

cc: BMK

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
OCT 05 2009
at 1 o'clock and 10 min. P.M.
SUE BEITIA, CLERK

Attorney for Plaintiffs
OKLEVUEHA NATIVE AMERICAN CHURCH OF HAWAII, INC.
MICHAEL REX "RAGING BEAR" MOONEY

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OKLEVUEHA NATIVE)	Civil No. 09-00336 SOM BMK
AMERICAN CHURCH OF)	
HAWAII, INC.; MICHAEL REX)	REPORT OF THE PARTIES'
"RAGING BEAR" MOONEY,)	PLANNING MEETING;
)	CERTIFICATE OF SERVICE
Plaintiffs,)	
)	
vs.)	
)	
ERIC H. HOLDER, JR., as U.S.)	
Attorney General; MICHELE)	
LEONHART, as Acting)	
Administrator of the U.S. Drug)	
Enforcement Administration;)	
EDWARD H. KUBO, JR., as U.S.)	
Attorney for the District of Hawaii,)	Sched. Conf.: October 29, 2009 @ 10:00
)	
Defendants.)	Honorable: Barry M. Kurren

REPORT OF THE PARTIES' PLANNING MEETING

Plaintiffs, pursuant to Local Rule 26.1, hereby present their Report as follows:

- 1. The following persons participated in a Rule 26(f) conference on September

25 and 28, 2009 by Telephone:

Michael A. Glenn, representing the Plaintiffs
James C. Luh, representing the Defendants

2. Initial Disclosures. The parties will complete by October 12, 2009 the initial disclosures required by Rule 26(a)(1).
3. Discovery Plan. The parties propose this discovery plan:
 - (a) Discovery will be needed on these subjects: Defendants' policies and procedures for registered entheogens.
 - (b) Dates for commencing and completing discovery, including discovery to be commenced or completed before other discovery – unknown at this time.
 - (c) Maximum number of interrogatories by each party to another party, along with the dates the answers are due- unknown at this time.
 - (d) Maximum number of requests for admission, along with the dates responses are due- unknown at this time.
 - (e) Maximum number of depositions by each party- unknown at this time.
 - (f) Limits on the length of depositions, in hours- unknown at this time.
 - (g) Dates for exchanging reports of expert witnesses- unknown at this time.
 - (h) Dates for supplementations under Rule 26(e)- unknown at this time.
4. Other Items:
 - (a) A date if the parties ask to meet with the court before a scheduling order. NA
 - (b) Requested dates for pretrial conferences- unknown at this time.
 - (c) Final dates for the plaintiff to amend pleadings or to join parties- unknown at this time.
 - (d) Final dates for the defendant to amend pleadings or to join parties- unknown at this time.
 - (e) Final dates to file dispositive motions- unknown at this time.
 - (f) State the prospects for settlement: unlikely unless Federal Government decides to live up to its duty under the American Indian Religious Freedom Act.
 - (g) Identify any alternative dispute resolution procedure that may enhance settlement prospects- unknown at this time.

- (h) Final dates for submitting Rule 26(a)(3) witness lists, designations of witnesses whose testimony will be presented by deposition, and exhibit lists- unknown at this time.
- (i) Final dates to file objections under Rule 26(a)(3)- unknown at this time.
- (j) Suggested trial date and estimate of trial length- unknown at this time.
- (k) Other matters: The parties have discussed alternative dispute resolution options, including, without limitation, the option of participation in the Court's mediation program. The parties are not prepared to consider this matter further and discuss options at the Scheduling Conference.

Dated: Honolulu, Hawaii; October 5, 2009



MICHAEL A. GLENN
Attorney for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

OKLEVUEHA NATIVE) Civil No. 09-00336 SOM BMK
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Administrator of the U.S. Drug)
Enforcement Administration;)
EDWARD H. KUBO, JR., as U.S.)
Attorney for the District of Hawaii,)
)
Defendants.)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date he delivered by US Mail
a filed copy of this Report of the Parties' Planning Meeting to the Defendants at:

ERIC H. HOLDER, JR.; MICHELE LEONHART; EDWARD H. KUBO, JR.
c/o James C. Luh, Esq.
20 Massachusetts Ave. NW
Washington, DC 20530

DATED: Honolulu, Hawaii, October 5, 2009


MICHAEL A. GLENN
Attorney for Plaintiffs