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IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA, )  
)  
Plaintiff-Appellee, )

v. )

No. 02-16335

MARIN ALLIANCE FOR MEDICAL )  
MARIJUANA and LYNETTE SHAW, )  
)  
Defendants-Appellants. )

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UNITED STATES OF AMERICA, )  
)  
Plaintiff-Appellee, )

v. )

No. 02-16534

OAKLAND CANNABIS BUYERS' )  
COOPERATIVE and JEFFREY JONES, )  
)  
Defendants-Appellants. )

UNITED STATES OF AMERICA, )  
)  
Plaintiff-Appellee, )

v. )

No. 02-16715

UKIAH CANNABIS BUYER'S CLUB, )  
CHERRIE LOVETT, MARVIN )  
LEHRMAN, and MILDRED LEHRMAN, )  
)  
Defendants-Appellants. )

**JOINT MOTION TO CONSOLIDATE APPEALS  
AND FOR AMENDMENT OF BRIEFING SCHEDULES**

Pursuant to Rules 3(b)(2) and 27(a)(1) of the Federal Rules of Appellate Procedure, and Rule 27-1 of this Court, the parties in the above-captioned matters hereby jointly move to consolidate these appeals, and to amend the briefing schedules in United States v. Marin Alliance for Medical Marijuana, et al., Appeal No. 02-16335, and United States v. Ukiah Cannabis Buyer's Club, et al., Appeal No. 02-16534, to conform to the briefing scheduled entered in United States v. Oakland Cannabis Buyers' Cooperative, Appeal No. 02-16715, entered by the Court on September 4, 2002. The grounds for this joint motion are as follows:

1. Rule 3(b)(2) of the Federal Rules of Appellate Procedure provides that when two or more parties are entitled to appeal from a district court judgment or order, and have filed separate timely notices of appeal, "the appeals may be joined or consolidated by the court of appeals." The 1967 Advisory Committee Notes to Rule 3(b) provide that consolidation of appeals is under such circumstances is "encourage[d] \* \* \* whenever feasible."

2. The provisions of Rule 3(b)(2) apply in these appeals. Each of the defendants-appellants have noticed appeals from the district court's Judgment: Permanent Injunction, entered on June 10, 2002, and from the district court's Memorandum and Order, granted May 3, 2002, granting summary judgment in favor of the United States, in the underlying related actions. In addition, each of the

underlying actions from which the defendants-appellants have noticed appeals were consolidated as related actions before the district court (Breyer, J.), on January 22, 1998, pursuant to Local Rule 3-12 of the United States District Court for the Northern District of California.

3. Under these circumstances, the parties are in agreement that consolidation of the above-captioned appeals is appropriate under Rule 3(b)(2) of the Federal Rules of Appellate Procedure, is in the interests of justice, and would conserve judicial resources.

4. Pursuant to Circuit Advisory Committee Note (6) to Local Rule 27-1 of this Court, the parties also jointly move to amend the briefing schedules in United States v. Marin Alliance for Medical Marijuana, et al., Appeal No. 02-16335, and United States v. Ukiah Cannabis Buyer's Club, et al., Appeal No. 02-16534, to conform to the briefing scheduled entered in United States v. Oakland Cannabis Buyers' Cooperative, Appeal No. 02-16715, which was entered by the Court on September 4, 2002.

WHEREFORE, for the foregoing reasons, the parties in the above-captioned matters respectfully move the Court to consolidate these appeals, and to amend the briefing amend the briefing schedules in United States v. Marin Alliance for Medical Marijuana, et al., Appeal No. 02-16335, and United States v. Ukiah Cannabis

Buyer's Club, et al., Appeal No. 02-16534, to conform to the briefing scheduled entered in United States v. Oakland Cannabis Buyers' Cooperative, Appeal No. 02-16715, entered by the Court on September 4, 2002.

Respectfully submitted,




Dated: November 12, 2002

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Appeals Nos. 02-16335, 02-16534,  
and 02-16715

Dated: November 15, 2002

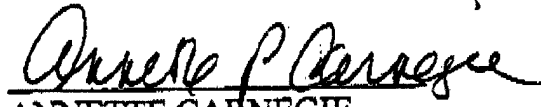


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Appeal No. 02-16335

Dated: November 14, 2002



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Dated: November 14, 2002

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