

**U. S. District Court for the District of North Dakota (Northwestern)
CIVIL DOCKET FOR CASE #: 4:07-cv-00042-DLH-CSM**

Monson et al v. Drug Enforcement Administration et al
Assigned to: Chief Judge Daniel L. Hovland
Referred to: Magistrate Judge Charles S. Miller, Jr
Cause: 28:2201 Declaratory Judgment

Date Filed: 06/18/2007
Jury Demand: None
Nature of Suit: 890 Other Statutory
Actions
Jurisdiction: U.S. Government Defendant

Plaintiff

David Monson

represented by **Joseph E Sandler**
Sandler Reiff & Young PC
50 E Street SE #300
Washington, DC 20003
Email: sandler@sandlerreiff.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Timothy Q. Purdon
VOGEL LAW FIRM
PO BOX 2097
200 N 3 St Ste 201
BISMARCK, ND 58502-2097
701-258-7899
Fax: 701-258-9705
Email: tpurdon@vogellaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Wayne Hauge

represented by **Joseph E Sandler**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Timothy Q. Purdon
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Drug Enforcement Administration

represented by **David L. Peterson**
U.S. ATTORNEY'S OFFICE
PO BOX 699
BISMARCK, ND 58502
701-530-2420
Email: david.peterson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wendy M. Ertmer
U.S. Department of Justice
20 Massachusetts Ave., NW
Room 7109
Washington, DC 20530
(202) 616-7420
Fax: (202) 616-8470
Email: wendy.ertmer@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Department of Justice

represented by **David L. Peterson**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Wendy M. Ertmer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amicus

North Dakota State University

represented by **Rick D. Johnson**
NDSU
P.O. Box 5011
Fargo, ND 58105
701-231-7215
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/18/2007	1	COMPLAINT against Drug Enforcement Administration and US Department of Justice (Filing fee \$350 receipt number BI000090) filed by David Monson and Wayne Hauge. (Attachments: # 1 Civil Cover Sheet JS 44)(lcar) (Entered: 06/18/2007)
06/18/2007	2	Summons Issued as to Drug Enforcement Administration, Department of Justice, U.S. Attorney and U.S. Attorney General (lcar) (Entered: 06/18/2007)
07/03/2007	3	NOTICE of Appearance by Wendy M. Ertmer on behalf of Drug Enforcement Administration, Department of Justice (Ertmer, Wendy) (Entered: 07/03/2007)
07/10/2007	4	MOTION for Leave to Appear Pro Hac Vice by Attorney Joseph E. Sandler on behalf of David Monson and Wayne Hauge. (Fee paid) (lcar) (Entered: 07/10/2007)
07/10/2007	5	AFFIDAVIT of Joseph E. Sandler re 4 MOTION for Leave to Appear Pro Hac Vice (lcar) (Entered: 07/10/2007)
07/16/2007	6	ORDER by Judge Charles S. Miller, Jr. granting 4 Motion for Leave to Appear pro hac vice (Attorney Joseph E. Sandler). (BG) (Entered: 07/16/2007)
07/17/2007	7	SUMMONS Returned Executed by Drug Enforcement Administration, Department of Justice. Drug Enforcement Administration served on 6/15/2007, answer due 7/5/2007; Department of Justice served on 6/25/2007, answer due 7/16/2007 (Purdon, Timothy) (Entered: 07/17/2007)
07/18/2007		Reset Deadlines: Drug Enforcement Administration answer due 8/24/2007; Department of Justice answer due 8/24/2007. (rm) (Entered: 07/18/2007)
08/20/2007	8	MOTION to Dismiss by Drug Enforcement Administration, Department of Justice. (Ertmer, Wendy) (Entered: 08/20/2007)
08/20/2007	9	BRIEF re 8 MOTION to Dismiss by Drug Enforcement Administration, Department of Justice. (Attachments: # 1 Exhibit A-Faxed letter dated 12/26/06 w/enclosures# 2 Exhibit B-Letter dated 2/1/07# 3 Exhibit C-Letter dated 3/5/07# 4 Exhibit D-Letter dated 3/27/07# 5 Exhibit E-2 letters# 6 Exhibit F-Market Potential)(Ertmer, Wendy) (Entered: 08/20/2007)
08/20/2007	10	STATEMENT of Material Fact filed by Drug Enforcement Administration, Department of Justice. (Ertmer, Wendy) (Entered: 08/20/2007)
09/19/2007	11	MOTION for Summary Judgment by David Monson, Wayne Hauge. (Purdon, Timothy) (Entered: 09/19/2007)
09/19/2007	12	STATEMENT of Material Fact re 11 MOTION for Summary Judgment and re 16 Motion for Hearing on Plaintiff's Motion for Summary Judgment filed by David Monson, Wayne Hauge. (Purdon, Timothy) (Entered: 09/19/2007)

