



Department of Justice
Drug Enforcement Administration

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**UNITED STATES DEPARTMENT OF JUSTICE
DRUG ENFORCEMENT ADMINISTRATION**

[Docket No. 05-16]

Lyle E. Craker, Ph.D.; Interim Order

On March 11, 2009, Respondent submitted "Respondent's Supplemental Brief in Support of Request Under 5 U.S.C. § 556(e) To Respond to New Officially Noticed Evidence and Motion for Reconsideration." Respondent requests that the administrative hearing be reopened so that he may call additional witnesses in view of certain documents of which I took official notice in the January 7, 2009, final order (74 FR 2101). The Government submitted its response on April 13, 2009. In view of these submissions, and to clarify Respondent's request, I hereby issue the following interim order.

Respondent is directed to provide the following information on or before June 5, 2009:

1. Witnesses. Respondent shall submit a list of all witnesses he seeks to call if his request to reopen the administrative hearing is granted. For each witness so listed, Respondent shall provide the following information: the name of the witness; a summary of the proposed testimony, indicating clearly each proposed matter as to which the witness will testify; and the estimated time to complete the direct testimony.
2. Documents. Respondent attached to his March 11, 2009, brief several documents that he labeled "exhibits". Respondent shall specify whether he is asking that I take official notice of each such document. If Respondent seeks to introduce any documents through witnesses at the proposed hearing (rather than by requesting that I take official notice of the documents), Respondent shall so specify and attach a copy of each to his submission.

Because the parties have already briefed the issues relating to Respondent's motion for reconsideration and to reopen the administrative hearing, and because this is merely a request for clarification, Respondent shall limit his submission to the matters specified above and shall exclude any argument from the submission. Respondent shall serve a copy of the foregoing submission upon counsel for the Government.

The effective date of my January 7, 2009, Final Order in this matter is extended until July 1, 2009.

Dated: 5/18/09



Michele M. Leonhart,

Deputy Administrator