

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. 26-96**

ORDER SETTING SCHEDULE FOR HEARING PROCEEDINGS

Pursuant to the Preliminary Order issued by this tribunal on June 18, 2026, the Designated Parties have timely submitted their availability for the hearing window. This tribunal has given due consideration to each Designated Party's availability and has concluded that the following schedule will be best suited. Accordingly, it is herein **ORDERED** that the Designated Parties are assigned to begin their respective cases-in-chief as follows:

Dates Assigned to Begin Case-in-Chief	
The Government	June 29, 2026
National Drug & Alcohol Screening Association (NDASA)	July 2, 2026
Smart Approaches to Marijuana (SAM)	July 6, 2026
DUID Victim Voices'	July 7, 2026
Kenneth Finn, M.D.	July 8, 2026
Tennessee Bureau of Investigation (TBI)	July 10, 2026
Phillip A. Drum, PharmD	July 13, 2026
States of Nebraska, Idaho, Indiana, and Louisiana (The States)	July 14, 2026

It is further **ORDERED** that the following detailed schedule shall control for the hearing¹:

Detailed Schedule of the Hearing	
Day 1: June 29, 2026	
9:00 A.M. ²	Chief ALJ Opening Statement
9:30 A.M.	Government Opening Statement
9:45 A.M.	Government’s First Witness: Direct Examination
10:30 A.M. ³	Comfort Break
10:45 A.M.	Cont. Government’s First Witness: Direct Examination
12:00 P.M.	Lunch Break
1:00 P.M.	Government’s First Witness: Cross Examination Opportunity by NDASA
2:00 P.M.	Government’s First Witness: Cross Examination Opportunity by TBI
3:00 P.M.	Comfort Break
3:15 P.M.	Government’s First Witness: Cross Examination Opportunity by DUID Victim Voices
4:15 P.M.	Government’s First Witness: Cross Examination Opportunity by The States
5:00 P.M.	END OF DAY 1
Day 2: June 30, 2026	
9:00 A.M.	Cont. Government’s First Witness: Cross Examination Opportunity by The States
9:15 A.M.	Government’s First Witness: Cross Examination Opportunity by SAM
10:15 A.M.	Comfort Break
10:30 A.M.	Government’s First Witness: Cross Examination Opportunity by Dr. Kenneth Finn

¹ While this schedule is meant to serve as a detailed guide for the hearing, parties may conclude examinations early or forgo cross or redirect examinations. To the extent that a party concludes with its examination prior to the end of their scheduled time or forgoes examination, the hearing will proceed ahead of schedule to the next item for that day—provided that a Designated Party will not be required to begin its case-in-chief on a different date than the one assigned above. The ALJ will make other scheduling advancement determinations on a day-to-day basis as needed.

² All times are given in Eastern Time, unless otherwise noted.

³ The ALJ reserves the right to modify the timing of a comfort break to accommodate the flow of examination occurring during that scheduled break time.

11:30 A.M.	Government's First Witness: Cross Examination Opportunity by Dr. Phillip A. Drum
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. Government's First Witness: Cross Examination Opportunity by Dr. Phillip A. Drum
1:30 P.M.	Government's First Witness: Redirect Examination Opportunity
2:30 P.M.	Comfort Break
2:45 P.M.	Government's Second Witness: Direct Examination
4:45 P.M.	END OF DAY 2
Day 3: July 1, 2026	
9:00 A.M.	Government's Second Witness: Cross Examination Opportunity by NDASA
10:00 A.M.	Government's Second Witness: Cross Examination Opportunity by TBI
10:30 A.M.	Comfort Break
10:45 A.M.	Cont. Government's Second Witness: Cross Examination Opportunity by TBI
11:15 A.M.	Government's Second Witness: Cross Examination Opportunity by DUID Victim Voices
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. Government's Second Witness: Cross Examination Opportunity by DUID Victim Voices
1:15 P.M.	Government's Second Witness: Cross Examination Opportunity by The States
2:15 P.M.	Comfort Break
2:30 P.M.	Government's Second Witness: Cross Examination Opportunity by SAM
3:30 P.M.	Government's Second Witness: Cross Examination Opportunity by Dr. Kenneth Finn

