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11  
12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 MARIN ALLIANCE FOR MEDICAL  
MARIJUANA, a not-for-profit association;  
15 JOHN D'AMATO, an individual, MED )  
THRIVE, INC. a not-for-profit cooperative )  
corporation doing business as MedThrive )  
16 Cooperative; THE JANE PLOTITSA SHELTER )  
TRUST, a revocable living trust; and THE FELM )  
17 TRUST, an irrevocable living trust; THE )  
DIVINITY TREE PATIENTS' WELLNESS )  
18 COOPERATIVE, INC., a non profit cooperative )  
corporation )

Case No. CV 11-5349 SBA

**AMENDED DECLARATION OF PAUL  
ARMENTANO IN SUPPORT OF  
PLAINTIFF'S PETITION FOR  
PRELIMINARY INJUNCTION**

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Plaintiffs/Petitioners, )

vs. )

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

Defendants/Respondents. )

25 I, PAUL ARMENTANO, hereby declare  
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- 1 1. I am an adult, over 18 years of age, and am fully competent to make this declaration. I  
2 make this declaration based on personal knowledge, and if called to do so, I could and would  
3 testify competently thereto. This Declaration is made in support of Plaintiff's Petition for a  
4 Temporary Restraining Order/Preliminary Injunction.
- 5 2. I am the Deputy Director for the National Organization for the Reform of Marijuana  
6 Laws ("NORML"), where I have worked for the years 1995 to 1999, and from 2001 until  
7 present time.
- 8 3. Founded in 1970, NORML advocates for the legalization and regulation of cannabis  
9 use in private by responsible adults. NORML has actively lobbied for the repeal of state and  
10 federal laws that criminalize the possession and use of cannabis for therapeutic purposes. The  
11 organization has previously petitioned for administrative relief regarding the federal  
12 classification of cannabis (NORML v. DEA 559 F.2d 735 [1977]).
- 13 4. In my capacity as NORML's Deputy Director, I have reviewed and commented upon  
14 thousands of peer-reviewed scientific studies and reviews pertinent to cannabis use and its  
15 impact on health and behavior. I have published nearly 1,000 articles, commentaries, and  
16 academic white papers pertaining to cannabis use, health, and public policy. I have testified  
17 before both state and federal agencies on this subject, as well as before professional health  
18 organizations.
- 19 5. In 1999 I engaged in contract writing for a non-corporate website administered by the  
20 British biotechnology firm GW Pharmaceuticals until 2001. GW is licensed to cultivate  
21 cannabis and conduct double-blind, placebo-controlled clinical trials with organic cannabis  
22 extract preparations. Much of this work specifically entailed reviewing and summarizing  
23 cannabis related medical literature, including the Institute of Medicine report, 'Marijuana and  
24 Medicine: Assessing the Science Base.'
- 25 6. In 2007 I authored the book, *Emerging Clinical Applications for Cannabis and*  
26 *Cannabinoids: A Review of the Recent Scientific Literature*, which reviews clinical and pre-  
27 clinical peer-reviewed studies assessing the safety and efficacy of cannabis and cannabinoids

1 as potential therapeutic agents. I have updated this book yearly since that time. Over the  
2 course of writing and updating this publication I have reviewed some 200 separate scientific  
3 studies and reviews assessing the safety and efficacy of inhaled cannabis, cannabinoids, and  
4 synthetic cannabinoid agonists for the treatment of 19 clinical indications: Alzheimer's  
5 disease, amyotrophic lateral sclerosis, chronic pain/neuropathy, diabetes mellitus, dystonia,  
6 fibromyalgia, gastrointestinal disorders, glioma/cancer, hepatitis C, human immunodeficiency  
7 virus, hypertension, incontinence, multiple sclerosis, MRSA, osteoporosis, pruritis,  
8 rheumatoid arthritis, sleep apnea, and Tourette's syndrome. A true and correct copy of this  
9 book is attached as Exhibit 1.

10 7. The purpose of my filing this affidavit is to confirm the conclusions published in this  
11 book. Specifically, over the past decade investigators worldwide have published several  
12 thousand papers assessing the therapeutic efficacy of cannabis, cannabinoids, and their  
13 synthetic agonists. This total includes over 2,700 separate papers published in 2009, 1,950  
14 papers published in 2010, and another 2,100 published to date in 2011 (according to a key  
15 word search on the search engine PubMed Central, the US government repository for peer-  
16 reviewed scientific research). Hundreds of these papers have found cannabis and organic  
17 cannabinoids to be efficacious in preclinical and clinical settings for a multitude of serious  
18 and chronic diseases, and investigators have recommended the use cannabis and cannabinoids  
19 for the treatment of several of these diseases in clinical trial and/or physician supervised  
20 settings.

21 8. Further, in addition to cannabis' ability to address symptom management, several of  
22 these papers have indicated that cannabis and cannabinoids, moderate the progression of  
23 various chronic diseases in clinical and pre-clinical settings. These including  
24 neurodegenerative diseases and auto-immune disorders, for which there are presently few if  
25 any available, effective medical treatments.

