

# TOM DOWNEY

## Attorney at Law

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### Biography

Tom Downey is a Director at Ireland Stapleton Pryor & Pascoe, PC. With his significant experience as both a government official and private attorney, Mr. Downey helps his clients navigate all aspects of regulatory law. The majority of his practice consists of advising and representing corporate clients in the administrative, transactional and disciplinary processes related to liquor licensing, legalized marijuana and licenses governed by the Colorado Department of Regulatory Agencies. Further, he represents investors, creditors, developers, intellectual property holders and others in and around licensed industries. In providing full services to his clients, Mr. Downey conducts a great deal of zoning, code enforcement and public policy work.

Previously, Mr. Downey led Denver's Department of Excise and Licenses, issuing and regulating 25,000 business licenses in Denver in 180 categories. During that time, he redrafted Denver's Policies and Procedures for liquor licensing and wrote the original Policies and Procedures for Denver's legalized recreational marijuana licenses. Governor Hickenlooper appointed him to advise the administration and General Assembly on the legislation creating recreational marijuana. He created and ran the Business and Licensing Division of the Colorado Secretary of State's Office. He also served as an Assistant Attorney General in the Business and Licensing Section under A.G. Ken Salazar. His higher profile cases included the Congressional Redistricting, State Reapportionment, the GAVEL Amendment and the Blue Book battles. Mr. Downey routinely teaches Continuing Legal Education courses and gives other presentations on regulatory and licensing law around the country. Recently, he sat on the Marijuana Enforcement Division's Licensing, and Permitted Economic Interest Rulemaking committee.

Mr. Downey started his legal career clerking for Judge D. Warren Donohue on the Circuit Court of Maryland. During law school, he spent the summer of 1992 in Budapest as a consultant to a founding member of FIDEZ, the first opposition party in Hungary, in preparing to redraft their constitution. He worked for a Congressman prior to law school. Mr. Downey and his wife, Lori Fox, have three young daughters, Cate, Ella and Meg, who are amazing singers and songwriters.



### Practice Areas

Government Relations &  
Regulatory Affairs

### Education

University of Pennsylvania, Wharton  
Business School Executive Program –  
High Impact Leaders (non-degree),  
2009

Villanova School of Law  
J.D., 1993  
Vice-Chair, Villanova Law School  
Honor Board  
Vice-President, Villanova Law School  
Women's Law Caucus  
President, Villanova Law School  
Rugby Club

College of William and Mary  
Bachelor of Arts in Economics, 1989

### Honors & Awards

Law Week Colorado's 2018  
"Barrister's Best" list - People's Choice  
for Marijuana Law



## Presentations & Publications

- Author, "[Opinion: Federal marijuana legalization may not be the dream scenario some imagine](#)," *The Colorado Sun*, Opinion Columns, December 23, 2018
- Panelist, Colorado Business Committee for the Arts (CBCA)'s Art + Cannabis Forum, November 29, 2018
- Co-Author, "Bankruptcy and State Alternatives for Marijuana Businesses," September 7, 2018
- Panelist, "The Enduring Manifestations of Prohibition," Cannabis Law Institute, September 7, 2018
- Program Chair, Recreational Marijuana – The Impact of Federal Enforcement on Colorado, CLE Course, Colorado Law Institute, May 17, 2018
- Co-Presenter, "Rescheduling Versus Descheduling – The Impact of Legalization," Colorado Law Institute, May 17, 2018
- Co-Presenter, "US Attorney Jeff Sessions and Marijuana Policy – What Will It Mean for the Industry?," May 17, 2018
- Speaker, "An Overview of Legal Marijuana," Mesa County Bar Association Luncheon, April 23, 2018
- Speaker, "A Changing Landscape: The Federal Update," Pennsylvania Bar Association, March 16, 2018
- Speaker, "X-TEAM: An Overview of Legal Marijuana," X-Team Conference, February 8, 2018
- Co-Presenter, "The Next Industrial Revolution: How the IoT will Change the Way People Live, Work & Play," SCG Legal Annual Meeting, September 8, 2017
- Program Chair, Recreational Marijuana – Weed & the Government: Post-Election Outlook, Colorado Law Institute, May 19, 2017
- Speaker, "Civil RICO and State vs. State," Colorado Law Institute, May 19, 2017
- Co-Presenter, "State Marijuana Laws Under President Trump," Colorado Law Institute, May 19, 2017
- Author, "How the DEA should classify pot: A three-part approach can satisfy state, feds alike" *The Denver Post*, Perspective Section, June 19, 2016
- Speaker, "The legalization of marijuana and its impact on nonprofit fundraising," Colorado Society of CPAs, May 24, 2016
- Speaker, "The Future of Marijuana Industry Accountability; A Case for Providing a Solution," Conference of Western Attorneys General, Brown University, April 5, 2016
- Speaker, "Implications of Legalized Marijuana," Ohio SHRM Conference, March 10, 2016
- Panelist, "The Business of Bud," Above The Law, June 16, 2015

