



COMMUNICATION W O R K S

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Oakland Cannabis Cooperative Staff Designated Officers of City of Oakland

**Designation Provides Co-op Immunity from Liability;
Attorneys Call for Dismissal of Federal Lawsuit**

**Oakland Becomes First City in Nation to Legally Distribute
Medical Cannabis to Certified Patients**

OAKLAND, CA -- Oakland City officials stepped up their support for medical cannabis patients today at a City Hall ceremony that designated Oakland Cannabis Buyers' Cooperative agents as Officers of the City of Oakland. Oakland is now the first city in the nation with an official program that distributes medical marijuana.

"The Oakland Cannabis Buyers' Cooperative runs a clean, legitimate business, contributes to Oakland's downtown revitalization, and prevents seriously-ill people from turning to the streets to buy their medicine," said Nate Miley, Chair of the Oakland City Council Public Safety Committee. "We're delighted to offer the Cooperative all the support we can, and hope that other cities will follow suit."

As City Officers, the Cannabis Cooperative's staff and agents are now immune from federal criminal and civil liability under Section 885(d) of the Federal Controlled Substances Act. That section provides that any officer of a city who is enforcing an ordinance relating to controlled substances will have immunity from liability.

"This designation will permit the Oakland Cannabis Buyers' Cooperative staff to distribute medical cannabis within federal law," said Professor Gerald Uelmen of University of Santa Clara School of Law. "That means that the federal government has no case. The lawsuit against the cooperative should be dropped today."

City Council member Nate Miley and attorneys for the Oakland Cannabis Buyers' Cooperative - a team that includes James Brosnahan of Morrison & Foerster LLP and Professor Uelmen - will call Thursday for all federal charges against the Cooperative to be dismissed. The attorneys intend to file a motion to dismiss the federal lawsuit Friday August 14.

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"This is a great day for our patients and a great day for Oakland," said Jeff Jones, Executive Director of the Oakland Cannabis Buyers' Cooperative. "All our member patients are grateful for the city's support and faith in our work - and profoundly relieved that the lawsuit will soon be over."

When California's Proposition 215 passed in November 1996, noted Robert Raich, attorney for the Oakland Cannabis Buyers' Cooperative, the law encouraged governments to develop systems that would guarantee patients safe and affordable access to medical marijuana. "Today Oakland has done what California voters asked by making a pledge to take care of its sick," said Raich. "All that remains is for other cities and the federal government to follow Oakland's lead."

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