



Kristina Sherry

Attorney

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Admissions

State Bar of California

Affiliations

Los Angeles County Bar Association
Christian Legal Aid of Los Angeles

Education

Pepperdine School of Law, J.D., *cum laude*
Princeton University, B.A., *cum laude*

PROFILE

Kristina Sherry brings to her healthcare practice the equanimity of a litigator and experience defending public entities such as Los Angeles World Airports and the Los Angeles Unified School District. As a member of Nelson Hardiman's Transactional and Compliance practice groups, Kristina represents a diverse array of healthcare providers. She advises hospitals, physician organizations, long-term and behavioral care providers, and other healthcare-related organizations in transactions and regulatory matters.

Transactional Experience Balanced by Litigation Know-how

Kristina's experience also includes multi-business formations, complex mergers and acquisitions, drafting and reviewing concierge membership agreements, and employment contracts for healthcare providers. Before joining the firm, she gained invaluable litigation experience representing employers and employees in labor and employment disputes.

Kristina also assists clients including medical marijuana dispensaries, entrepreneurs, investors, manufacturers, and testing labs. Kristina has advised cannabis companies on a myriad of issues including corporate governance, employment matters, regulatory compliance, and nuisance litigation.

Life Outside the Firm

Kristina's patience and aptitude for writing were arguably developed before her legal career, having worked as a middle school English teacher and a journalist prior to law school. Kristina is also a California Notary Public (NNA). When she is not helping clients, she enjoys reading, running marathons (including three Boston Marathons), teaching indoor cycling, and visiting our beautiful State and National Parks.

EXPERIENCE

- **Business formation** Drafted essential documents required for a company setting up multiple laboratory businesses. These documents included articles of incorporation, bylaws, operating agreements, management services agreements and IP licensing agreements.
- **Corporate Formation and Governance** Assisted in formation of corporate cannabis entities and continue to assist in organization of corporate records and governance for California cannabis companies preparing for license applications.
- **Employment Agreements** Reviewed, drafted, and revised numerous employment and independent contractor agreements for cannabis companies with workers in California and Washington states. Advised companies with respect to salary vs. hourly pay, commission and bonus structures for salespersons, and wage and hour requirements for non-exempt employees.
- **Litigation and Motion Practice** Drafted motion in limine pertaining to purported nuisance activity at establishments extraneous to defendants' medical marijuana business.
- **Merger & Acquisition** Represented a large dermatology practice, including a dermatopathology lab, in an approximately \$15 million acquisition. The complex transaction required a complicated series of financial tranches structured to meet tax and regulatory requirements.
- **Packaging and Labeling** Reviewed proposed packaging and labeling (primary panel, informational panel, universal symbol, etc.) for cannabis product and advised California cannabis company on California's newly revised packaging and labeling requirements (November 16, 2017 regulations). Reviewed, analyzed, and summarized packaging and labeling requirements for Washington, Oregon, and Nevada for cannabis company's multi-state operations.
- **Pharmacy Acquisition** Nelson Hardiman performed the regulatory due diligence,

licensing and enrollment work for a pharmacy acquisition involving six brick and mortar pharmacies licensed in 50 states. The pharmacies were acquired for approximately \$60 million and required the preparation and submission of more than 100 state licensing, Medicaid, Medicare, DEA and NCPDP applications. The large acquisition required the development and management of a complex timing status and strategy based on differing rules and regulations in each state to achieve a smooth close that did not negatively impact the pharmacies' operations or reimbursement flows.

- **Workplace Drug Policy:** Prepared and delivered firm-wide presentation for continuing legal education (CLE) on the state of workplace drug policy and employees' use of medicinal marijuana in the context of the Federal Americans with Disabilities Act (ADA) and California's Fair Employment and Housing Act (FEHA).
- **Hospital Bankruptcy & Sale** Lead regulatory counsel to a large health system in its Chapter 11 bankruptcy case, the largest hospital bankruptcy in U.S. history. The matter has involved corporate and regulatory support for the system's day-to-day operations as well as extensive regulatory work on the sale of the system's six hospitals, including counsel regarding California attorney general conditions and approval process.