4:30 P.M.	Government's Second Witness: Cross Examination Opportunity by Dr. Phillip A. Drum
5:00 P.M.	END OF DAY 3
Day 4: July 2, 2026	
9:00 A.M.	Cont. Government's Second Witness: Cross Examination Opportunity by Dr. Phillip A. Drum
9:30 A.M.	Government's Second Witness: Redirect Examination Opportunity
10:30 A.M.	Comfort Break
10:45 A.M.	NDASA's Opening Statement
11:00 A.M.	NDASA's First Witness: Direct Examination
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. NDASA's First Witness: Direct Examination
2:00 P.M.	NDASA's First Witness: Cross Examination Opportunity by Government
3:00 P.M.	Comfort Break
3:15 P.M.	NDASA's First Witness: Redirect Examination Opportunity
4:15 P.M.	NDASA's Second Witness: Direct Examination
5:00 P.M.	END OF DAY 4
July 3, 2026	HEARING IN RECESS
Day 5: July 6, 2026	
9:00 A.M.	Cont. NDASA's Second Witness: Direct Examination
10:15 A.M.	Comfort Break
10:30 A.M.	NDASA's Second Witness: Cross Examination Opportunity by Government
11:30 A.M.	NDASA's Second Witness: Redirect Examination Opportunity
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. NDASA's Second Witness: Redirect Examination Opportunity
1:30 P.M.	SAM's Opening Statement
1:45 P.M.	SAM's First Witness: Direct Examination
3:45 P.M.	Comfort Break

4:00 P.M.	SAM's First Witness: Cross Examination Opportunity by Government
5:00 P.M.	END OF DAY 5
Day 6: July 7, 2026	
9:00 A.M.	SAM's First Witness: Redirect Examination Opportunity
10:00 A.M.	Comfort Break
10:15 A.M.	SAM's Second Witness: Direct Examination
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. SAM's Second Witness: Direct Examination
1:15 P.M.	SAM's Second Witness: Cross Examination Opportunity by Government
2:15 P.M.	SAM's Second Witness: Redirect Examination Opportunity
2:45 P.M.	Comfort Break
3:00 P.M.	Cont. SAM's Second Witness: Redirect Examination Opportunity
3:30 P.M.	DUID Victim Voices' Opening Statement
3:45 P.M.	DUID Victim Voices' Witness: Direct Examination
5:00 P.M.	END OF DAY 6
Day 7: July 8, 2026	
9:00 A.M.	Cont. DUID Victim Voices' Witness: Direct Examination
10:30 A.M.	Comfort Break
10:45 A.M.	Cont. DUID Victim Voices' Witness: Direct Examination
12:00 P.M.	Lunch Break
1:00 P.M.	DUID Victim Voices' Witness: Cross Examination Opportunity by Government
2:00 P.M.	DUID Victim Voices' Witness: Redirect Examination Opportunity
3:00 P.M.	Comfort Break
3:15 P.M.	Dr. Kenneth Finn's Opening Statement
3:30 P.M.	Dr. Kenneth Finn's First Witness: Direct Examination
5:00 P.M.	END OF DAY 7
Day 8: July 9, 2026	
9:00 A.M.	Cont. Dr. Kenneth Finn's First Witness: Direct Examination

9:30 A.M.	Dr. Kenneth Finn's First Witness: Cross Examination Opportunity by Government
10:30 A.M.	Comfort Break
10:45 A.M.	Dr. Kenneth Finn's First Witness: Redirect Examination Opportunity
11:45 A.M.	Dr. Kenneth Finn's Second Witness: Direct Examination
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. Dr. Kenneth Finn's Second Witness: Direct Examination
2:45 P.M.	Comfort Break
3:00 P.M.	Dr. Kenneth Finn's Second Witness: Cross Examination Opportunity by Government
4:00 P.M.	Dr. Kenneth Finn's Second Witness: Redirect Examination Opportunity
5:00 P.M.	END OF DAY 8
Day 9: July 10, 2026	
9:00 A.M.	TBI's Opening Statement
9:15 A.M.	TBI's First Witness: Direct Examination
10:15 A.M.	Comfort Break
10:30 A.M.	Cont. TBI's First Witness: Direct Examination
11:30 A.M.	TBI's First Witness: Cross Examination Opportunity by Government
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. TBI's First Witness: Cross Examination Opportunity by Government
1:30 P.M.	TBI's First Witness: Redirect Examination Opportunity
2:30 P.M.	Comfort Break
2:45 P.M.	TBI's Second Witness: Direct Examination
4:45 P.M.	END OF DAY 9
Day 10: July 13, 2026	
9:00 A.M.	TBI's Second Witness: Cross Examination Opportunity by Government
10:00 A.M.	Comfort Break

