

IN THE SUPREME COURT OF IOWA
No. 09-1789

Carl Olsen,)
Appellant,)
)
vs.) **COMBINED CERTIFICATE**
)
The Iowa Board of Pharmacy,) (See Iowa R. App. P. 6.804)
Appellee.)

1. Notice of appeal was filed in district court on November 30, 2009, from a judgment or ruling filed on October 30, 2009.

2A. —OR—

2B. I need not order a transcript under Iowa R. App. P. 6.804(2) because no court reporter was present and no transcript was made at either of the two hearings on this matter in district court on March 27, 2009, and October 9, 2009.

I will prepare a statement of the evidence or proceedings pursuant to Iowa R. App. P. 6.806.

2C. The issues appellant intends to present on appeal are:

- I. Whether the agency had the authority to rule on the question of law presented to it.
- II. Whether the evidence presented to the agency was adequate for it to make a ruling on the question of law presented to it.
- III. Whether the district court erred by failing to hold as a matter of law that the phrase “accepted medical use in treatment in the United States” as used in Iowa Code 124.203(2) and Iowa Code 124.205(2), means accepted medical use in any state in the United States.

3. —N/A—

4. I assert in good faith that this appeal meets jurisdictional requirements and is from a final judgment, order, or decree and a timely notice of appeal has been filed.
5. The names of the parties involved in this appeal and their designation in district court are shown below under column A. Their respective attorneys' names, law firms, addresses, and telephone numbers are shown below under column B:

Column A (Parties)	Column B (Attorneys)
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Iowa Board of Pharmacy, Respondent	Scott Galenbeck, Esq. Assistant Attorney General 1305 E. Walnut Street Des Moines, IA 50319 Telephone: 515-281-6658 Facsimile: 515-281-7551 Email: scott.galenbeck@ag.state.ia.us
George McMahon, Barbara Douglass, Petitioners	Randall C. Wilson, Esq. ACLU of Iowa Foundation 901 Insurance Exchange Building Des Moines, IA 50309-2316 Telephone: 515-243-4032 Facsimile: 515-243-8506 Email: randall.wilson@aclu-ia.org

Dated: December 2, 2009.

Respectfully submitted:

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CERTIFICATE OF SERVICE

The undersigned certifies a copy of the combined certificate was served on the 2nd day of December, 2009, upon the following persons and upon the clerk of the supreme court.

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Carl Olsen