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 9 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA

10
 11 MARIN ALLIANCE FOR MEDICAL
 MARIJUANA, a not-for-profit association; JOHN
 12 D'AMATO, an individual,
 13 Plaintiffs,
 14 v.

CASE NO. 11-5349 (SBA)

**STATEMENT OF RECENT
 DECISION**

15 ERIC HOLDER, Attorney General of the United
 States; MICHELLE LEONHART, Administrator
 16 of the Drug Enforcement Administration;
 MELINDA HAAG, U.S. Attorney for the Northern
 17 District of California,
 18 Defendants.

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 20 Defendants hereby notify the Court of the recent decision of Judge Sabraw of the
 21 Southern District of California, in *Alternative Community Health Care Cooperative, et al. v.*
 22 *Holder, et al.*, No. 11cv2585-DMS (S.D. Cal. Mar. 5, 2012), where the court dismissed
 23 plaintiffs' complaint without leave to amend, rejecting claims brought under the Fifth
 24 Amendment, Ninth Amendment, Tenth Amendment, Commerce Clause, and theories of estoppel
 25 – claims that are virtually identical to those raised in this case. For the Court's convenience, the
 26 decision in *Alternative Community Health Care* is attached hereto.

27 Dated: March 5, 2012

Respectfully submitted,

28 TONY WEST

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