any, that were caused in whole or in part by the negligence of the Defendant.

In determining such damages, you shall consider any non-economic losses or injuries which the Plaintiff has had to the present time or which the Plaintiff will probably have in the future, including: loss of filial consortium, emotional distress, mental distress, mental anguish/suffering, and loss of ability to enjoy life

"Filial consortium" means a child's love, affection, and companionship given to a parent.

INSTRUCTION NO. 10

The fact that an instruction on the measure of damages has been given to you does not mean that the Court is instructing the jury to award or not to award damages. The question of whether or not damages are to be awarded is a question for the jury's consideration.

INSTRUCTION NO. 11

Difficulty or uncertainty in determining the precise amount of any damages does not prevent you from deciding an amount. You should use your best judgment based on the evidence.

INSTRUCTION NO. 12

If you find that the Plaintiff, has had actual damages, then you must consider whether the Defendant, has proved the affirmative defense of the Plaintiff's failure to mitigate or minimize damages. The Plaintiff has the duty to take reasonable steps under the circumstances to mitigate or minimize the Plaintiff's damages. Damages, if any, caused by the Plaintiff's failure to take such reasonable steps cannot be awarded to the plaintiff.

INSTRUCTION NO. 13

The Defendant has asserted the defense of comparative fault. A form of comparative fault is the negligence, if any, of the Plaintiff. Such comparative fault is an affirmative defense that is proved if you find both of the following by a preponderance of the evidence:

1. The Plaintiff failed to do something that a reasonably careful person would do, or did something that a reasonably careful person would not do, under the same or similar circumstances to protect himself herself from the claimed defect in the product; and
2. That conduct by the Plaintiff was a cause of the Plaintiff's claimed damages.

INSTRUCTION NO. 14

If you find that the Plaintiff, had damages and that these damages were caused by the negligence or fault of the Defendant you must then determine whether the Plaintiff was also negligent or at fault, and whether any such negligence or fault of the Plaintiff contributed to the Plaintiff's own damages.

The negligence or fault of the Plaintiff is an affirmative defense that must be proved by a preponderance of the evidence.

If you find that the Plaintiff was negligent or at fault, then you must also determine to what extent the negligence or fault of the Defendant and the negligence or fault of the Plaintiff contributed to the Plaintiff's damages, expressed as a percentage of 100 percent.

If the Plaintiff is allowed to recover, the total amount of the damages awarded will be reduced by the percentage of the negligence or fault, if any, of the Plaintiff.

INSTRUCTION NO. 15

Negligence means a failure to do an act which a reasonably careful person would do, or the doing of an act which a reasonably careful person would not do, under the same or similar circumstances to protect oneself or others from injury.

INSTRUCTION NO. 16

If a manufacturer of a product knows or in the exercise of reasonable care should know that (1) the use of the product may be harmful or injurious to a consumer, and (2) that the risk of harm or injury is not obvious to a reasonable consumer, then the manufacturer must use reasonable care to warn the consumer of the risk of harm or injury if a reasonably careful person would under the same or similar circumstances. The failure to do so is negligence.

INSTRUCTION NO. 17

A child under the age of seven at the time of an occurrence is incapable of negligence.

INSTRUCTION NO. 18

The occurrence of an accident does not raise any presumption of negligence on the part of either the Plaintiff or the Defendant.

INSTRUCTION NO. 19

At the time of the occurrence in question in this case, federal law made it unlawful to manufacture, distribute, dispense, or possess tetrahydrocannabinol (also known as “THC”).

A violation of this law constitutes negligence.

If you find such a violation, you may only consider it if you also find that it was a cause of the claimed damages.

INSTRUCTION NO. 20

Compliance with an administrative regulation does not prevent a finding of negligence where a reasonable person would take additional precautions.

INSTRUCTION NO. 21

Reasonable care is that degree of care which a reasonably careful person would use under the same or similar circumstances.

INSTRUCTION NO. 22

The word “cause” as used in these instructions means an act or failure to act that in natural and probable sequence produced the claimed injury. It is a cause without which the claimed injury would not have happened.

If more than one act or failure to act contributed to the claimed injury, then each act or failure to act may have been a cause of the injury. A cause does not have to be the only cause or the last or nearest cause. It is enough if the act or failure to act joins in a natural and probable way with some other act or failure to act to cause some or all of the claimed injury.

More than one person may be responsible for causing damages. If you find that the Defendant was negligent and that its negligence caused damage to the Plaintiff, it is not a defense that some third person's negligence might also have been a cause of the damages.

