

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

v.

RHONDA FIRESTACK-HARVEY, LARRY
HARVEY, MICHELLE GREGG, ROLLAND
GREGG, and JASON ZUCKER,
Defendants.

No. CR-13-24-FVS

ORDER GRANTING THE UNITED
STATES' "MOTION IN LIMINE
TO EXCLUDE DEFENSE
WITNESSES"

THIS MATTER comes before the Court without oral argument based upon the United States' "Motion in Limine to Exclude Defense Witnesses." The United States is represented by Earl A. Hicks and Caitlin A. Baunsgard. Defendant Larry Harvey is represented by Robert R. Fischer.

BACKGROUND

On May 8, 2014, Larry Harvey filed a list of prospective witnesses. His list provides a summary of each person's expected testimony. On July 3, 2014, the United States filed a "Motion in Limine to Exclude Defense Witnesses." Not only does the United States seek to exclude testimony concerning the alleged medical benefits of marijuana, but also the United States seeks to exclude testimony concerning the desirability of removing marijuana from the list of

1 Schedule I drugs. Mr. Harvey filed a response on November 4th. While
2 he does not stipulate to the relief requested by the United States, he
3 recognizes it is consistent with the Court's prior rulings.

4 **RULING**

5 The Court has already addressed a number of evidentiary issues.
6 As Mr. Harvey acknowledges, he and his codefendants are bound by the
7 Court's prior rulings. They may not offer evidence indicating
8 marijuana has medical benefits. (Order Re Affirmative Defenses (ECF
9 No. 337) at 6-7.) Nor may they offer evidence challenging the
10 Attorney General's refusal to reschedule marijuana. (Order Denying
11 Rolland Gregg's Motion to Dismiss (ECF No. 409) at 4.) These rulings
12 remain in force.
13

14 **IT IS HEREBY ORDERED:**

15 The United States' "Motion in Limine to Exclude Defense Witness"
16 (ECF No. 413) is **granted**.¹

17 **IT IS SO ORDERED.** The District Court Executive is hereby
18 directed to enter this order and furnish copies to counsel.
19

20 **DATED** this 12th day of November, 2014.

21 s/ Fred Van Sickle
22 Fred Van Sickle
23 Senior United States District Judge
24

25 ¹This ruling does not apply to the expected testimony of
26 Chris Conrad.