26 9. Most recently, in 2010, the results of a series of randomized, placebo-controlled FDA-  
27 approved clinical trials performed by regional branches of the University of California

1 established that inhaled cannabis possesses therapeutic utility that is comparable to or better  
2 than conventional medications, particularly in the treatment of multiple sclerosis and  
3 neuropathic pain.(Center for Medicinal Cannabis Research. *Report to the Legislature and*  
4 *Governor of the State of California*, 2010.) These findings echoed those of a 2009 report  
5 issued by the American Medical Association’s Council on Science and Public Health, which  
6 declared, “Results of short term controlled trials indicate that smoked cannabis reduces  
7 neuropathic pain, improves appetite and caloric intake especially in patients with reduced  
8 muscle mass, and may relieve spasticity and pain in patients with multiple  
9 sclerosis.”(American Medical Association. *Report of the Council on Scientific and Public*  
10 *Health: Use of Cannabis for Medical Purposes*, 2009.)

11 10. Specifically, since 2005 there have been an estimated 40 controlled studies assessing  
12 the safety and efficacy of cannabinoids, involving over 2,500 subjects.(Arno Hazekamp and  
13 Franjo Grotenhermen. 2010. Review on clinical studies with cannabis and cananbinoids:  
14 2005-2009. *Cannabinoids* 5: 1-21.) These include:

- 15 a. Abrams et al. 2007. Cannabis in painful HIV-associated sensory neuropathy: a  
16 randomized placebo-controlled trial. *Neurology* 68: 515-521.
- 17 b. Ellis et al. 2008. Smoked medicinal cannabis for neuropathic pain in HIV: a  
18 randomized, crossover clinical trial. *Neuropsychopharmacology* 34: 672-80.
- 19 c. Wallace et al. 2007. Dose-dependent Effects of Smoked Cannabis on  
20 Capsaicin-induced Pain and Hyperalgesia in Healthy Volunteers.  
21 *Anesthesiology* 107: 785-796.
- 22 d. Wilsey et al. 2008. A randomized, placebo-controlled, crossover trial of  
23 cannabis cigarettes in neuropathic pain. *Journal of Pain* 9: 506-521.
- 24 e. Ware et al. 2010. Smoked cannabis for chronic neuropathic pain: a randomized  
25 controlled trial. *CMAJ* 182: 694-701.
- 26 f. Johnson et al. 2009. Multicenter, double-blind, randomized, placebo-  
27 controlled, parallel-group study of the efficacy, safety, and tolerability of THC:

1 CBD extract in patients with intractable cancer-related pain. *Journal of*  
2 *Symptom Management* 39: 167-179.

- 3 g. Abrams et al.2003. Short-term effects of cannabinoids in patients with HIV-1  
4 infection: a randomized, placebo-controlled clinical trial. *Annals of Internal*  
5 *Medicine* 139: 258-266.
- 6 h. Haney et al. 2007. Dronabinol and marijuana in HIV-positive marijuana  
7 smokers: caloric intake, mood, and sleep. *Journal of Acquired Immune*  
8 *Deficiency Syndromes* 45: 545-554.
- 9 i. Wade et al. 2003. A preliminary controlled study to determine whether whole-  
10 plant cannabis extracts can improve intractable neurogenic symptoms. *Clinical*  
11 *Rehabilitation* 17: 21-29.
- 12 j. Vaney et al. 2004. Efficacy, safety and tolerability of an orally administered  
13 cannabis extract in the treatment of spasticity in patients with multiple  
14 sclerosis: a randomized, double-blind, placebo-controlled, crossover study.  
15 *Multiple Sclerosis* 10: 417-424.
- 16 k. Rog et al. 2005. Randomized, controlled trial of cannabis-based medicine in  
17 central pain in multiple sclerosis. *Neurology* 65: 812-819.
- 18 l. Wade et al. 2006. Long-term use of a cannabis-based medicine in the treatment  
19 of spasticity and other symptoms of multiple sclerosis. *Multiple Sclerosis* 12:  
20 639-645.
- 21 m. Rog et al. 2007. Oromucosal delta-9-tetrahydrocannabinol/cannabidiol for  
22 neuropathic pain associated with multiple sclerosis: an uncontrolled, open-  
23 label, 2-year extension trial. *Clinical Therapeutics* 29: 2068-2079.

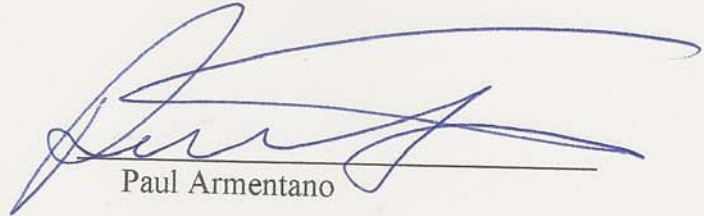
24 11. Many FDA-approved approved prescription medications achieved market approval  
25 after having undergone fewer clinical trials involving far fewer subjects.

26 12. In conclusion, the existence of these thousands of clinical trials, pre-clinical studies,  
27 and peer-review papers provides sufficient evidence that the federal government's present

1  
2 Schedule I classification defining cannabis and its organic cannabinoids as possessing no  
3 accepted medical use is improper and not reflective of the existing science.

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5 I declare under penalty of perjury that the foregoing is true and correct.

6 Dated: December 13, 2011

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Paul Armentano

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11 Additional Counsel

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**CERTIFICATE OF ELECTRONIC SERVICE**

I hereby certify that, on December 13, 2011, I caused to be electronically filed the foregoing with the clerk of the court by using the CM/ECF system for filing and transmittal of Notice of Electronic Filing to the CM /ECF registrants on record in this matter.

s/ Matthew Kumin

Matthew W. Kumin