



U.S. Department of Justice  
Drug Enforcement Administration

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Washington, D.C. 20537

DEC 3 1986

Francis P. Scigliano, Esquire  
Clerk, U. S. Court of Appeals  
for the First Circuit  
1606 John W. McCormack Post Office  
and Courthouse  
Boston, Massachusetts 02109

Re: Lester Grinspoon, M.D.,  
Petitioner,

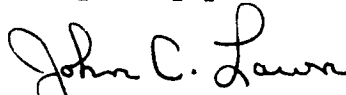
v.

Drug Enforcement Administration,  
Respondent.  
No. 86-2007

Dear Mr. Scigliano:

I hereby certify, pursuant to Rule 17(b) of the Federal Rules of Appellate Procedure, that the enclosed copy of the Administrative Law Judge Docket Card contains a list of all documents, transcripts of testimony, exhibits and other material comprising the record in this matter.

Very truly yours,

  
John C. Lawn  
Administrator

Enclosure

cc: Lester Grinspoon, M.D. (with enclosure)  
Boston, Massachusetts

Harry S. Harbin, Esquire (with enclosure)  
U. S. Department of Justice

DRUG ENFORCMENT ADMINISTRATION

Administrative Law Judge Docket Card

Docket No.  84-48	<del>RESPONDENT'S NAME &amp; ADDRESS</del>  MDMA Scheduling	<del>ATTORNEY'S NAME &amp; ADDRESS</del>  An "*" appears in item 1 below before the name of each individual who requested a hearing
Date of Rule to Show Cause or other DEA action Appealed from _____	Date of Request for Hearing _____	Date Request Received by Hearing Clerk _____

Government Counsel Stephen E. Stone, Esq. & Charlotte A. Johnson, Esq.

Item #	Date	Entry
1	11-13-84	Memorandum to Judge from Deputy Administrator, DEA, transmitting the following:
		Notice of proposed rulemaking (scheduling) as published on 7-27-84 at 49 Fed. Reg. 30210
		Comments and/or requests for hearing received from the following:
		a. Joseph Downing, M.D.
		*b. Thomas B. Roberts, Ph.D.
		c. Lindsay O. Robinson
		d. Donald L. Darling
		e. David E. Nichols, Ph.D.
		*f. Rodney A. Houghton, M.D.
		*g. George Greer, M.D.
		h. June E. Riedlinger, R.Ph.
		*i. David B. Katzin, M.D., Ph.D.
		*j. Lester Grinspoon, M.D. & James Bakalar
		k. C. Quincy, D.O.
		l. Joel Alter, D.O.
		m. Assn. for Responsible Use of Psycho-Actives
		*n. Peter G. Bennett, M.D.
		o. Nathaniel Branden, Ph.D.
		*p. Alexander T. Shulgin, Ph.D.
2	11-20-84	Copy of letter to Administrator, DEA, from counsel for Roberts, Greer, Grinspoon & Bakalar
3	12-31-84	Notice of hearing dated 12-21-84 as published at 49 Fed. Reg. 50732
4	1-4-85	Letter (notice of appearance) to Judge from counsel for DEA

(continued on reverse)

Item #	Date	Entry
5	1-29-85	Letter (notice of appearance) to Hearing Clerk from Lyn B. Ehrnstein, Esq.
6	1-30-85	Letter (notice of appearance) to Hearing Clerk from David E. Joranson
7	1-30-85	Letter (notice of appearance) to Hearing Clerk from Robert T. Angarola, Esq. & Robert A. Dormer, Esq. as counsel for Hoffmann-LaRoche Inc. & McNeilab, Inc.
8	2-1-85	Preliminary hearing session held - Washington, D.C.
9	2-6-85	Transcript of 2-1-85 session received
10	2-8-85	Memorandum To Participants
11	2-8-85	Memorandum And Order
12	3-11-85	Response Of Hoffmann-LaRoche Inc. And McNeilab, Inc. To Memorandum And Order Of February 8, 1985
13	3-11-85	Opening Memorandum On Behalf Of Drs. Greer And Grinspoon, Professors Bakalar And Roberts
14	3-11-85	Government's Prehearing Statement
15	3-12-85	Letter to Hearing Clerk from Lyn B. Ehrnstein t/w Response To Memorandum And Order
16	3-22-85	Memorandum To Counsel
17	3-26-85	Letter to Judge from counsel for Hoffmann-LaRoche & McNeilab
18	3-27-85	Letter to Judge w/ Statement from David E. Joranson
19	3-27-85	Letter to Judge from counsel for Greer, Grinspoon, Bakalar & Roberts
20	3-27-85	Memorandum To The Parties
21	3-29-85	Memorandum To The Parties

