

**EXHIBIT E**

## TORES DECLARATION

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JEFFREY JONES  
16

17 IN THE UNITED STATES DISTRICT COURT  
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 UNITED STATES OF AMERICA,  
21  
22 Plaintiff,  
23  
24 v.  
25 OAKLAND CANNABIS BUYERS'  
COOPERATIVE and JEFFREY JONES,  
26  
27 Defendants.

No. C 98-0088 CRB

**DECLARATION OF  
HAROLD TORES**

Date: March 22, 2002  
Time: 10:00 a.m.  
Honorable Charles R. Breyer

AND RELATED ACTIONS.

1 I, HAROLD TORES, declare:

2 1. I am a patient-member of the Oakland Cannabis Buyers' Cooperative. I have  
3 personal knowledge of the facts stated herein and am of sound mind. If called as a witness, I  
4 could and would testify competently to such matters.

5 2. I am 59 years old. I was a manager at Delta Dental Plan of California, where I  
6 worked for 25 years until retiring in 1993 because of complications from colon cancer.

7 3. I was diagnosed with AIDS in 1998. Inhaled cannabis allows me to take my  
8 AIDS medications. I must take about 30 pills per day, which causes extreme side effects.  
9 Cannabis is the only medicine that controls the vomiting. Cannabis also allows me to relax.

10 4. In 1993 I was diagnosed with colon cancer, for which I underwent chemotherapy.  
11 Inhaled cannabis helped me survive the nausea and vomiting caused by the chemotherapy. In  
12 addition, cannabis baked in brownies helped me release bowel movements.

13 5. If I did not have a safe dispensary from which to obtain cannabis, I would have to  
14 go to the street in search of medicine. Right after a cannabis dispensary was closed in 1998, I got  
15 robbed in Delores Park in San Francisco as I was looking for medicine. A thief threatened me  
16 with a knife and took all my money. On another occasion during the same time period, a  
17 substance I bought from an anonymous drug dealer injured me. I do not know what the  
18 substance was, but something other than marijuana was in it, and it hurt my throat badly after I  
19 smoked it, causing swelling and pain. In both situations, I do not know who the perpetrators  
20 were and I felt that I could not report my victimizations to the police.

21 I declare under penalty of perjury under the laws of the State of California that the  
22 foregoing is true and correct.

23 Executed this 7 day of March, 2002, at San Francisco, California.

24  
25   
26 Harold Torres