

1 HARDY MYERS
Attorney General
2 STEPHEN K. BUSHONG #85130
Assistant Attorney General
3 Department of Justice
1162 Court Street NE
4 Salem, OR 97301-4096
Telephone: (503) 378-6313
5 Fax: (503) 378-3465
Email: stephen.bushong@state.or.us
6
7 Attorneys for Plaintiff

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF OREGON

12 STATE OF OREGON,

13 Plaintiff,

14 &

15 RICHARD HOLMES; KARL STANSELL;
16 JAMES ROMNEY; JANE DOE #1;
17 PETER A. RASMUSSEN, M.D.; and
DAVID MALCOM HOCHHALTER, Rph,

18 Plaintiffs-Intervenors,

19 v.

20 JOHN ASHCROFT, in his official capacity as
United States Attorney General; ASA
21 HUTCHINSON, in his official capacity as
Administrator of the Drug Enforcement
22 Administration; KENNETH W. MAGEE, in his
official capacity as Director of the Drug
23 Enforcement Administration, Portland Office;
UNITED STATES OF AMERICA; UNITED
24 STATES DEPARTMENT OF JUSTICE; and
UNITED STATES DRUG ENFORCEMENT
25 ADMINISTRATION,

26 Defendants.

Case No. CV01-1647-JO

PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT

(ORAL ARGUMENT REQUESTED)

1 Pursuant to Fed. R. Civ. P. 56, plaintiff State of Oregon moves for a summary judgment
2 in its favor because there are no genuine issues of material fact and Oregon is entitled to
3 judgment as a matter of law.

4 This motion is based on the records and file herein, the supporting memorandum
5 submitted herewith, Oregon's concise statement of material facts, and the affidavits of Katrina
6 Hedberg, M.D., Kathleen Haley, Gary Schnabel, and Stephen K. Bushong.

7 DATED this ____ day of January, 2002.

8 Respectfully submitted,

9 HARDY MYERS
10 Attorney General

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STEPHEN K. BUSHONG #85130
13 Attorney-in-Charge
14 Trial Attorney
15 Of Attorneys for Plaintiff State of Oregon
16 1162 Court Street NE
17 Salem, OR 97301-4096
18 (503) 378-6313
19
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25
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