Administrative Law Judge Docket Card

Docket No.  84-48	<del>Respondent, Name &amp; Address</del>  MDMA Scheduling	Attorney, Name & Address
Date of Rule to Show Cause or other DEA action Appealed from _____	Date of Request for Hearing _____	Date Request Received by Hearing Clerk _____
Government Counsel <u>Stephen E. Stone, Esq. &amp; Charlotte A. Johnson, Esq.</u>		
Item #	Date	Entry
22	4-1-85	Letter to Judge from David E. Joranson
23	4-2-85	Memorandum To The Parties
24	4-8-85	Letter to Judge from L. B. Ehrnstein transmitting Second Brief and Request To DEA For Copies Of Documents
25	4-8-85	First Memorandum Of Law Submitted on Behalf of Drs. Grinspoon & Greer, Professors Bakalar & Roberts
26	4-8-85	Memorandum On Behalf Of Hoffmann-LaRoche, Inc. and McNeilab, Inc.
27	4-9-85	Copy of letter to counsel for Drs. Grinspoon & Greer, Pfsrs. Bakalar & Roberts from counsel for DEA
28	4-11-85	Request for Production of Documents filed by counsel for Hoffmann-LaRoche & McNeilab
29	4-15-85	Copy of letter from counsel for DEA to counsel for all other parties
30	4-17-85	Letter to Addressees from Lyn B. Ehrnstein, Esq.
31	4-17-85	Memorandum To The Parties
32	4-18-85	Copy of letter to Lyn B. Ehrnstein, Esq. from counsel for DEA

(continued on reverse)

Item #	Date	Entry
33	4-19-85	Letter to Judge from David E. Joranson, WI Cont. Sub. Board
34	4-22-85	Government's First Memorandum Of Law
35	4-25-85	Direct Testimony Of David E. Joranson (returned to Joranson for signature)
36	4-25-85	Final Witness List of Hoffmann-LaRoche and Statement of witness
37	4-25-85	Testimony Submitted On Behalf Of Grinspoon, Greer, Bakalar & Rober
38	4-25-85	Letter to Judge from counsel for DEA
39	4-25-85	Letter to Judge from Robert Randall
40	4-26-85	Letter to Judge from counsel for DEA transmitting Identification Of Witnesses And Affidavits Of Direct Testimony
41	4-29-85	Letter to Judge from Lyn B. Ehrnstein transmitting Reply Brief
42	4-29-85	Letter to Judge from counsel for DEA transmitting affidavit
43	4-29-85	Reply Memorandum On Behalf Of Hoffmann-LaRoche, Inc. and McNeilab, Inc.
44	4-29-85	Reply Memorandum Submitted On Behalf Of Greer, et al.
45	4-29-85	Letter to Judge from counsel for Greer, et al., requesting ex- tension of time & Judge's "Request granted" notation
46	4-30-85	Order For Corrections To The Transcript
47	4-30-85	Letter to Robert Randall from Hearing Clerk
48	4-30-85	Letter to Judge from David E. Joranson transmitting signed sworn Direct Testimony
49	4-30-85	Government's Final List Of Documents

Administrative Law Judge Docket Card

Docket No.  84-48	<del>Respondent, Name &amp; Address</del>  MDMA Scheduling	Attorney, Name & Address
Date of Rule to Show Cause or other DEA action Appealed from _____	Date of Request for Hearing _____	Date Request Received by Hearing Clerk _____
Government Counsel <u>Stephen E. Stone, Esq. &amp; Charlotte A. Johnson, Esq.</u>		
Item #	Date	Entry
50	4-30-85	Supplements To Testimony Submitted On Behalf Of Greer, et al.
51	5-2-85	Letter to All Participants Of Record from Hearing Clerk
52	5-2-85	Copy of letter to counsel for Greer, et al., with attachment from Government counsel
53	5-6-85	Final List Of Documents filed by counsel for Greer, et al.
54	5-8-85	Signed Direct Testimony Of J. E. Riedlinger, R.Ph., filed by counsel for Greer, et al.
55	5-9-85	Copy of letter from Government counsel to Lyn B. Ehrnstein, Esq.
56	5-9-85	Copy of letter from Government counsel to assistant to counsel for Greer, et al.
57	5-10-85	Copy of letter to counsel for Greer, et al., from David E. Joranson
58	5-13-85	Second Supplements To Testimony Submitted On Behalf Of Greer, et al.
59	5-16-85	Memorandum To The Parties
60	5-20-85	Government's Rebuttal Testimony

