Holland & Hart



PRACTICES

Federal Income Taxation
Tax Controversy and Litigation
Corporate
Tax
International Services
Cross-Border Transactions

INDUSTRIES

Cannabis and Psychedelics
Food, Beverage, and Consumer Products
Pet Care

EDUCATION

Quinnipiac University, J.D., 2007

University of Colorado at Boulder, B.A., 2004

BAR ADMISSIONS

Connecticut
Colorado

COURT ADMISSIONS

U.S. District Court, District of Colorado
U.S. Tax Court
U.S. Court of Appeals for the Ninth Circuit

Rachel Gillette

Partner

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A leading cannabis industry focused lawyer, Rachel helps clients nationwide proactively plan and implement strategies to capitalize on strategic business opportunities.

At the vanguard of the marijuana industry, Rachel leverages more than fifteen years of experience guiding cannabis clients to establish, expand, and protect their business in a rapidly-evolving legal, regulatory, and economic environment. Rachel's clients range from entrepreneurs and investors to industry start-ups to publicly traded companies with operations in one or multiple states in cannabis, hemp, natural medicine, ancillary businesses, and service providers.

In an uncertain and ever-changing environment, clients value Rachel's ability to distill complex, often overwhelming information, into a prioritized plan of action or business strategy. As a strategic advisor, Rachel offers businesses critical advice to navigate complex state regulatory frameworks. She vigorously protects clients' interests in complex business matters, including corporate governance, regulatory compliance, mergers and acquisitions, tax, and litigation support. Rachel counsels companies on IRC §280E strategies as well as negotiating tax controversies and collection matters with the IRS and other state and local tax authorities.

Domestic and international entities exploring cannabis business opportunities turn to Rachel for pragmatic, industry-savvy counsel as they evaluate potential options. Rachel also serves as an expert witness on legal, tax, and regulatory issues involving hemp, marijuana, CBD, and other novel cannabinoids.

Before she joined Holland & Hart, Rachel was a partner at Greenspoon Marder, serving as Chair of the firm's Cannabis Law practice and as a member of the Management Committee.

PUBLICATIONS

"the buzz: Cannabis News & Policy Update | November 2026," *Cannabis and Psychedelics Monthly Newsletter*, November 24, 2026

"the buzz: Cannabis News & Policy Update | October 2026," *Cannabis and Psychedelics Monthly Newsletter*, October 30, 2026

"the buzz: Cannabis News & Policy Update | September 2026," *Cannabis and Psychedelics Monthly Newsletter*, September 17, 2026

"the buzz: Cannabis News & Policy Update | August 2026," *Cannabis and*

Psychedelics Monthly Newsletter, August 20, 2026

"the buzz: Cannabis News & Policy Update | July 2026," *Cannabis and Psychedelics Monthly Newsletter*, July 28, 2026

"the buzz: Cannabis News & Policy Update | June 2026," *Cannabis and Psychedelics Monthly Newsletter*, June 18, 2026

"the buzz: Cannabis News & Policy Update | May 2026," *Cannabis and Psychedelics Monthly Newsletter*, May 21, 2026

"the buzz: Cannabis News & Policy Update | April 2026," *Cannabis and Psychedelics Monthly Newsletter*, April 23, 2026

"the buzz: Cannabis News & Policy Update | March 2026," *Cannabis and Psychedelics Monthly Newsletter*, March 24, 2026

"the buzz: Cannabis News & Policy Update | February 2026," *Cannabis and Psychedelics Monthly Newsletter*, February 20, 2026

"the buzz: Cannabis News & Policy Update | January 2026," *Cannabis and Psychedelics Monthly Newsletter*, January 23, 2026

"the buzz: 2025 Year In Review," *Cannabis and Psychedelics Monthly Newsletter*, January 14, 2025

"the buzz: Cannabis News & Policy Update | December 2025," *Cannabis and Psychedelics Monthly Newsletter*, December 16, 2025

"the buzz: Cannabis News & Policy Update | November 2025," *Cannabis and Psychedelics Monthly Newsletter*, November 24, 2025

"the buzz: Cannabis News & Policy Update | October 2025," *Cannabis and Psychedelics Monthly Newsletter*, October 23, 2025

"the buzz: Cannabis News & Policy Update | September 2025," *Cannabis and Psychedelics Monthly Newsletter*, September 25, 2025

