

17TH DISTRICT  
**DAYLIN LEACH**

SENATE BOX 203017  
THE STATE CAPITOL  
HARRISBURG, PA 17120-3017  
717-787-5544  
FAX: 717-705-7741

DISTRICT OFFICE  
601 SOUTH HENDERSON ROAD  
SUITE 208  
KING OF PRUSSIA, PA 19406  
610-768-4200  
FAX: 610-768-4204



**COMMITTEES**

JUDICIARY, MINORITY CHAIR  
APPROPRIATIONS  
EDUCATION  
ENVIRONMENTAL RESOURCES & ENERGY  
LABOR & INDUSTRY  
STATE GOVERNMENT  
POLICY

[www.senatorleach.com](http://www.senatorleach.com)

## Senate of Pennsylvania

**Seth Robert Tipton, et al**  
**Florio Perrucci Steinhardt & Fader, LLC**  
**60 West Broad Street, Suite 102**  
**Bethlehem, PA 18018**  
**STipton@fpsflawfirm.com**

**Transmitted via USPS and email**

**Re: Keystone ReLeaf LLC, vs. PA Department of Health**

Dear Attorney Tipton:

As the original author and prime sponsor of Act 16 of 2016, Pennsylvania's medical marijuana law, I am writing an open letter to you today about the lawsuit you filed on behalf of Keystone ReLeaf LLC against the Pennsylvania Department of Health. According to the press reports and pleadings I have seen, you have asked the court for a number of remedies, including an order rescinding all previously awarded permits and a stay of the entire medical marijuana program. The purpose of this letter is to ask you, and your client, not to seek such relief.

As you know, federal law prohibits the importation of cannabis-derived medicines from other states. Thus, in most cases, people who need this medicine are breathlessly awaiting dispensaries, stocked with the medicines they need, to open. If the entire program is delayed, people will be forced to needlessly endure excruciating pain, agony, and, in some cases, death. As your client is surely aware, among the patients medical marijuana will help are small children with life-threatening seizure disorders, cancer patients who are too sick to continue their life-saving chemotherapy treatments, and veterans who, after serving our nation in combat and now suffering from Post-Traumatic Stress Disorder, are committing suicide at an alarming and historically unprecedented rate.

Further, I am sure you are familiar with the opioid crisis we are facing. In Pennsylvania, 13 people die every single day from a drug overdose. States with a medical marijuana protocol have a 25% lower rate of opioid-related deaths than states that do not. If our Commonwealth sees the same reductions that other states have seen, medical marijuana will save thousands of Pennsylvanians from a drug overdose. Even a statewide delay of only a few months will mean hundreds of your fellow citizens, who would have lived, will die. In addition, people suffering

from Crohn's Disease and chronic pain will be forced to go without effective treatment, elongating and intensifying their misery.

I can't imagine a company such as Keystone ReLeaf, which took the time and effort to try to enter this space, presumably to help patients, would want to be responsible for harming patients in such a cruel way.

I wish to make it clear that I have no problem with you seeking relief from the courts if your client feels they have been wronged. I am, and always have been, completely agnostic regarding who the Department of Health awards licenses to. My only interest is in the best applicants prevailing, whoever they may be. Beyond that, I have had no preference on the outcome.

My commitment to neutrality extends to your lawsuit. That said, it is my belief that any unjust inconvenience or financial loss your client may have suffered can be remedied by a court in many ways short of shutting down the entire program. Because surely, no deprivation your client has sustained can be worth inflicting additional suffering on patients or literally costing them their lives.

Thus, I am asking you to speak to your client about amending their pleadings. Please, do not ask the court to enjoin every permittee in the state, most of whom did not even compete for a permit with your client and are not in any way relevant to your complaint. Please do not ask the court to sentence thousands of suffering Pennsylvanians to unnecessary pain and anguish.

Thank you for your attention to this matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Daylin B. Leach", with a long, sweeping horizontal line extending to the right.

Daylin B. Leach  
PA Senator - 17th District