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10 Attorneys for Defendants  
OAKLAND CANNABIS BUYERS'  
11 COOPERATIVE and JEFFREY JONES

12  
13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA, )  
16 Plaintiff, )  
17 v. )  
18 CANNABIS CULTIVATOR'S CLUB, )  
19 et al., )  
20 Defendants. )  
21 AND RELATED ACTIONS. )  
22

Nos. C 98-00085 CRB  
C 98-00086 CRB  
C 98-00087 CRB  
C 98-00088 CRB  
C 98-00089 CRB  
C 98-00245 CRB

DECLARATION OF KENNETH  
ESTES

1 I, KENNETH ESTES, declare as follows:

2 1. My name is Kenneth Wayne Estes. I am 40 years of age, am of sound mind, and am  
3 competent to testify to the matters stated herein.

4 2. I am a member of the Oakland Cannabis Buyers' Cooperative.

5 3. I am a quadriplegic. I am either confined to a wheelchair or bedridden. I use cannabis  
6 for pain relief, appetite stimulation, and sleep.

7 4. I was injured in a motorcycle accident when I was 18 years old. I broke my neck at  
8 cervical five and six. At first, all four of my limbs were paralyzed, but about two years after the  
9 accident I regained some use of my arms, hands, and fingers. True and correct copies from my  
10 medical record are attached as "Exhibit A."

11 5. I live with constant pain. Sometimes it is a "tingling" that will not stop, almost as if  
12 you hit your funnybone. Other times, such as when I get spasms or back problems, the pain  
13 becomes intense, powerful, and overwhelming. Without cannabis the pain would be excruciating  
14 Even after I medicate with cannabis, the pain is still there -- it never goes away -- but cannabis  
15 makes the pain bearable. Cannabis makes it possible for me to function in society and to deal  
16 with other people because it alleviates the pain I experience.

17 6. Before I discovered medical cannabis, the pain in my back was so bad that it drove me  
18 insane, and I wanted to kill myself. Having to live with the constant pain made me suicidal. I  
19 wanted the pain to end at any cost.

20 7. I was wasting away. I could not eat and I could not sleep. I was dying.

21 8. In my suffering, a hospital orderly who held a marijuana pipe to my lips allowed me to  
22 medicate with cannabis for the first time. It worked.

23 9. The pain went down. I was able to sleep through the night. The next morning, I  
24 finished breakfast. The nurse even brought in the doctors to show them that I ate the whole meal.

25 10. I am thankful that there is an herb I can turn to to alleviate my pain, because now I  
26 want to live, not die. With the three ingredients of rest, food, and my spirits raised, I can conquer  
27 anything, including conquering this illness. Cannabis saved my life.

28 11. I have tried many prescription drugs, sometimes several medicines per day. For

Declaration of Kenneth Estes

Case Nos. C 98-00085 CRB, C 98-00086 CRB, C 98-00087

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1 example, I have tried Valium, Motrin, codeine, Vicadin, Darvocet, and many others. They either  
2 did not work, or had side effects that made me not want to use them. The pharmaceutical pills  
3 gave me stomach pain, other stomach problems, and constipation. They also made me  
4 emotionally unstable: They made me want to cry, they made me angry at my condition, or they  
5 made me frustrated.

6 12. The pills made my cognitive thinking defective and my mind blurred. I couldn't hold  
7 thoughts together, couldn't have conversations, and couldn't communicate with other people. It  
8 is hard to deal with paralysis -- all I have left are my words. When I couldn't communicate with  
9 other people through words, it only made my condition worse.

10 13. The pharmaceuticals merely added to my discomfort. They gave me new pain  
11 (stomach pain) and made me self-conscious about not being able to speak, which detrimentally  
12 affected my eating and sleeping. Cannabis, by comparison, gives me no pain, helps me eat, helps  
13 me sleep, and makes me more sociable with other people.

14 14. Some of the prescription sleeping pills I used to take lost their effectiveness after a  
15 while, making me need to take more and more of them. The next morning I would feel "hung  
16 over" and "cloudy," and I still had the stomach pain. If I use cannabis to help me sleep, I feel  
17 better the next morning, I feel refreshed after a good night's sleep, and I have no stomach pain.

18 15. Pills can take 60 to 90 minutes to take effect. In contrast, the immediate effect of  
19 smoked cannabis is one of its great attributes. Medicating with cannabis allows access to sleep  
20 or hunger when I need it, either because it is nighttime and time to sleep or because a meal is  
21 ready.

22 16. Pharmaceuticals may work for some people, but they do not work for me. I know,  
23 because I have tried them. Cannabis, however, does work for me. It actually relieves my pain,  
24 and it does not have the physical and emotional side effects of the prescription medications.

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1 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
2 knowledge.

3 Executed this 12 day of August, 1998, in Oakland, California.

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7 Kenneth Estes  
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Declaration of Kenneth Estes

Case Nos. C 98-00085 CRB, C 98-00086 CRB, C 98-00087

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