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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,]	CASE NO. 98-0088 CRB
]	
Plaintiff,]	APPLICATION FOR LEAVE TO
]	FILE BRIEF <i>AMICUS CURIAE</i> OF
v.]	ACLU, ET AL., IN SUPPORT OF
]	DEFENDANTS
OAKLAND CANNABIS BUYERS']	
COOPERATIVE AND JEFFREY JONES, et al.]	Date: March 22, 2002
]	Time: 10:00 am
Defendants.]	Dept: 8
]	Hon. Charles R. Breyer

The American Civil Liberties Union (ACLU) is a nationwide, nonprofit, nonpartisan organization with nearly 300,000 members dedicated to the principles of liberty and equality embodied in the Constitution and this nation's civil rights laws. The ACLU has three regional affiliates in the State of California: the ACLU of Northern California, the ACLU of Southern California, and the ACLU of San Diego and Imperial Counties. These three California ACLU affiliates supported passage of Proposition 215, the marijuana initiative, which led directly to the events giving rise to this litigation. The ACLU has participated in numerous cases nationwide, both as direct counsel and as amicus curiae, to defend the principle that the war on drugs should not be pursued at the expense of traditional legal and constitutional safeguards designed to restrain the government from overreaching in its law enforcement efforts. The ACLU and its California affiliates specifically participated as amici curiae in the briefing of the instant case before the Supreme Court. The Supreme Court adopted the reasoning of the ACLU brief as it pertained to equitable discretion. The proper resolution of this case is therefore a matter of substantial importance to the ACLU and its members throughout the country. In light of this interest, amici wish to present their views in support of defendant's motion after remand to dissolve or modify the preliminary injunction, as well as in opposition to the United States' motion for summary judgment.

Undersigned counsel has contacted counsel for plaintiff United States and for defendants, and they state that they have no objection to the filing of the accompanying brief amicus curiae.

Accordingly, the ACLU, the ACLU of Northern California, the ACLU of Southern California, and the ACLU of San Diego and Imperial Counties respectfully request that the Court grant this application to file the accompanying amici curiae.

DATED: March 8, 2002


Respectfully submitted,

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