

UNITED STATES DEPARTMENT OF JUSTICE

Drug Enforcement Administration

In the Matter of

Scheduling 4-OH-DiPT, 5-MeO-AMT, 5-MeO-MiPT, 5-MeO-DET, and DiPT

Docket No. 22-15

BRIEFING ORDER REGARDING INTERLOCUTORY APPEAL

On May 11, 2022, this tribunal issued the Order Denying Motions for Summary Disposition. In the April 26, 2022 status conference, counsel for Mindstate and Tactogen indicated that he would be seeking an interlocutory appeal if their Motion for Summary Adjudication was denied. To the extent that Mindstate and Tactogen or the other Interested Parties still wish to seek an interlocutory appeal on the issues raised in the summary disposition motions, such request is due no later than **May 16, 2022 at 2:00 p.m. Eastern Time.**

Dated: May 11, 2022

**TERESA
WALLBAUM**
TERESA A. WALLBAUM
Administrative Law Judge

Digitally signed by
TERESA WALLBAUM
Date: 2022.05.11
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CERTIFICATE OF SERVICE

This is to certify that the undersigned, on May 11, 2022, caused a copy of the foregoing to be delivered to the following recipients:

- (1) John E. Beerbower, Esq., Counsel for the Government, via email at John.E.Beerbower@dea.gov and to the DEA Government Mailbox at dea.registration.litigation@dea.gov;
- (2) David Heldreth, CEO of Panacea Plant Sciences, via email at davidh@panaceaplantsciences.net;
- (3) John T. Hunter, Esq., Counsel for Dr. Jason Wallach and Mr. Hamilton Morris, via email at John@hljdefense.com;
- (4) Matt Baggott, Tactogen Inc., via email at matt@tactogen.com;
- (5) Dillian DiNardo, Kykeon Biotechnologies Inc., via email at dillan@mindstate.design;
- (6) Graham Pechenik, Esq., Counsel for Tactogen Inc. and Kykeon Biotechnologies Inc., via email at graham@calyxlaw.com; and
- (7) Matthew C. Zorn, Esq., Counsel for Tactogen Inc. and Kykeon Biotechnologies Inc., via email at mzorn@yettercoleman.com.

**ANIAYAH
BECKFORD**

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Date: 2022.05.11
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Aniayah S. Beckford
Staff Assistant to Judge Wallbaum