

1 Roman M. Silberfeld, Bar No. 62783
Bernice Conn, Bar No. 161594
2 Michael A. Geibelson, Bar No. 179970
Robins, Kaplan, Miller & Ciresi L.L.P.
3 2049 Century Park East, Suite 3700
Los Angeles, CA 90067-3211
4 Telephone: 310-552-0130
Facsimile: 310-229-5800

5 Attorneys for Defendant Intervenors
6 Sierra Club, Natural Resources Defense Council and
Environmental Defense
7

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 CENTRAL VALLEY CHRYSLER-JEEP,
INC., et al.,
12
13 Plaintiff,
14
15 v.
16 CATHERINE E. WITHERSPOON, et al.,
17
18 Defendants.

Case No. 1:04-CV-0663 REC LJO

**DEFENDANT INTERVENORS' INITIAL
DISCLOSURES**

[Fed. R. Civ. P. 26(a)(1)]

18 Pursuant to Federal Rule of Civil Procedure 26(a)(1) and the Court's September 19, 2005,
19 Scheduling conference order, Defendant Intervenors Sierra Club, Natural Resources Defense
20 Council and Environmental Defense provides these initial disclosures.

21 These disclosures are based on the information currently available to Defendant
22 Intervenors. Defendant Intervenors have not yet fully completed their investigation for this case
23 and have not yet begun discovery in this action. It is anticipated that further investigation, legal
24 research, and analysis will lead to additions and changes to these disclosures.

25 These disclosures are given without prejudice to the right to produce witnesses,
26 documents, or other evidence which Defendant Intervenors may later discover or believe to be
27 relevant. Defendant Intervenors accordingly reserve the right to change and supplement these
28 disclosures as additional facts are ascertained, additional witnesses are identified, more legal

1 research is completed, and/or this case develops. These disclosures are made in good faith, and
2 in no way prejudice Defendant Intervenors in relation to further discovery or proceedings.

3 Witnesses

4 The following individuals are likely to have discoverable, non-expert information that
5 Defendant Intervenors may use to support their positions in this action.

6 1. All witnesses named by the parties to this action in their initial disclosures of
7 supplements thereto;

8 2. Defendant Intervenors are not currently aware of other individuals who have
9 discoverable non-expert information , but Defendant Intervenors reserve the right to amend this
10 disclosure as such individuals become known;

11 This disclosure does not include Defendant Intervenors' expert witnesses, as those
12 disclosures will occur under Federal Rule of Civil Procedure 26(a)(2).

13 Documents

14 The following categories of documents or individual documents may be used by
15 Defendant Intervenors to support their defenses in this action:

16 A. Documents relating to human-induced global warming, including causes of, and
17 impacts from, global warming.

18 B. Documents relating to human-caused emissions of greenhouse gases in California
19 and impacts of global warming on California.

20 C. Documents relating to actions by California and other states to combat global
21 warming.

22 D. Documents relating to emissions of greenhouse gases from motor vehicles and
23 technologies to reduce such emissions, including alternative fuels, and including analyses of the
24 feasibility and cost of adopting such technologies.

25 E. Documents related to claims made by automobile manufacturers with regard to
26 previous state or federal proposed or new motor vehicle regulations.

27 F. Documents relating to the effects of California's regulation of automobiles over the
28 past 50 years.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

G. Documents relating to obligations of automobile manufacturers to meet standards in Canada, Europe, China and elsewhere in the world.

H. Documents relating to motor vehicle safety, including the impact of emission regulations on safety.

I. Documents relating to consumer preferences and behavior.

The Defendant Intervenors may possess additional documents that support the factual assertions in the testimony they will provide in this case. Defendant Intervenors may use those documents to support their claims, and they reserve the right to supplement this disclosure in the event that additional categories of documents are located that they may use to support their claims. Copies of most, if not all, of the documents listed above are already in Plaintiffs' counsel's possession or are publicly available. Copies of the other items are also publicly available. All of these documents are also in the possession of counsel for Defendant Intervenors at their offices at 2049 Century Park East, Suite 3700, Los Angeles, California.

Damages

Not applicable.

Insurance

Not applicable.

DATED: November 21, 2005

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.

By: /s/ Roman M. Silberfeld
Roman M. Silberfeld, 62783
Bernice Conn, 161594
Michael A. Geibelson, 179970
**Attorneys For Intervenor-Defendants
Sierra Club, Natural Resources Defense
Council And Environmental Defense**