

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*

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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
**NOTICE OF MOTION AND MOTION FOR
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**
Time:
Date:
Courtroom:

26
27 TO DEFENDANTS ERIC HOLDER, MICHELLE LEONHART, Hon. MELINDA HAAG
28 AND THEIR ATTORNEYS OF RECORD:

1 PLEASE TAKE NOTICE THAT at _____ (time) on _____ (date), or soon
2 thereafter as counsel may be heard, in the courtroom of the Honorable Magistrate Judge Donna M.
3 Ryu, located at Oakland Courthouse, Courtroom 4 – 3rd Floor, 1301 Clay Street, Oakland, CA 94612,
4 Plaintiffs/Petitioners will move for an order for a preliminary injunction pursuant to Fed. R. Civ. P. 65
5 restraining and enjoining you, your officers, agents, servants, employees and attorneys, and all those
6 in active concert or participation with you or them from interfering with the activities of Plaintiffs,
7 herein, and those like situated persons and entities, who allege lawful compliance with California state
8 law and the California Compassionate Use Act in the ownership, maintenance, leasing, renting or use
9 of facilities within the state of California for the production, distribution, transportation, or use of
10 medical cannabis under California state law as well as those persons, patients, collectives,
11 cooperatives, and others who actually produce, distribute, transport and use medical cannabis lawfully
12 under California state law.

13 This motion will be made on the ground that immediate and irreparable injury will result to
14 Plaintiffs/Petitioners unless the activities described above are enjoined pending trial of this action, and
15 will be based on this Notice of Motion and Motion, the accompanying Memorandum of Points and
16 Authorities, the accompanying Request for Judicial Notice, and the accompanying declarations
17 attached hereto.

18 Date: November 8, 2011



Matthew Kumin
Attorneys for Plaintiffs/Petitioners