09/19/2007	13	MEMORANDUM in Support re 11 MOTION for Summary Judgment and re 16 Motion for Hearing on Plaintiff's Motion for Summary Judgment filed by David Monson, Wayne Hauge. (Attachments: # 1 Exhibit A - Affidavit of David Monson# 2 Exhibit B - Affidavit of Wayne Hauge# 3 Exhibit C - Affidavit of Dr. T. Randall Fortenbery, Ph.D.# 4 Exhibit D - Declaration of Gero Leson# 5 Exhibit E - Affidavit of Burton L. Johnson, Ph.D.)(Purdon, Timothy) (Entered: 09/19/2007)
09/19/2007	14	RESPONSE to Motion re 8 MOTION to Dismiss filed by David Monson, Wayne Hauge. (Attachments: # 1 Exhibit A - Affidavit of David Monson# 2 Exhibit B - Affidavit of Wayne Hauge# 3 Exhibit C - Affidavit of Dr. T. Randall Fortenbery, Ph.D.# 4 Exhibit D - Declaration of Gero Leson# 5 Exhibit E - Affidavit of Burton L. Johnson, Ph.D.)(Purdon, Timothy) (Entered: 09/19/2007)
09/21/2007	15	E-Filing Modification Request re 11 MOTION for Summary Judgment (lcar) (Entered: 09/21/2007)
09/21/2007	16	MOTION for Hearing <i>on Plaintiffs' Motion for Summary Judgment</i> by David Monson, Wayne Hauge. (Purdon, Timothy) (Entered: 09/21/2007)
09/24/2007	17	MOTION for Hearing <i>on Defendants' Motion to Dismiss</i> by Drug Enforcement Administration, Department of Justice. (Ertmer, Wendy) (Entered: 09/24/2007)
09/24/2007	18	STIPULATION by David Monson, Wayne Hauge, Drug Enforcement Administration, Department of Justice re 8 Motion to Dismiss and re 11 Motion for Summary Judgment. (Attachments: # 1 Proposed Order)(Ertmer, Wendy) Modified on 9/25/2007 to add description of attachment(lcar). (Entered: 09/24/2007)
09/25/2007	19	ORDER adopting 18 Stipulation. Defendants shall have until 10/19/2007 to file a consolidated response to the plaintiffs' motion for summary judgment and reply in support of their motion to dismiss. Plaintiffs shall have until 10/26/2007 to file a reply in further support of their motion for summary judgment. By Judge Charles S. Miller, Jr. (BG) (Entered: 09/25/2007)
09/27/2007	20	ORDER (TEXT ONLY) by Judge Daniel L. Hovland granting 16 Motion for Hearing; granting 17 Motion for Hearing. Oral argument set for 11/14/07 at 10:00 a.m. in Courtroom #1 (Bismarck). (LR) Distributed on 9/27/2007 (rm). (Entered: 09/27/2007)
09/27/2007		Set/Reset Hearings: Oral Argument set for 11/14/2007 at 10:00 AM in Courtroom 1 (Bismarck) before Chief Judge Daniel L. Hovland. (LR) (Entered: 09/27/2007)
10/19/2007	21	REPLY to Response to Motion re 17 MOTION for Hearing <i>on Defendants' Motion to Dismiss</i> , 8 MOTION to Dismiss filed by Drug Enforcement Administration, Department of Justice. (Ertmer, Wendy) (Entered: 10/19/2007)

10/19/2007	22	RESPONSE to Motion re 11 MOTION for Summary Judgment, 16 MOTION for Hearing <i>on Plaintiffs' Motion for Summary Judgment</i> filed by Drug Enforcement Administration, Department of Justice. (Ertmer, Wendy) (Entered: 10/19/2007)
10/19/2007	23	STATEMENT of Material Fact re 22 Response to Motion, 21 Reply to Response to Motion (<i>Defendants' Opposition to Plaintiffs' Statement of Material Facts</i>) filed by Drug Enforcement Administration, Department of Justice. (Attachments: # 1 Exhibit A - Effects of Marijuana in Man# 2 Exhibit B - Pharmacological Reviews# 3 Exhibit C - Annals of the N.Y. Academy of Sciences# 4 Exhibit D - Drugs of Abuse)(Ertmer, Wendy) Modified on 10/22/2007 to add descriptions to attachments (rm). (Entered: 10/19/2007)
10/19/2007	24	MOTION to Stay <i>Consideration of Defendants' Motion for Summary Judgment and, in the Alternative, For Relief Pursuant to Rule 56</i> by Drug Enforcement Administration, Department of Justice. (Ertmer, Wendy) (Entered: 10/19/2007)
10/19/2007	25	MEMORANDUM in Support re 24 MOTION to Stay <i>Consideration of Defendants' Motion for Summary Judgment and, in the Alternative, For Relief Pursuant to Rule 56</i> filed by Drug Enforcement Administration, Department of Justice. (Attachments: # 1 Declaration of Wendy M. Ertmer)(Ertmer, Wendy) (Entered: 10/19/2007)
10/26/2007	26	MOTION for Leave to File Amicus Curiae Brief by NDSU. (ks) (Entered: 10/26/2007)
10/26/2007	27	REPLY to Response to Motion re 11 MOTION for Summary Judgment <i>by Plaintiffs</i> filed by David Monson, Wayne Hauge. (Purdon, Timothy) (Entered: 10/26/2007)
10/26/2007	28	ORDER (TEXT ONLY) by Judge Daniel L. Hovland granting 26 Motion for Leave to File. (LH) Distributed to Johnson on 10/26/2007 (ks). (Entered: 10/26/2007)
10/26/2007	29	BRIEF OF AMICUS CURIAE re 8 MOTION to Dismiss, 11 MOTION for Summary Judgment by North Dakota State University. (ks) (Entered: 10/26/2007)
11/02/2007	30	RESPONSE to Motion re 24 MOTION to Stay <i>Consideration of Defendants' Motion for Summary Judgment and, in the Alternative, For Relief Pursuant to Rule 56</i> filed by David Monson, Wayne Hauge. (ks) (Entered: 11/05/2007)
11/09/2007	31	RESPONSE to Motion re 26 MOTION for Leave to File (<i>Defendants' Response to Brief of Amicus Curiae North Dakota State University</i>) filed by Drug Enforcement Administration, Department of Justice. (Ertmer, Wendy) (Entered: 11/09/2007)

11/09/2007	32	REPLY to Response to Motion re 24 MOTION to Stay <i>Consideration of Defendants' Motion for Summary Judgment and, in the Alternative, For Relief Pursuant to Rule 56</i> filed by Drug Enforcement Administration, Department of Justice. (Ertmer, Wendy) (Entered: 11/09/2007)
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