"the buzz: Cannabis News & Policy Update | August 2025," *Cannabis and Psychedelics Monthly Newsletter*, August 28, 2025

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"the buzz: Cannabis News & Policy Update | June 2025," *Cannabis and Psychedelics Monthly Newsletter*, June 18, 2025

"the buzz: Cannabis News & Policy Update | Special Edition for June 2025," *Cannabis and Psychedelics Monthly Newsletter*, June 5, 2025

"the buzz: Cannabis News & Policy Update | May 2025," *Cannabis and Psychedelics Monthly Newsletter*, May 20, 2025

"the buzz: Cannabis News & Policy Update | April 2025," *Cannabis and*

Psychedelics Monthly Newsletter, April 24, 2025

"the buzz: Cannabis News & Policy Update | March 2025," *Cannabis and Psychedelics Monthly Newsletter*, March 28, 2025

"Dear Congress: 280E Isn't a Tax Break for Cannabis Companies," *MJBizDaily*, March 14, 2025

"the buzz: Cannabis News & Policy Update | February 2025," *Cannabis and Psychedelics Monthly Newsletter*, February 26, 2025

"the buzz: Cannabis News & Policy Update | February 2025 Special Tax Edition," *Cannabis and Psychedelics Monthly Newsletter*, February 6, 2025

"the buzz: Cannabis News & Policy Update | January 2025," *Cannabis and Psychedelics Monthly Newsletter*, January 22, 2025

"the buzz: Cannabis News & Policy Update | December 2024," *Cannabis and Psychedelics Monthly Newsletter*, December 18, 2024

"Are Republicans Friend or Foe of the State-Regulated Marijuana Industry?," *MJBizDaily*, December 13, 2024

"the buzz: Cannabis News & Policy Update | November 2024," *Cannabis and Psychedelics Monthly Newsletter*, November 2024

"the buzz: Cannabis News & Policy Update | October 2024," *Cannabis and Psychedelics Monthly Newsletter*, October 2024

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"the buzz: Cannabis News & Policy Update | August 2024," *Cannabis and Psychedelics Monthly Newsletter*, August 2024

"the buzz: Cannabis News & Policy Update | July 2024," *Cannabis and Psychedelics Monthly Newsletter*, July 2024

"DEA Agrees to Reclassify Cannabis, But Many Questions Remain," *Cannabis Law Update*, April 30, 2024

"Opinion: Is Trulieve's refund claim the cannabis industry's way out of 280E?," *MJBizDaily*, February 9, 2024

"Cannabis Remains an ‘Industry Interrupted' Without Federal Change," *Reuters Westlaw Today*, December 20, 2023

"Mitigating Risk: Should Cannabis Businesses Withdraw ERC Claims?," *Holland & Hart Cannabis Legal Update*, November 2, 2023

"Why Bankruptcy Is A Budding Alternative For Cannabis Cos.," *Law360*, October 12, 2023

"Is Reclassifying Marijuana as a Schedule III Drug the Right Move? ," *Holland & Hart Legal Update*, August 30, 2023

"Demystifying the Dormant Commerce Clause's Considerations for Cannabis," *Reuters Westlaw Today*, August 2, 2023

"Publicly Traded Cannabis Companies: To Be or Not To Be?," *Holland & Hart Client Alert*, July 12, 2023

"An Ounce of Prevention Can Stop Financial Distress," *mg Magazine*, April 6, 2023

"Colorado's Proposition 122: Too soon for the mushroom boom?," *Thomson Reuters Westlaw Today*, March 13, 2023

"Finally, Good News from the IRS: Cannabis Operators Could Be Eligible for the Qualified Business Income Deduction," *Holland & Hart Client Alert*, February 15, 2023

"Viva Las Lounges: No, You Still Can't Consume MJ Like Alcohol in Vegas," *Cannabis Business Executive*, 10/20/2022

"The Great Delta-8 Debate: Many Shades of Grey?," *Cannabis Business Executive*, June 17, 2022

BLOG POSTS

"With an Election Comes High Hopes and Hard Realities for the Cannabis Industry," *The Pulse*, October 28, 2026

"A Colorado Tax Ruling Cannabis Businesses Should Know About," *The Pulse*, September 25, 2026

