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15 Attorneys for Defendants
OAKLAND CANNABIS BUYERS' COOPERATIVE and
16 JEFFREY JONES

17
18 IN THE UNITED STATES DISTRICT COURT
19 FOR THE NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 UNITED STATES OF AMERICA,
22
Plaintiff,
23
v.
24 OAKLAND CANNABIS BUYERS'
COOPERATIVE and JEFFREY JONES,
25
Defendants.
26

27 AND RELATED ACTIONS.
28

No. C 98-00088 CRB

**DEFENDANTS' NOTICE OF APPEAL TO
THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT OF
FINAL JUDGMENT AND ALL RELATED
INTERLOCUTORY ORDERS**

Defendants' Notice of Appeal
C 98-00088 CRB

sf-1966345

1 NOTICE IS HEREBY GIVEN that OAKLAND CANNABIS BUYERS' COOPERATIVE
2 and JEFFERY JONES, Defendants in the above-styled action, hereby appeal to the United States
3 Court of Appeals for the Ninth Circuit from the final judgment of the district court. This Court
4 previously entered final judgment by granting summary judgment and entering a permanent
5 injunction against Defendants in two separate orders dated May 3, 2002 and June 10, 2002,
6 respectively. Because these orders did not dispose of the claims of the interveners, this Court entered
7 its July 29, 2002 Order Granting Defendants' Motion for Partial Judgment pursuant to Federal Rule
8 of Civil Procedure 54(b). On August 1, 2002, Defendants appealed this Court's orders to the United
9 States Court of Appeals for the Ninth Circuit. After fully briefing the appeal on the merits, on June
10 18, 2004, the Ninth Circuit issued an order remanding Defendants' appeal to this Court for
11 reconsideration following the United States Supreme Court's decision in the related case of *Gonzales*
12 *v. Raich*, ___ U.S. ___, 125 S. Ct. 2195 (2005). In an order dated June 6, 2005, this Court declined to
13 reconsider its prior rulings in light of the Supreme Court's opinion in *Raich*, which constituted final
14 judgment after remand. In addition to final judgment, Defendants also appeal all interlocutory orders
15 that gave rise to that judgment, including but not limited to:

- 16 • May 13, 1998 Memorandum and Order;
- 17 • May 19, 1998 Order denying Defendants' Motion to Dismiss;
- 18 • May 19, 1998 Preliminary Injunction Order;
- 19 • September 3, 1998 Order to Show Cause;
- 20 • September 3, 1998 Order Re: Motion to Dismiss;
- 21 • September 8, 1998 Order dismissing Motion to Modify Injunction;
- 22 • October 13, 1998 Memorandum and Order Re: Motions in Limine and Order to Show
23 Cause;
- 24 • December 3, 1998 Order Denying Motion for Reconsideration;
- 25 • May 3, 2002 Memorandum and Order;
- 26 • June 10, 2002 Memorandum and Order;
- 27 • June 10, 2002 Judgment; Permanent Injunction;

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CIRCUIT RULE 3-2 REPRESENTATION STATEMENT

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1. Defendants/Appellants are OAKLAND CANNABIS BUYERS' COOPERATIVE and JEFFREY JONES.

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