(continued on reverse)

Item #	Date	Entry
61	5-21-85	Copy of letter to counsel for Greer, et al. from Lyn B. Ehrnstein
62	5-28-85	Letter to Judge from counsel for DEA
63	5-29-85	Memorandum To Counsel
64	5-30-85	Memorandum to Judge from Acting Administrator, DEA, with attachment, typed version of Notice of Emergency Scheduling
65	5-31-85	Notice of Temporary Placement of MDMA Into Schedule I as published at 50 Fed. Reg. 23118-23120
66	5-31-85	Government's List Of Witnesses For Cross-Examination
67	6-1-85	Judge's Opinion And Recommended Decision On Preliminary Issue
68	6-3-85	Cross-Examination Of Witnesses filed by counsel for Greer, et al.
69	6-6-85	Letter to Judge from counsel for Greer, et al., w/ attachments
70	6-10-85	Hearing session held - Los Angeles, CA
71	6-14-85	Rebuttal Testimony received from counsel for Greer, et al.
72	6-14-85	Letter to counsel for Hoffmann-LaRoche Inc. & McNeilab, Inc. from Hearing Clerk transmitting set of ALJ Exhibits
73	6-14-85	Letter to David E. Joranson from Hearing Clerk transmitting set of ALJ Exhibits
74	6-24-85	Letter to Hearing Clerk from counsel for Greer, et al., transmitting set of exhibits
75	6-24-85	Transcript of hearing session held 6-10-85 received
76	6-24-85	Memorandum To Participants
77	6-26-85	Letter to Judge from Lyn B. Ehrnstein, Esq.

Administrative Law Judge Docket Card

Docket No.  84-48	<del>XXXXXXXXXXXXXXXXXXXXXXXXXXXX</del> Respondent, Name & Address  MDMA Scheduling	Attorney, Name & Address
Date of Rule to Show Cause or other DEA action Appealed from _____	Date of Request for Hearing _____	Date Request Received by Hearing Clerk _____
Government Counsel <u>Stephen E. Stone, Esq. &amp; Charlotte A. Johnson, Esq.</u>		
Item #	Date	Entry
78	6-27-85	Letter to Lyn B. Ehrnstein, Esq. from Hearing Clerk
79	7-2-85	Letter to Judge from David E. Joranson
80	7-3-85	Letter to the Acting Administrator, DEA, from Judge transmitting Opinion & Rec. Dec. on Preliminary Issue
81	7-3-85	Copy of letter to counsel for Greer, et al, from Government counsel
82	7-3-85	Letter to Judge from Government counsel
83	7-8-85	Letter to Judge from David E. Joranson transmitting amendment to Direct Testimony
84	7-10 & 7-11-85	Hearing session held - Kansas City, MO
85	7-10-85	Copy of letter from counsel for Greer, et al, to Government counsel
86	7-12-85	Letter to Acting Administrator, DEA, from Judge
87	7-12-85	Correction to notice re: temporary scheduling of MDMA published at 50 Fed. Reg. 28395
88	7-18-85	Letter to Judge from counsel for McNeilab, Inc. & Hoffmann-LaRoche Inc.

(continued on reverse)