## Honors & Awards

2016-2018 Top Lawyer Marijuana Law  
5280 Magazine



Westword's 2013 "Best of Denver"  
award for customer service

Denver 150 Unsung Heroes Award  
(2008)

Mile High United Way's "Anna Jo  
Haynes Care about Kids Award"  
(2006)

Ballard Spahr's National Pro Bono  
Attorney of the Year (2002)

*Denver Business Journal's 40 Under  
40* (2002)

Villanova Law School, Herman  
Mitchell Schwartz Award Recipient for  
the most significant contribution to the  
achievement of equality of opportunity  
and treatment for women in the legal  
community

Knights of Columbus Patriotism Award  
(1983)

## Admissions

Admitted to practice in Colorado

Colorado Supreme Court

U.S. District Court for the District of  
Colorado

### **Presentations & Publications**

- Panelist, Marijuana in Colorado: Advanced Tax, Legal and Accounting Considerations Seminar, Bloomberg BNA, December 1, 2015
- Co-Presenter, *The Impact of Legalized Marijuana*, Metropolitan State University of Denver, June 30, 2015
- Presenter, "Legal Overview of the Recreational Marijuana Industry: A Regulatory Perspective," The Consuls General of the European Union's Nations, December, 18, 2014
- Author, "All That Glitters Green in Colorado Is Not Pot Gold" *The Denver Post*, November 28, 2014
- Author, "We Need A New Social Contract to Avoid A Collision with Millennials" *The Denver Post*, Perspectives Section, August 22, 2010
- Author, "Transplants Unite!" *Rocky Mountain News*, December 13, 2004
- Author, "A Sensible Redistricting Alternative," *Rocky Mountain News*, January 16, 2004
- Speaker, "Regulation, Colorado Marijuana & the Next Frontier," City Club of Denver, January 5, 2016
- Speaker, "The Legalization of Marijuana and its Impact on Nonprofit Fundraising," a combined event with the Colorado Nonprofit Association and the Colorado Association of Funders and Ireland Stapleton Pryor & Pascoe, PC, July 14, 2015

### **Memberships**

- City Club of Denver, Member
- Denver Metro Chamber of Commerce, Public Policy Forum
- Marijuana Enforcement Division's Licensing, and Permitted Economic Interest Stakeholder Work Group (August 2015)
- Governor Hickenlooper's Amendment 64 (Recreational Marijuana) legislative advisory committee (2013)
- Denver Taxi and Limo Council, Chair (2012-2013)
- Denver Medical Marijuana Working Group, Founder (2011-2012)
- Governor Ritter Transition Team, Regulatory Agencies (2006)
- Mayor's Leadership Team on Early Childhood Education (2004-2006)
- I-300 Marijuana Social Consumption Area Task Force, Member

## **Community Involvement**

Mr. Downey strongly believes in engaging in our community. He took a break from government and legal work for five years to run the Children's Museum of Denver. He is the Past Board Chair of the Colorado Nonprofit Association, and the former Board Chair of the Colorado Children's Campaign. In 2000, Mr. Downey managed the Gore/Lieberman presidential campaign in Colorado. In 1986, he ran a children's home in Venezuela, "La Ciudad del los Muchachos."