10:15 A.M.	TBI's Second Witness: Redirect Examination Opportunity
11:15 A.M.	Dr. Phillip A. Drum's Opening Statement
11:30 A.M.	Dr. Phillip A. Drum's First Witness: Direct Examination
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. Dr. Phillip A. Drum's First Witness: Direct Examination
2:30 P.M.	Comfort Break
2:45 P.M.	Dr. Phillip A. Drum's First Witness: Cross Examination Opportunity by Government
3:45 P.M.	Dr. Phillip A. Drum's First Witness: Redirect Examination Opportunity
4:45 P.M.	END OF DAY 10
Day 11: July 14, 2026	
9:00 A.M.	Dr. Phillip A. Drum's Second Witness: Direct Examination
10:30 A.M.	Comfort Break
10:45 A.M.	Cont. Dr. Phillip A. Drum's Second Witness: Direct Examination
11:15 A.M.	Dr. Phillip A. Drum's Second Witness: Cross Examination Opportunity by Government
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. Dr. Phillip A. Drum's Second Witness: Cross Examination Opportunity by Government
1:15 P.M.	Dr. Phillip A. Drum's Second Witness: Redirect Examination Opportunity
2:15 P.M.	Comfort Break
2:30 P.M.	The States' Opening Statement
2:45 P.M.	The States' First Witness: Direct Examination
4:45 P.M.	END OF DAY 11
Day 12: July 15, 2026	
9:00 A.M.	The States' First Witness: Cross Examination Opportunity by Government
10:00 A.M.	Comfort Break

10:15 A.M.	The States' First Witness: Redirect Examination Opportunity
11:15 A.M.	The States' Second Witness: Direct Examination
12:00 P.M.	Lunch Break
1:00 P.M.	Cont. The States' Second Witness: Direct Examination
2:15 P.M.	The States' Second Witness: Cross Examination by Opportunity Government
3:15 P.M.	Comfort Break
3:30 P.M.	The States' Second Witness: Redirect Examination Opportunity
4:30 P.M.	Chief ALJ Closing Statement
5:00 P.M.	END OF DAY 12
END OF SCHEDULE	

Dated: June 24, 2026

 DEREK C. JULIUS
 Chief Administrative Law Judge

CERTIFICATE OF SERVICE

This is to certify that the undersigned, on June 24, 2026, caused a copy of the foregoing ORDER SETTING SCHEDULE FOR HEARING PROCEEDINGS to be delivered to the following parties:

- (1) The Government, via email to
 - i. The DEA Government Mailbox at dea.registration.litigation@dea.gov;
 - ii. James J. Schwartz, Esq., at James.J.Schwartz@dea.gov;
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 - ix. Mack J. Swan, Esq., at Mack.J.Swan@dea.gov;
- (2) National Drug & Alcohol Screening Association, via email to
 - i. M. Jo McGuire at jomcguire@ndasa.com;
 - ii. David G. Evans, Esq., at thinkon908@aol.com;
- (3) Tennessee Bureau of Investigation, via email to
 - i. Jacob Durst, Esq., at jacob.durst@ag.tn.gov;
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- (4) Smart Approaches to Marijuana, via email to
 - i. Patrick F. Philbin, Esq., at pphilbin@torridonlaw.com;
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 - iii. Chase T. Harrington, Esq., at charrington@torridonlaw.com;
- (5) The States of Nebraska, Idaho, Indiana, and Louisiana, via email to
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- (6) DUID Victim Voices, via email to
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- (7) Kenneth Finn, M.D., via email to
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 - iii. David G. Evans, Esq., at thinkon908@aol.com

(8) Phillip A. Drum, PharmD, *pro se*, via email at phillipdrum@comcast.net

Tayonna Eubanks
Secretary (CTR)
Office of Administrative Law Judges