

UNITED STATES DEPARTMENT OF JUSTICE

Drug Enforcement Administration

In the Matter of

**Schedules of Controlled Substances:
Proposed Rescheduling of Marijuana**

**DEA Docket No. 1362
Hearing Docket No. 24-44**

ORDER DENYING NON-PARTICIPANT MOTION TO RECONSIDER (Watts)

On January 22, 2025, Michael S. Watts (Watts), a non-Designated Participant in these proceedings, filed a letter with this tribunal seeking reconsideration of his request to provide testimony at the hearing on the merits in this case (Motion to Reconsider or MTR). The Motion to Reconsider seeks reconsideration of an order issued by this tribunal on November 21, 2024 (the November 21st Order) which denied Watts' previous request to testify because his petition was untimely and unsupported.¹ The exclusive basis for the MTR's requested relief is that Watts seeks to testify "[i]n light of recent events."² MTR at 1.

Thus, the Motion to Reconsider does not demonstrate (or even specify) any new grounds that would warrant any form of reconsideration of this tribunal's previous determination (*e.g.*, change in law, newly discovered evidence, or a need to prevent manifest injustice). *See Intera Corp. v. Henderson*, 428 F.3d 605, 620 (6th Cir. 2005), *cert. denied*, 547 U.S. 1070 (2006); *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996); *EEOC v. Lockheed Martin Corp.*, 116 F.3d 110, 112 (4th Cir. 1997).

Accordingly, the Motion to Reconsider is herein **DENIED**.

Dated: January 27, 2025

JOHN J. MULROONEY, II
Chief Administrative Law Judge

¹ As with his previous request to testify, Watts has attached a copy of the comment he filed with the Drug Enforcement Administration during the notice and comment period for this proposed rescheduling action.

² The Motion does not specify which "recent events" might supply the underpinnings for its good cause justification. In any event, I am aware of no events (recent or otherwise) that would supply an adequate basis to reconsider the November 21st Order.

CERTIFICATE OF SERVICE

This is to certify that the undersigned, on January 27, 2025, caused a copy of the foregoing to be delivered to the following recipients: (1) Julie L. Hamilton, Esq., Counsel for the Government, via email at julie.l.hamilton@dea.gov; James J. Schwartz, Esq., Counsel for the Government, via email at james.j.schwartz@dea.gov; Jarrett T. Lonich, Esq., Counsel for the Government, via email at jarrett.t.lonich@dea.gov; and S. Taylor Johnston, Esq., Counsel for the Government, via email at stephen.t.johnston@dea.gov; (2) the DEA Government Mailbox, via email at dea.registration.litigation@dea.gov; (3) Shane Pennington, Esq., Counsel for Village Farms International, via email at spennington@porterwright.com; and Tristan Cavanaugh, Esq., Counsel for Village Farms International, via email at tcavanaugh@porterwright.com; (4) Nikolas S. Komyati, Esq., Counsel for National Cannabis Industry Association, via email at nkomyati@foxrothschild.com; William Bogot, Esq., Counsel for National Cannabis Industry Association, via email at wbogot@foxrothschild.com; and Khurshid Khoja, Esq., Counsel for National Cannabis Industry Association, via email at khurshid@greenbridgelaw.com; (5) Dante Picazo for Cannabis Bioscience International Holdings, via email at ir@cbih.net; (6) Andrew J. Kline, Esq., Counsel for Hemp for Victory, via email at AKline@perkinscoie.com; and Abdul Kallon, Esq., Counsel for Hemp for Victory, via email at and AKallon@perkinscoie.com; (7) Scheril Murray Powell, Esq., Counsel for Veteran's Initiative 22, via email at smpesquire@outlook.com; and David C. Holland, Esq., Counsel for Veterans Initiative 22, via email at dch@hollandlitigation.com; (8) Kelly Fair, Esq., Counsel for The Commonwealth Project, via email at Kelly.Fair@dentons.com; Joanne Caceres, Esq., Counsel for The Commonwealth Project, via email at joanne.caceres@dentons.com; and Lauren M. Estevez, Esq., Counsel for The Commonwealth Project, via email at lauren.estevez@dentons.com; (9) Rafe Petersen, Esq., Counsel for Ari Kirshenbaum, via email at Rafe.Petersen@hkllaw.com; (10) David G. Evans, Esq., Counsel for Cannabis Industry Victims Educating Litigators, Community Anti-Drug Coalitions of America, Kenneth Finn, Drug Enforcement Association of Federal Narcotics Agents, and National Drug and Alcohol Screening Association, via email at thinkon908@aol.com; (11) Patrick Philbin, Esq., Counsel for Smart Approaches to Marijuana, via email at pphilbin@torridonlaw.com; and Chase Harrington, Esq., Counsel for Smart Approaches to Marijuana, via email at charrington@torridonlaw.com; (12) Eric Hamilton, Esq., Counsel for the State of Nebraska, via email at eric.hamilton@nebraska.gov; and Zachary Viglianco, Esq., for the State of Nebraska, via email at zachary.viglianco@nebraska.gov; (13) Gene Voegtlin for International Association of Chiefs of Police, via email at voegtlin@theiacp.org; (14) Patrick Kenneally, Esq. Counsel for Drug Enforcement Association of Federal Narcotics Agents, via email at pdkenneally78@gmail.com; (15) Reed N. Smith, Esq., Counsel for the Tennessee Bureau of Investigation, via email at Reed.Smith@ag.tn.gov; and Jacob Durst, Esq., Counsel for Tennessee Bureau of Investigation, via email at Jacob.Durst@ag.tn.gov; (16) Matthew Zorn, Esq., Counsel for OCO, *et al.*, via email at mzorn@yettercoleman.com; (17) Ellen Brown, via email at ellen@greenpathtraining.com; and (18) Michael Watts, via email at rockrock1538@hotmail.com.

Tayonna Eubanks
Secretary (CTR)
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