- Stapleton MCA Delegate (Elected 2018)
- Westerly Creek Metropolitan District, Board Member (Elected 2014 -present)
- Bonfils-Stanton Foundation, Livingston Fellow (2007-present)  
(Focus: creation of management theory, an execution model of Jim Collins' Good to Great principles)
- LoDo District, Board Member (2005–Present)
- Emerging Leaders in Development program, Steering Committee (2010)
- Colorado Nonprofit Association, Board Member (2006–2012, Chair 2008-2010)
- Heritage 365 Magazine, Editorial Advisory Committee (2006–2009)
- Nonprofit Resources, Inc., Board Member (2006–2008)
- American Association of Museums, Co-Chair, Host Committee 2008 Conference
- Denver Preschool Program, Board of Advisors (2007)
- DPS Capital Needs Committee (2005–2007)
- Colorado Children's Campaign, Board Member (1998–2006, Chair 2004–2005)
- DPS Citizens Committee on Bond Expenditures (2003–2005)
- Citizens for Denver Public Schools (2003)
- Leadership Denver (1999)

## **Media**

- Quoted in *Law Week Colorado*, "10<sup>th</sup> Circuit Smokes Marijuana Tax Challenge," July 16, 2018
- Quoted in *Law Week Colorado*, "Scotus Pick Announced; Confirmation Battle Ensues," July 16, 2018
- Appeared on the *Craig Silverman Show* in [Craig's Lawyers' Lounge segment](#), July 14, 2018
- Quoted on *Colorado Public Radio*, "[US Supreme Court Opens Sports Gambling. What's The Colorado Impact?](#)" May 14, 2018
- Quoted on *Colorado Public Radio*, "[US Supreme Court Opens Sports Gambling. What's The Colorado Impact?](#)" May 14, 2018
- Quoted in *The Westword*, "[Cannabis Industry Not Happy With Sean Spicer's Prediction of 'Greater Enforcement'](#)," February 24, 2017

## Media

- Interviewed on *CBS Channel 4 Denver*, [“State Pot Officials: ‘Impossible To Discern’ White House Action On Retail Pot,”](#) February 23, 2017
- Interviewed on *Fox31 News*, [“Local attorney, Supreme Court nominee acted in high school play together,”](#) February 3, 2017
- Quoted in *The Denver Post*, [“Donald Trump nominates Colorado’s Neil Gorsuch to the Supreme Court,”](#) January 31, 2017
- Quoted in *The Denver Post*, [“Cops can’t be forced to return marijuana in failed drug cases, Colorado Supreme Court says,”](#) January 23, 2017
- Interviewed on *CBS Channel 4 Denver*, [“Trump’s Choice For AG Has Some Worried About Impact On Legal Pot,”](#) January 12, 2017
- Quoted in *The Denver Post*, [“DEA should stop stalling on reclassifying cannabis,”](#) August 10, 2016
- Quoted in *The Westword*, [“DEA’s Marijuana Rescheduling Announcement May Not Come in 2016,”](#) August 2, 2016
- Quoted in *The Cannabist*, [“DEA: Decision on marijuana rescheduling in ‘final stages’,”](#) August 2, 2016
- Quoted in *Front Porch*, [“Op-Ed: How the DEA should classify pot,”](#) August 1, 2016
- Quoted in *The Westword*, [“DEA Delays Marijuana Rescheduling Announcement,”](#) July 19, 2016
- *The Denver Post*, DPTV, [“How the DEA should classify Marijuana,”](#) June 19, 2016
- Quoted in *The Denver Post*, “Long legal battle over sales license makes Denver cannabis history” June 13, 2016
- *Colorado Public Radio*, [“Court Overrules City, Forces It To License Dispensary,”](#) June 10, 2016
- Quoted in *The Washington Post*, [“Marijuana companies join forces to expand beyond state lines,”](#) April 26, 2016
- Quoted in *The Denver Post*, [“Denver council faces marijuana question worth millions to investors,”](#) April 10, 2016
- Quoted in *The New York Times*, “Nonprofits Becoming More Comfortable Accepting Pot Donations,” October 29, 2015
- Legal Talk Network, [“Lawyers, Weed, and Money H.R. 2076 Found Some Fans,”](#) August 28, 2015
- Above the Law, [“3 Things You Must Know If You Want To Work In Marijuana Law,”](#) June 10, 2015