INSTRUCTION NO. 23

The negligence, if any, of the Defendant is not a cause of any damages to the Plaintiff, unless injury to a person in the Plaintiff's situation was a reasonably foreseeable result of that negligence. The specific injury need not have been foreseeable. It is enough if a reasonably careful person, under the same or similar circumstances, would have anticipated that injury to a person in the plaintiff's situation might result from the defendant's conduct.

CURRICULUM VITAE

BAILEY KREUTZMANN

**45 JUMP STREET, THORNTON, CO 80222 | 720-922-1111 |
BKREUTZMAN@GMAIL.COM**

EDUCATION

University of Denver, Denver, CO

M.A. in Social Work

2008

Thesis: "How the Use of Illegal Drugs by Parents Contributes to
Fatal Accidents in Children"

University of Minnesota Duluth, Duluth, MN

B.S. in Psychology

2001

Minor in Comparative Music

Active in Service Organizations – Big Brother, Big Sisters &
Causes for Kids

AWARDS

Outstanding Community Service Award

January 2007

Distinguished Service Cross, Marine Corps

2005

EXPERIENCE

Adams County, Colorado

Lead Investigator, Child Welfare Services

**September 2008
current**

Investigate reports of child neglect and abuse; oversee junior
investigators.

United States Marine Corps

Agent, Criminal Investigation Division

**January 2001
July 2006**

Investigated criminal activity involving Marine Corps members,
reported and testified about the results of investigations. Started
as Enlisted, promoted to rank of Sergeant before becoming
Agent.

PUBLICATIONS AND PRESENTATIONS

"How Recreational Drug Use Lessens the Parent/Child Relationship"

Journal of Social Work Education

2009

“Best Practices for Investigating Crime Scenes”
Presentation to Marine Corps’ Criminal Investigation Division
trainees

2006

MEMBERSHIPS

National Association of Social Workers
Denver Children’s Museum, Security Team
National Parents Organization
Citizens Against Legalizing Marijuana
Marine Corps Veterans Association

EXHIBIT 2

Brighton Police Department

STATEMENT

Please fill out in full detail

Date: *May 28, 2015*

Time: *1430 hours*

Officer: *Dean Farley, 11-1362*

Inspected kitchen / dining room area. Located box of marijuana edibles on dining room table next to cookie jar, containing edibles.

Box labeled "WackyTaffy."

Box and edibles bagged and placed into evidence.

Curriculum Vitae

BLAKE H. WEIR M.D.

Pediatric Medicine

Children's Hospital Colorado
Anschutz Medical Campus
13123 East 16th Avenue
Aurora, CO 80045

EDUCATION

Undergraduate: Princeton University, 1987, AB Chemistry,
Magna Cum Laude

Medicine: Vanderbilt University Medical School,
M.D., 1991

POST GRADUATE TRAINING

Pediatric Internship: Walter Reed Army Medical Center,
July 1991 - July 1996

Pediatric Residency: Walter Reed Army Medical Center, July
1996 - July 1998

Pediatric Pulmonology Fellowship: Department of Pediatrics
Division of Pediatric Pulmonary Diseases, University of Florida College
of Medicine, July 1998 - June 2002

Advanced Pediatric Training in Childhood Brain Development and Effects
of Narcotics, Controlled Substances, Alcohol and Related Fetal
Development Syndromes, Harvard Medical School, 2002-2004

Primary Care Research Fellowship and Certificate of Public Health
University of Colorado Health Sciences Center Denver, Colorado 2004-
2006

Physician Advocacy Fellowship Center for Medicine as a Profession
Columbia University/Colorado Children's Campaign Denver, Colorado
2006-2008

LICENSES

Colorado Board of Medical Examiners (#DR9840084) Active
Florida Board of Medical Examiners (#DR34599876) Active

CURRENT CERTIFICATIONS

American Board of Pediatrics, October 2002
Pediatric Pulmonology Subspecialty Board, August 2004
Pediatric Advance Life Support, June 2007
Basic Life Support, June 2007
Pediatric Neuro-Imaging and Radiological Diagnostics, June 2009

HONORS/AWARDS

Military honors:
Legion of Merit, 2002
Meritorious Service Medal (1)
Army Commendation Medal (3)
Army Achievement Medal (3)

PROFESSIONAL ORGANIZATIONS

American Academy of Pediatrics (Fellow)
American Medical Association
American Thoracic Society
American College of Brain Physicians (Fellow)
European Respiratory Society
National Association of Medical Directors of Respiratory Care

