

1 MATTHEW KUMIN, State Bar No. 177561
KUMIN SOMMERS LLP
2 870 Market Street, Suite 428
San Francisco, CA 94102
3 Telephone: (415) 434-4500
Facsimile: (415) 434-8453
4 e-mail: matt@kuminsommers.com

5 DAVID M. MICHAEL, State Bar No. 74031
LAW OFFICE OF DAVID M. MICHAEL
6 101 California Street, Suite 2450
San Francisco, CA 94111
7 Telephone: (415) 946-8996
Facsimile: (877) 538-6220
8 e-mail: dmmp5@aol.com

9 ALAN SILBER, State Bar No. 52973
inactive status – reactivation pending
10 WALDER, HAYDEN, & BROGAN, P.A.
5 Becker Farm Road
11 Roseland, NJ 07068
Telephone: (973) 436-4122
12 Facsimile: (973) 436-4232
e-mail: ASilber@whbesqs.com

13 *Attorneys for Plaintiffs/Petitioners*

14
15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17

18 MARIN ALLIANCE FOR MEDICAL)
MARIJUANA, a not-for-profit association;)
19 JOHN D’AMATO, an individual,)

20 Plaintiffs/Petitioners,)

21 vs.)

22 ERIC HOLDER, Attorney General of the United)
States; MICHELLE LEONHART, Administrator)
23 of the Drug Enforcement Administration; HON.)
MELINDA HAAG, U.S. Attorney for the)
24 Northern District of California,)

25 Defendants/Respondents.)

Case No. CV-11-5349-DMR

**TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE RE
PRELIMINARY INJUNCTION**

26
27 To Defendants ERIC HOLDER, MICHELLE LEONHART, and MELINDA HAAG:
28

1 YOU (AND EACH OF YOU) ARE HEREBY ORDERED TO SHOW CAUSE at _____
 2 (time) on _____ (date), or as soon thereafter as counsel may be heard in the courtroom
 3 of the Honorable Magistrate Judge Donna M. Ryu, located at Oakland Courthouse, Courtroom 4 – 3rd
 4 Floor, 1301 Clay Street, Oakland, CA 94612, why you, your officers, agents, servants, employees and
 5 attorneys and those in active concert or participation with you or them, should not be restrained and
 6 enjoined pending trial of this action from taking action against any plaintiff named herein either in the
 7 form of a civil or criminal forfeiture proceeding or in the form of a criminal complaint or indictment,
 8 or convening of a grand jury or otherwise interfering with the operations of any plaintiffs facilities,
 9 business or use of cannabis.

10 PENDING HEARING on the above Order to Show Cause, you, your agents, servants,
 11 employees and attorneys and all those in active concert or participation with you or under your
 12 instruction ARE HEREBY RESTRAINED AND ENJOINED from: interfering with the activities of
 13 Plaintiffs, herein, and those like situated persons and entities, who allege lawful compliance with
 14 California state law and the California Compassionate Use Act in the ownership, maintenance,
 15 leasing, renting or use of facilities within the state of California for the production, distribution,
 16 transportation, or use of medical cannabis under California state law as well as those persons, patients,
 17 collectives, cooperatives, and others who actually produce, distribute, transport and use medical
 18 cannabis lawfully under California state law.

19 The above Temporary Restraining Order is effective on Plaintiffs’/Petitioners’ filing an
 20 undertaking in the sum of \$ -0-. This Order to Show Cause and supporting papers must be served on
 21 Defendants no later than _____ days before the date set for hearing, and proof of service
 22 shall be filed no later than _____ court days before the hearing. Any response or opposition
 23 to this Order to Show Cause must be filed and personally served on Plaintiffs’/Petitioners’ counsel no
 24 later than _____ court days before the date set for hearing, and proof of service shall
 25 be filed no later than _____ court days before the hearing.

26 DATED: _____

27 _____
 28 UNITED STATES DISTRICT JUDGE