Item #	Date	Entry
89	7-19-85	Copy of letter to counsel for Greer, et al, from Government counsel
90	7-22-85	Motion For Leave To File Add'l Documents filed by counsel for Greer, et al, t/w set of documents
91	7-23-85	Transcript of hearing sessions held 7-10 and 7-11-85 received
92	7-23-85	Letter to Hearing Clerk from secretary to counsel for Greer, et al, transmitting Exhibits 16 and 17
93	7-24-85	Letter to Judge from Government counsel
94	7-24-85	Request For Cross-Examination By Deposition filed by Government counsel
95	7-26-85	Memorandum To Participants
96	7-30-85	Government's Exceptions To Judge's Opinion and Recommended Decision on Preliminary Issue
97	8-1-85	Memorandum To Participants
98	8-1-85	Memorandum To Participants
99	8-6-85	Letter to Roger Walsh, Univ. of CA, Irvine, CA, from Hearing Clerk returning his letter dated 7-31-85
100	8-9-85	Memorandum To The Parties
101	8-12-85	Letter to Judge from Government counsel
102	8-13-85	Memorandum To The Parties
103	8-15-85	Government's Request For Leave To File An Additional Document
104	8-15-85	Response on Behalf of Drs. Greer, et al, to Agency Counsel's Exceptions to Preliminary Decision
105	8-15-85	Exceptions To The Opinion & Recommended Decision on Preliminary Issue filed by counsel for Hoffmann-LaRoche & McNeilab
106	8-20-85	Letter to the Administrator, DEA, from Judge transmitting exceptions and responses thereto

Administrative Law Judge Docket Card

Docket No.  84-48	<del>Respondent's Name &amp; Address</del>  MDMA Scheduling	Attorney, Name & Address
Date of Rule to Show Cause or other DEA action Appealed from _____	Date of Request for Hearing _____	Date Request Received by Hearing Clerk _____
Government Counsel <u>Stephen E. Stone, Esq. &amp; Charlotte A. Johnson, Esq.</u>		
Item #	Date	Entry
107	8-23-85	Copy of letter to the Administrator, DEA, from Government counsel
108	8-23-85	Response of Drs. Greer, et al., to Request By Agency Staff To Admit WHO Document Into The Record
109	8-23-85	Letter to the Administrator, DEA, from Judge
110	8-26-85	Copy of letter from Government counsel to all other parties
111	8-26-85	Letter to Judge from Morris A. Lipton, Ph.D. (witness for Greer, et al.)
112	8-27-85	Memorandum To Counsel
113	9-6-85	Information Concerning WHO Proceedings For Scheduling MDMA Under The Convention On Psychotropic Substances filed by Government counsel
114	9-19-85	Copy of letter to counsel for Hoffmann-LaRoche & McNeilab from Government counsel
115	9-23-85	Copy of letter to counsel for Greer, et al, from Government counsel
116	10-3-85	Copy of letter to counsel for Greer, et al, from Government counsel, with attachment
117	10-7-85	Letter to Judge from Administrator, DEA, returning Judge's opinion on "Preliminary Issue"

(continued on reverse)

Item #	Date	Entry
118	10-8 - 10-11-85	Hearing session held - Washington, DC
119	10-17-85	Copy of letter to all other participants from Government counsel
120	10-17-85	Deposition of Richard Arthur Glennon, Ph.D., filed by Government counsel
121	10-18-85	Memorandum To The Participants
122	10-18-85	Letter to Judge from Government counsel
123	10-18-85	Request To Replace Government Exhibit B-22 With Corrected Document filed by Government counsel
124	10-21-85	Letter to Messrs. Ehrnstein and Joranson from Hearing Clerk
125	10-21-85	Letter to counsel for Hoffmann-LaRoche Inc. and McNeilab, Inc. from Hearing Clerk
126	10-21-85	Transcripts of hearing sessions held 10-8 & 10-10-85 received
127	10-22-85	Order
128	10-23-85	Copy of letter to counsel for Greer, et al, from Government counsel with attachment
129	10-23-85	Copy of letter to counsel for Greer, et al, from Government counsel with attachments (FDA documents)
130	10-25-85	Copy of letter to Government counsel from counsel for Greer, et al
131	10-25-85	Declaration of Richard Ingrassi, M.D. filed by counsel for Greer
132	10-25-85	Request for Additional Time To Submit Comments on Agency Exhibits B-21, B-22 and B-23 filed by counsel for Greer, et al and Judge's "Request granted" notation
133	10-25-85	Letter to Judge from Government counsel with attachment
134	10-25-85	Government's Request For Leave To File An Additional Document

