

**In the Iowa District Court
in and for
Polk County Iowa**

George McMahon, Bryan Scott, and
Barbara Douglass, Petitioners

vs.

The Iowa Board of Pharmacy
Examiners, Respondent

Docket No. CV 7415

Motion to Amend Scheduling Order

Comes now Randall C. Wilson, attorney for the Petitioners, George McMahon, Bryan Scott, and Barbara Douglass, and hereby moves the court to amend its scheduling order filed here in on November 4, 2008, *to wit*:

1. The scheduling order established by this Court on November 4th sets forth a briefing schedule which requires submission of the Petitioner's brief on the 19th day of December.
2. The undersigned will be out of the country from November 18th to December 10th and has several other matters attend to upon return.

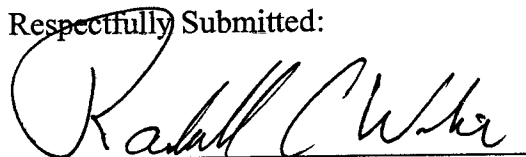
3. Counsel are currently discussing whether to order a transcript of the relevant portions of the proceedings that resulted in the order appealed from.

4. Counsel has conferred with Scott Galenbeck and Carl Olsen and neither has an objection to continuing the briefing schedule to a later date. Mr. Galenbeck indicated that this would favor his own schedule as well.

5. In view of the fact that the Iowa legislature will have the ultimate say over whether Marijuana is rescheduled, there is no particular harm in a delay.

WHEREFORE, Petitioners request up to and including January 16th to serve and submit their brief herein, with a provision that the briefs of the remaining parties shall be due 21 days after Petitioners have filed their brief, and that Petitioners shall have 7 days after the Respondent's brief is served, to serve and submit a reply brief if any.

Respectfully Submitted:



Randall C. Wilson, Esq.

ACLU OF IOWA FOUNDATION
901 Insurance Exchange Bldg.
Des Moines, IA 50309-2316

Counsel for Petitioners

Certificate of Service

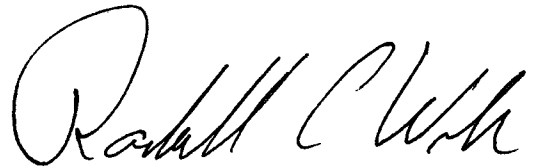
I certify that on or before November 11th, 2008 I served the other parties to this action with notice of this motion by mailing true copies to all parties of record or their attorneys as the case may be and as shown below:

For the Iowa Board of Pharmacy:

Scott Galenbeck, Esq.
Assistant Iowa Attorney General
1305 E. Walnut Street
Des Moines IA 50319

Intervenor:

Carl E. Olsen
130 E Aurora Ave
Des Moines, IA 50313-3654



Randall C. Wilson, Attorney for Petitioners