"Burning Question: Is DEA Registration Necessary for 280E Tax Relief?," *The Pulse*, August 20, 2026

"Same Plant, Worlds Apart.," *The Pulse*, August 14, 2026

"The IRS Thinks Cannabis Has Five Growth Stages. It Has Four.," *The Pulse*, August 05, 2026

"Cannabis Corporate Structures: IRS Trains to Open Every Door," *The Pulse*, July 30, 2026

"METRC Is Not Accounting Software: Why the IRS Overestimates It," *The Pulse*, July 25, 2026

"Hemp's Tax Plot Twist: What IRS Training Slides Reveal," *The Pulse*, July 21, 2026

"Schrödinger's Schedule: How the Feds Made the Cannabis Plant Both Illegal and Not Illegal at Once," *The Pulse*, July 17, 2026

"Rescheduling: What (Barely) Changed This Week in Cannabis World,"

The Pulse, July 16, 2026

SPEAKING ENGAGEMENTS

"Connecticut Marijuana Taxation: The Latest Rules," *Marijuana Business Law in Connecticut*, July 21, 2025

"Industry Insights Forum: Exploring Emerging Trends and Challenges," *AICPA & CIMA Cannabis Industry Conference*, August 12, 2024

"Keynote - Navigating the Impacts of Cannabis Rescheduling," *AICPA & CIMA Cannabis Industry Conference*, August 12, 2024

"Where There's Smoke, Is There Fire? Weeding through the ethical issues confronting the cannabis practitioner," *myLawCLE: Delta-8 and other Cannabinoids, Regulated or Not, and the Impact of Cannabis (2024 Edition) [Including Ethics]*, June 26, 2024

"Ask Me Anything: Practical Answers to Your Questions," *MJBizCon*, November 28, 2023

"Ask the Experts: What's Having a Cannabis Practice Really Like?," *AICPA Cannabis Conference*, August 15, 2023

"INDIEConvo: Weed: A Growing Topic in Hospitality & Travel," *Moderator, INDIEConfab*, April 27, 2023

"Avoiding Costly Taxation Pitfalls," *Panelist, Cannabis Industry Conference*, 11/08/2022

"Why is the IRS Targeting Cannabis Businesses with 280E Audits? What Cannabis Operators Need to Know to Prepare," 07/14/2022

"The Next Generation of Cannabis Tax Issues: Lessons from the Front Lines," *Cannalaw Summit*, May 3, 2022

"How to Hash it Out with the IRS," *Cannabis Higher Learning: Your Legal Roadmap*, April 19, 2022

RECOGNITION

- *The Best Lawyers in America*®, Tax Law, 2022-2027
- *Chambers USA,* Nationwide Cannabis Law: Western United States, 2019-2026
- *Cannabis Law Report,* Global Top 200 Cannabis Lawyers, 2020-2027
- *Cannabis Law Report,* Global Top 200 Psychedelic Lawyers, 2025
- *Law Week Colorado,* Barrister’s Choice, Best Marijuana Law Lawyer, 2019-2020
- *Denver Business Journal,* Outstanding Women in Business, Finalist, 2019; Winner, 2021
- Greendorphin.com, 20 Most Influential Women In Cannabis, 2019

- *High Times* magazine, Women of Weed, 2018-2019
- *National Law Journal*, Cannabis Trailblazer, 2018 - 2019
- *5280 Magazine,* Top Lawyers, Marijuana Law, 2015-2019
- *Remedy Review,* Top 20 Women on the Move in Cannabis, 2018
- *mg Magazine,* Powerful Cannabis Attorney, 2018
- *Complex Magazine*, 15 of the Most Powerful Women In the Weed Industry, 2017
- NORML, Distinguished Counsel's Circle, 2016
- *Sensi Magazine*, Named One of 24 Cannabis Pioneers, May 2016
- *Cannabis Business Executive*, 100 Most Influential People in the Cannabis Industry, 2014
- Cannabis Business Awards, MVP, 2014-2015

PROFESSIONAL AND CIVIC AFFILIATIONS

- Colorado NORML, Board Member and Former Executive Director
- NORML, Legal Committee, Member
- Women Grow, Founding Member
- International Cannabis Bar Association, Founding Member
- National Cannabis Industry Association, Member
- Colorado Bar Association, Member
- University of Colorado Law School, Boulder, Adjunct Professor, Cannabis