



proceeding.

8. Respondent denies that the Board of Pharmacy issued a declaratory ruling; admits the remaining portion of Petitioners' paragraph 8.

9. Respondent admits that Respondent denied Petitioners' request that a recommendation be made to the Iowa legislature regarding the scheduling of marijuana; denies each and every other allegation contained in Petitioner's paragraph 9.

10. Respondent admits Petitioners' paragraph 10.

11. Respondent denies Petitioner's paragraph 11 for the reason it is an incomplete statement of the law.

12. Respondent denies Petitioner's paragraph 12 for the reason it is an incomplete statement of the law.

13. Respondent admits Petitioner's paragraph 13.

14. Respondent denies Petitioner's paragraph 14 for the reason it is an incomplete statement of the law.

15. Respondent denies Petitioners' paragraph 15 for lack of information upon which to form a belief as to its veracity.

16. Respondent denies Petitioners' paragraph 16 for lack of information upon which to form a belief as to its veracity.

17. Respondent denies Petitioners' paragraph 17.

18. Respondent admits Carl Olsen filed a petition asserting that marijuana is incorrectly classified in the Iowa Code; denies each and every allegation contained in Petitioners' paragraph 18.

19. Respondent admits Petitioner's paragraph 19.
20. Respondent admits Petitioners' paragraph 20 to the extent it alleges the Pharmacy Board met July 29, 2008, heard remarks from Carl Olsen in support of his petition, and indicated, in response to Olsen, that it would deny his request that the Board recommend to the Iowa legislature a rescheduling of marijuana.
21. Respondent admits Petitioners' paragraph 21.
22. Respondent denies Petitioners' paragraph 22.
23. Respondent denies Petitioners' paragraph 23.
24. Respondent denies Petitioners' paragraph 24; the paragraph contains a legal argument, rather than an allegation of fact.
25. Respondent denies Petitioners' paragraph 25.
26. Respondent denies Petitioners' paragraph 26.
27. Respondent denies Petitioners' paragraph 27.
28. Respondent denies Petitioners' paragraph 28.
29. Respondent denies Petitioners' paragraph 29; the paragraph contains a legal argument, rather than an allegation of fact.
30. Respondent admits Petitioners' paragraph 30.
31. Respondent denies Petitioners' paragraph 31.
32. Respondent denies Petitioners' paragraph 32.

WHEREFORE, Respondents pray that Petitioners' petition for judicial review be dismissed.

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McMahon-Answer.doc

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties in the above-entitled cause by enclosing the same in an envelope addressed to each such attorney at his respective address as disclosed by the pleadings of record herein, with postage fully paid, and by depositing said envelope in a United States Post Office depository in Des Moines, Iowa, on the 10<sup>th</sup> day

of Nov., 2008.