Administrative Law Judge Docket Card

Docket No.  84-48	<del>Respondent, Name &amp; Address</del>  MDMA Scheduling	Attorney, Name & Address
Date of Rule to Show Cause or other DEA action Appealed from _____	Date of Request for Hearing _____	Date Request Received by Hearing Clerk _____
Government Counsel Stephen E. Stone, Esq. & Charlotte A. Johnson, Esq.		
Item #	Date	Entry
135	10-28-85	Request For Rebuttal Testimony By Edward C. Tocus, Ph.D. filed by Government counsel
136	10-28-85	Letter to Judge from Government counsel with attachment
137	10-31-85	Letter to Judge from counsel for Hoffmann-LaRoche and McNeilab
138	10-31-85	Objection To Agency Request Re Tocus Rebuttal Testimony filed by counsel for Greer, et al
139	11-1-85	Hearing session held - Washington, DC
140	11-1-85	Response to Agency Exhibits B-21, B-22 and B-23 filed by counsel for Greer, et al
141	11-6-85	Letter to Judge from counsel for Greer, et al, transmitting corrected copy of #139 above
142	11-6-85	Request to File Additional Document filed by counsel for Greer, et al
143	11-8-85	Government's Objections To Response Of Drs. Greer and Grinspoon, et al, to Agency Exhibits B-21, B-22 and B-23
144	11-8-85	Government's Objections To Request Of Drs. Greer and Grinspoon, et al, To File An Additional Document
145	11-12-85	Memorandum To The Parties

(continued on reverse)

Item #	Date	Entry
146	11-12-85	Memorandum And Order
147	11-12-85	Copy of letter to Agency counsel from counsel for Greer, et al, with attachment
148	11-15-85	Copy of letter to counsel for Greer, et al, from Agency counsel with attachment
149	11-19-85	Transcript of hearing session held 11-1-85 received
150	11-20-85	Letter to Judge from counsel for Hoffmann-LaRoche and McNeilab requesting opportunity to file proposed findings & conclusions & Judge's "Request granted" notation
151	11-25-85	Submission By Drs. Grinspoon, Greer, et al. In Response To Agency Exhibit B-25
152	11-29-85	Letter to Judge from David E. Joranson
153	12-5-85	Notice Of Filing Of Exhibit 59 By Drs. Grinspoon, Greer, et al. (t/w document, Exhibit 59)
154	12-6-85	Proposed Corrections To Transcript filed by counsel for Hoffmann-LaRoche Inc. and McNeilab, Inc.
155	12-10-85	Government's Proposed Findings Of Fact, Conclusions Of Law And Argument
156	1-10-86	Proposed Findings Of Fact And Conclusions Of Law With Supporting Statement Of Reasons Submitted By Lyn B. Ehrnstein
157	1-15-86	Brief, Including Proposed Findings Of Fact And Conclusions Of Law filed by counsel for Greer, et al
158	(1-15-86) 1-16-86	Letter from counsel transmitting Hoffmann-LaRoche's Proposed Findings Of Fact, Conclusions Of Law And Argument
159	1-23-86	Memorandum To The Parties
160	2-3-86	Letter to Hearing Clerk from counsel for Hoffmann-LaRoche & McNeilab
161	2-10-86	Government's Response To The Findings Of Fact, Conclusions Of Law & Arguments of other parties
162	2-14-86	Oral argument held - Washington, D.C.

Administrative Law Judge Docket Card

Docket No.  84-48	<del>Respondent's Name &amp; Address</del>  MDMA Scheduling	Attorney, Name & Address
Date of Rule to Show Cause or other DEA action Appealed from _____	Date of Request for Hearing _____	Date Request Received by Hearing Clerk _____
Government Counsel <u>Stephen E. Stone, Esq. &amp; Charlotte A. Johnson, Esq.</u>		
Item #	Date	Entry
163	2-14-86	Errata Sheet For Brief On Behalf Of Drs. Greer, Grinspoon, et al. (received at oral argument)
164	2-21-86	Transcript of oral argument received
165	3-13-86	Proposed Corrections To Transcript filed by counsel for Hoffmann-LaRoche & McNeilab
166	3-14-86	Memorandum To The Participants
167	3-31-86	Agency's Proposed Corrections To The Transcript
168	5-1-86	Memorandum To The Parties
169	5-13-86	Memorandum To The Parties
170	5-22-86	Judge's Opinion and Recommended Decision
171	6-9-86	Letter to Judge from Government counsel requesting extension of time & Judge's "Request granted" notation
172	6-9-86	Request For Opportunity To Respond To Exceptions filed by counsel for Greer, Grinspoon, et al.
173	6-11-86	Exception To Opinion And Ruling filed by David E. Joranson

(continued on reverse)

