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10 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 ANGEL McCLARY RAICH, DIANE
 12 MONSON, JOHN DOE
 NUMBER ONE, and JOHN DOE
 13 NUMBER TWO,

14 Plaintiffs,

15 v.

16 JOHN ASHCROFT, as United States
 Attorney General, and ASA
 17 HUTCHINSON, as Administrator of the
 Drug Enforcement Administration,

18 Defendants.
 19

Case No. C 02 4872 EMC

**DECLARATION OF DR. JOHN ROSE
 IN SUPPORT OF MOTION FOR
 PRELIMINARY INJUNCTION**

21 I, JOHN ROSE, declare as follows:

22 1. I am a medical doctor, duly licensed to practice in the State of California, and have
 23 been so for 29 years. My practice is located at Brownsville and Yuba City, California. My
 24 practice consists of general family medicine. I am a board certified specialist in Family Practice.
 25 I am on the Medical Staff of Fremont and Rideout Hospitals. I am also Vice-President of Sutter
 26 North Medical Group. Attached hereto is my Curriculum Vitae.

27 2. I have been the personal physician and family doctor for Diane Monson for nine years

1 and am completely familiar with her medical condition over those years. I have coordinated her
2 care with various other medical practitioners.

3 3. As indicated from her medical records, Diane suffers from a number of medical
4 conditions. She has degenerative disease of the spine. As a result of her medical condition,
5 Diane Monson suffers from Chronic Back Pain and Spasms

6 4. In 1999, pursuant to California State law, medical cannabis was recommended for
7 Diane as treatment of her medical conditions, including her Chronic Back Pain and Spasms. I
8 have determined that Diane Monson's health benefits from such a recommendation, that medical
9 cannabis use is deemed appropriate for Diane Monson, and that medical cannabis provides
10 necessary relief for Diane's pain and suffering.

11 5. Although Diane has tried other medical alternatives to medical cannabis, including
12 Flexeril, a muscle relaxant, and Feldene, a powerful anti-inflammatory, those prescription drugs
13 have proven to be either ineffective in relieving Diane's pain and suffering or produce intolerable
14 side effects. In addition, these prescription medications have long term effects that may prove to
15 be harmful to Diane's physical well-being.

16 6. I have also prescribed Vicodin and Vioxx to attempt to alleviate Diane's pain and
17 suffering. Yet, Vicodin, an addictive drug, seems to have a nauseating effect upon her and I have
18 recommended that she avoid it because of the extremely sick stomach that it leaves her with for
19 several days after any use. In addition, Vioxx, although it appears to relieve Diane's inflammation
20 associated with her back pain, does not relieve her painful spasms.

21 I declare under penalty of perjury under the laws of the State of California that the
22 foregoing is true and correct, and that this declaration was executed on this 29th day of October,
23 2002, in Brownsville, California.

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25 
26 John Rose, M.D.

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28 Declaration of Dr. John Rose in Support of Motion for Preliminary Injunction
Case No. C 02 4872 EMC