

2/18/87

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

LESTER GRINSPOON, M.D.)	
)	
v.)	No. 86-2007
)	
DRUG ENFORCEMENT ADMINISTRATION)	
)	

MOTION FOR LEAVE TO CITE MATERIAL IN THE
RECORD NOT REPRODUCED IN THE JOINT APPENDIX

Pursuant to the provisions of Rule 11(c) of the Rules of this Court, Petitioner respectfully requests leave to cite material in the record before the administrative agency in this case that has not been reproduced in the Joint Appendix.

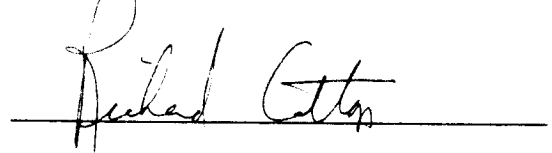
The grounds for this motion are as follows:

1. One of the grounds on which petitioner seeks review in this case is that the agency did not have substantial evidence to support its decision. Argument with respect to -- and consideration of -- this claim requires review of extensive portions of the record before the administrative agency. Reproduction of all of this material in the Joint Appendix was impractical.
2. Petitioner is a physician on the faculty of Harvard Medical School and filed this petition because of the impact that the DEA's ruling in this case will have on medical research. Petitioner has no financial interest or stake in the outcome of this case.

Reproduction of the extensive portions of the administrative record necessary for the review of petitioner's claim that the agency did not have substantial evidence to support its ruling would have caused a financial hardship on the petitioner.

Wherefore, the petitioner respectfully requests that this Court refer to material in the record before the administrative agency that is not reproduced in the Joint Appendix in this case.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Richard Cotton", is written over a horizontal line.

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Attorney for Petitioner

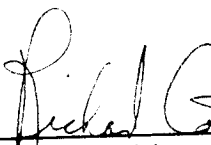
Date: February 18, 1987

CERTIFICATE OF SERVICE

This is to certify that the undersigned on February 18, 1987, caused a copy of the foregoing to be mailed, postage paid, to the following:

Harry Harbin, Esquire
Narcotic and Dangerous Drug Section
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