PUBLICATIONS

Bibliography of Peer Reviewed Publications

1. Weir R., Blake, *The Growing Pediatric Risk of Legalized Marijuana*. Pediatrics 2014; 111(5): e569-e573
2. Weir R., Blake, Oronave C, Mandler, *The Intersection of Law and Medicine: How Lawyers Make Effective Medical Practice Impossible*. Archives of Pediatrics and Adolescent Medicine 2012; 160:191-196
3. Weir R., Blake, *Disparities in Pediatric Preventive Care in the United States 2002 - 2009*. Archives of Pediatrics and Adolescent Medicine 2010; 161:30-36

4. Weir R., Blake, and Beattie, B. Crane, *Disruptions in Insurance Coverage: Unmet Need and Utilization Prior to Enrollment in the State Child Health Insurance Plan. Once Again the Saga of Lawyers Interfering with Medical Access*. Pediatrics, Oct 2008; 120: e1009 - e1016

EXTRACURRICULAR ASSOCIATIONS

American Society of Clog Dancers
United States Amateur Pole Vaulting League
Colorado Union of Spelunkers

EXHIBIT 4



EXHIBIT 5



**The intoxicating effects of this product may be delayed by two or more hours.*

Ingredients:

Banana: Corn Syrup, Sugar, Palm Oil, and Less Than 2% of Mono and Diglycerides, Hydrogenated Cottonseed Oil, Salt, Soy Lecithin, Artificial Flavor, Yellow 5.

Sour Apple: Corn Syrup, Sugar, Palm Oil, and Less Than 2% of Mono and Diglycerides, Hydrogenated Cottonseed Oil, Salt, Soy Lecithin, Artificial Flavor, Blue 1.

Cherry: Corn Syrup, Sugar, Palm Oil, and Less Than 2% of Malic Acid, Mono and Diglycerides, Hydrogenated Cottonseed Oil, Salt, Soy Lecithin, Artificial Flavor, Red 40.

The active ingredient in this product is THC. Each piece contains three 10 mg doses of THC.

Nutrition Facts

Serving Size: 1/3 piece
Servings Per Container: 27

Amount Per Serving

Calories: 15 **Calories from Fat: 0**

% Daily Value*

Total Fat 0g **0%**

Saturated Fat 0g **0%**

Trans Fat 0g

Cholesterol 0mg **0%**

Sodium 5mg **0%**

Total Carbohydrate 3g **1%**

Dietary Fiber 0g **0%**

Sugars 2g

Protein 0g

Vitamin A 0% Vitamin C 0%

Calcium 0% Iron 0%

*Percent Daily Values are based on a 2,000 calorie diet.

Warning: There may be health risks associated with the consumption of this product. This product is unlawful outside the State of Colorado. This product is infused with marijuana. This product was produced without regulatory oversight for health, safety or efficacy. There may be additional health risks associated with the consumption of this product for women who are pregnancy, breastfeeding, or planning on becoming pregnant. Do not drive a motor vehicle or operate heavy machinery while using marijuana. This product was tested for molds, mildews, filth, microbial, herbicides, pesticides, fungicides and harmful chemicals. **KEEP OUT OF REACH OF CHILDREN.**

