

UNITED STATES DEPARTMENT OF JUSTICE

Drug Enforcement Administration

In the Matter of

**Schedules of Controlled Substances:  
Proposed Rescheduling of Marijuana**

**DEA Docket No. 1362  
Hearing Docket No. 24-44**

**ORDER DENYING CANNABIS BIOSCIENCE INTERNATIONAL HOLDINGS'  
MOTION TO AMEND ITS PREHEARING STATEMENT**

On December 13, 2024, Cannabis Bioscience International Holdings (CBIH) filed a motion (Motion to Amend or MTA) to amend its prehearing statement to include an additional witness.<sup>1</sup> MTA at 1. The Motion to Amend offers some purported, unspecified difficulties in contacting its new proposed witness as good cause. *Id.* at 2. There was no indication in CBIH's prehearing statement that it was endeavoring to locate an additional witness or evidence, and the only noticed witness for the organization is its director, the drafter of the Motion to Amend, who is representing his company as a non-lawyer. Preh'g Stmt at 3. The prehearing statement filed by CBIH in this case indicates that its "submission will address: Clinical Evidence on the Therapeutic Properties of Marijuana and the Need for Regulatory Access in Research and Development." *Id.* at 1-2.

The Motion to Amend was timely filed in conformity with a prehearing ruling issued on December 4, 2024. However, the MTA exceeds the one-witness-per-Designated-Party limitations<sup>2</sup> established in this case, without consolidation or an adequate demonstration of good cause for doing so. Additionally, the Motion to Amend presents insufficient credible good cause for late notice, and seeks to present testimony that is essentially anecdotal. Even assuming, *arguendo*, that the proposed witness testimony summary presents a compelling life story, there is no proffered evidence of treatment controls or medical documentation that could provide

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<sup>1</sup> Due to an email address error on the part of CBIH, its prehearing statement was not filed prior to the preliminary hearing conducted in this case on December 2, 2024. The prehearing statement was accepted out of time at the request of CBIH.

<sup>2</sup> Standing Ord. at 43; Prelim. Ord. at 6 n.9

competent and material evidence that would aid in a determination of the present rescheduling hearing.

Accordingly, for the reasons stated herein, CBIH's Motion to Amend is **DENIED**.

Dated: December 18, 2024

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JOHN J. MULROONEY, II  
Chief Administrative Law Judge

### **CERTIFICATE OF SERVICE**

This is to certify that the undersigned, on December 18, 2024, caused a copy of the foregoing to be delivered to the following recipients: (1) Julie L. Hamilton, Esq., Counsel for the Government, via email at julie.l.hamilton@dea.gov; James J. Schwartz, Esq., Counsel for the Government, via email at james.j.schwartz@dea.gov; Jarrett T. Lonich, Esq., Counsel for the Government, via email at jarrett.t.lonich@dea.gov; and S. Taylor Johnston, Esq., Counsel for the Government, via email at stephen.t.johnston@dea.gov; (2) the DEA Government Mailbox, via email at dea.registration.litigation@dea.gov; (3) Shane Pennington, Esq., Counsel for Village Farms International, via email at spennington@porterwright.com; and Tristan Cavanaugh, Esq., Counsel for Village Farms International, via email at tcavanaugh@porterwright.com; (4) Nikolas S. Komyati, Esq., Counsel for National Cannabis Industry Association, via email at nkomyati@foxrothschild.com; William Bogot, Esq., Counsel for National Cannabis Industry Association, via email at wbogot@foxrothschild.com; and Khurshid Khoja, Esq., Counsel for National Cannabis Industry Association, via email at khurshid@greenbridgelaw.com; (5) Dante Picazo for Cannabis Bioscience International Holdings, via email at ir@cbih.net; (6) Andrew J. Kline, Esq., Counsel for Hemp for Victory, via email at AKline@perkinscoie.com; and Abdul Kallon, Esq., Counsel for Hemp for Victory, via email at and AKallon@perkinscoie.com; (7) Timothy Swain, Esq., Counsel for Veterans Initiative 22, via email at t.swain@vicentellp.com; Shawn Hauser, Esq., Counsel for Veterans Initiative 22, via email at s.hauser@vicentellp.com; and Scheril Murray Powell, Esq., Counsel for Veteran's Initiative 22, via email at smpesquire@outlook.com; (8) Kelly Fair, Esq., Counsel for The Commonwealth Project, via email at Kelly.Fair@dentons.com; (9) Rafe Petersen, Esq., Counsel for Ari Kirshenbaum, via email at Rafe.Petersen@hklaw.com; (10) David G. Evans, Esq., Counsel for Cannabis Industry Victims Educating Litigators, Community Anti-Drug Coalitions of America, Kenneth Finn, International Academy on the Science and Impacts of Cannabis, and National Drug and Alcohol Screening Association, via email at thinkon908@aol.com; (11) Patrick Philbin, Esq., Counsel for Smart Approaches to Marijuana, via email at pphilbin@torridonlaw.com; and Chase Harrington, Esq., Counsel for Smart Approaches to Marijuana, via email at charrington@torridonlaw.com; (12) Eric Hamilton, Esq., Counsel for the State of Nebraska, via email at

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Quinn Fox  
Staff Assistant to the Chief Judge  
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