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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**KELSEY CASCADIA ROSE JULIANA;**  
**XIUHTEZCATL TONATIUH M.,** through his  
Guardian Tamara Roske-Martinez; et al.

Plaintiffs,

v.

**The UNITED STATES OF AMERICA;**  
**DONALD TRUMP,** in his official capacity as  
President of the United States; et al.,

Defendants.

Case No.: 6:15-cv-01517-TC

**DECLARATION OF PHILIP L.  
GREGORY in Support of Plaintiffs’  
Motion for Extension of Time to File  
Response in Opposition to Defendants’  
Motion for Judgment on the Pleadings**

**EXPEDITED HEARING REQUESTED**

**DECLARATION OF PHILIP L. GREGORY IN SUPPORT OF PLAINTIFFS’  
MOTION FOR EXTENSION OF TIME**

I, Philip L. Gregory, hereby declare and if called upon would testify as follows:

1. I am an attorney of record in the above-entitled action and I have personal knowledge of the statements made herein.
2. I am one of two attorneys principally responsible for opposing Defendants' Motion for Judgment on the Pleadings, ECF No. 195, and Defendants' Motion for Protective Order. ECF No. 196.
3. In order to be prepared for trial, and pursuant to this Court's April 23, 2018 Order setting trial for October 29, 2018 and the Court's direction in monthly status conferences, I, along with co-counsel, am engaged in the following pre-trial activities:
  - a. Plaintiffs are finalizing propounding Requests for Admissions, contention interrogatories, and Rule 30(b)(6) notices of deposition for each agency Defendant in order to fulfill Plaintiffs' commitment to Defendants to propound all discovery by the end of May;
  - b. Plaintiffs are complying with Defendants' request to Bates stamp and produce all sources relied upon by Plaintiffs' experts in their expert reports;
  - c. Scheduling and preparing for depositions of the 21 Youth Plaintiffs during the months of June, July, and August;
  - d. Scheduling, preparing for, and defending depositions of Plaintiffs' experts beginning in June; and
  - e. Scheduling, preparing for, and taking depositions of Defendants' Rule 30(b)(6) witnesses beginning in June.
4. In addition to finalizing and serving all Requests for Admissions, notices of deposition under Rule 30(b)(6) for each agency Defendant, and contention interrogatories, as well as

obtaining information for Plaintiffs' final expert report of James Gustave Speth, I need to prepare the youth Plaintiffs for the first round of depositions, which the parties agreed during their May 10, 2018 in-person meet and confer would be scheduled to begin the first week in June. I also need to continue conducting informal discovery, such as interviewing potential fact witnesses.

5. I am a sole practitioner. In addition to the obligations described above for the instant case, among my other obligations are the following:
  - a. I have an opposition to a preliminary injunction motion in the Northern District of California due May 21 (with a hearing on June 14);
  - b. I am a court-appointed mediator with mediation sessions being scheduled during the week of May 21;
  - c. I have a response due to an administrative proceeding on or about May 25 (where the prior response was over 50 pages single space);
  - d. I am preparing a complaint and motion which are targeted to be filed on May 25, with an all-day client meeting out of state on May 23;
  - e. I have a mediation brief due May 31 (for a court-ordered mediation in Orange County on June 4);
  - f. Given statute of limitations concerns, I believe that I must file a class action complaint on or before May 31; and
  - g. I have an opening brief due in the Ninth Circuit on June 11.
6. As a result on the October 29 trial date, my discovery and pre-trial obligations attendant thereto, and my obligations in other matters, I cancelled a vacation from May 26-June 2. I do not anticipate being able to have a day off, including weekends, until July 4.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED this 18th day of May, 2018.

Respectfully submitted,

/s/ Philip L. Gregory