EXHIBIT 6



EXHIBIT 7

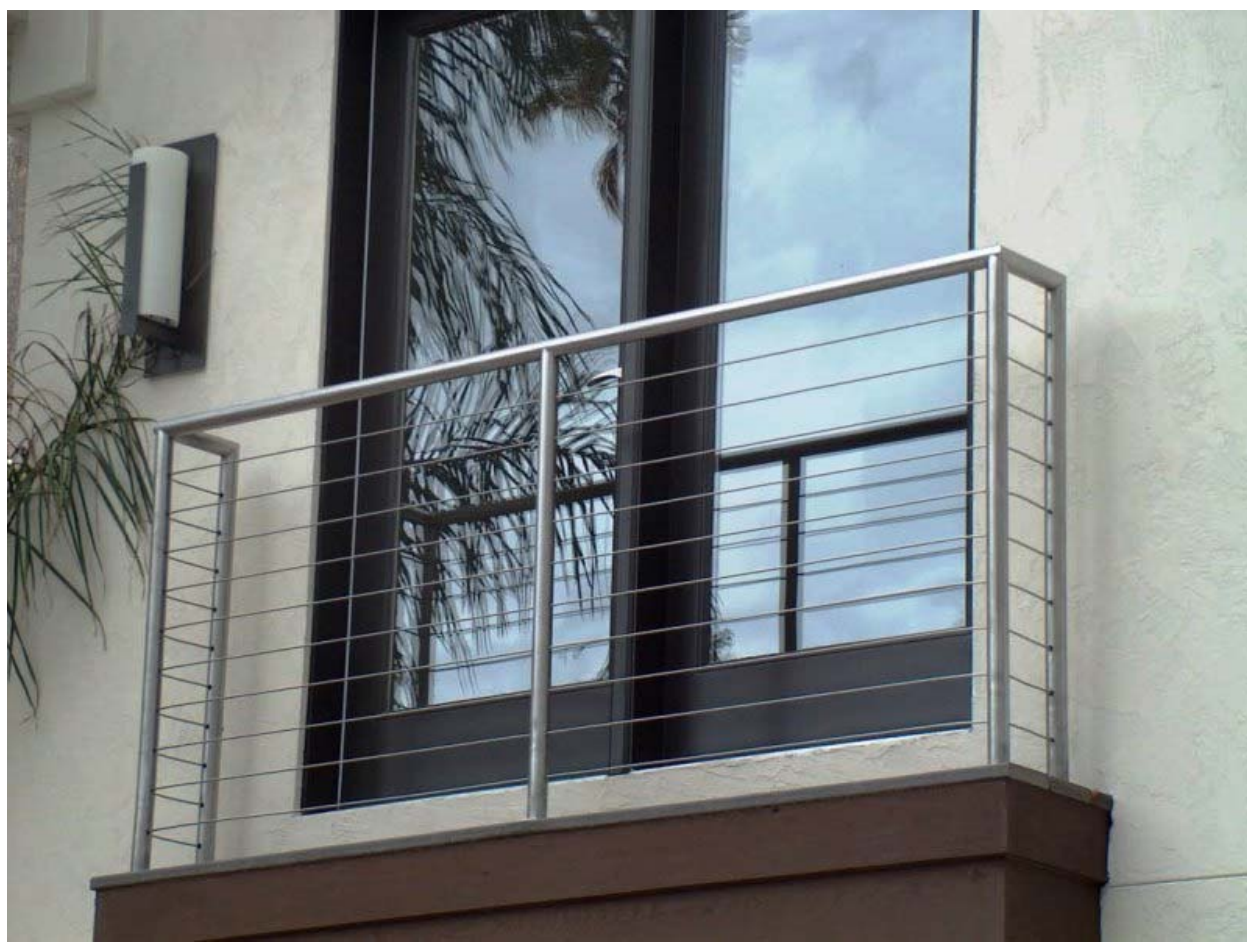


EXHIBIT 8

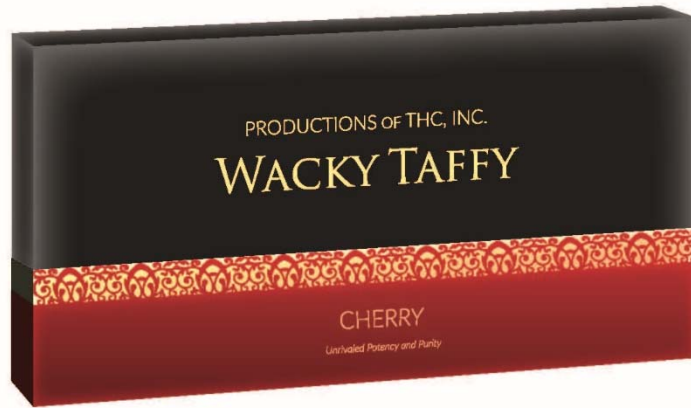


EXHIBIT 9

NOTICE:

Productions of THC, Inc. products contain tetrahydrocannabinol, also known as THC.

- THC is a psychoactive (mind-altering) drug that can affect your concentration, your ability to think clearly, your reaction time, and your coordination. Accordingly, you should not drive or operate heavy machinery while under the influence of any product containing THC. There may be health risks associated with the consumption of marijuana and products containing THC and other cannabinoids.
- Symptoms of overdose possibly include: panic attacks; rapid heart rate; mental confusion; paranoia; seizures; or, in extreme cases, psychotic reactions. Seek immediate medical attention in case of overdose, and especially if experiencing chest pain, panic attacks, seizures, or a psychotic event.
- Keep all products containing THC out of reach of children.
- Effects from inhalation may be felt within minutes, but effects from oral ingestion may take much longer to manifest, in some cases up to several hours later. Consider waiting up to two hours between doses of oral products to avoid possible overdosing. Individuals with no prior experience with cannabis should use caution until they are accustomed to how it will affect them. First time consumers should always have someone with them in case of a problem or if medical attention is required.
- Productions of THC, Inc. edibles contain 10 mg doses of THC, however, some Productions of THC, Inc. edibles contain more than one dose per piece. There is no scientifically defined dose of cannabis for any specific medical condition, and many consumers use much less than 10 mg. Under no circumstances should you consume more than a single 10 mg dose at a time.

The above information has not been approved by any governmental agency or medical association.