

1 BILL LOCKYER  
Attorney General of the State of California  
2 MARY E. HACKENBRACHT  
Senior Assistant Attorney General  
3 ELLEN M. PETER  
Supervising Deputy Attorney General  
4 CARYN L. CRAIG  
NICHOLAS STERN  
5 Deputy Attorneys General  
1300 "I" Street, Suite 125  
6 P.O. Box 944255  
Sacramento, CA 94244-2550  
7 MARC N. MELNICK, State Bar No. 168187  
Deputy Attorney General  
8 1515 Clay Street, 20th Floor  
P.O. Box 70550  
9 Oakland, CA 94612-0550  
Telephone: (510) 622-2133  
10 Fax: (510) 622-2270

11 Attorneys for Defendant Catherine E. Witherspoon

12  
13 IN THE UNITED STATES DISTRICT COURT  
14 FOR THE EASTERN DISTRICT OF CALIFORNIA  
15 FRESNO DIVISION

16  
17 **CENTRAL VALLEY CHRYSLER-JEEP,  
INC.; et al.,**

18 Plaintiffs,

19 v.

20 **CATHERINE E. WITHERSPOON,**

21 Defendant.  
22

NO. CIV F-04-6663 REC LJO

**DECLARATION OF LISA KASPER  
IN SUPPORT OF DEFENDANT'S  
MOTION TO DISMISS**

Hearing: June 13, 2005  
Time: 1:30 p.m.  
Courtroom: One  
Judge: Hon. Robert E. Coyle

23  
24 I, Lisa Kasper, declare:

25 1. I have been employed by the California Air Resources Board (ARB or  
26 Board) for the last 12 and a half years. During that time, I have been an Air Pollution Specialist  
27 working in the areas of air toxics, consumer products and mobile sources.

28 2. Since 1998, I have been and am currently an Air Pollution Specialist

1 within the Zero Emission Vehicle-Implementation Section at the Board. This Section is within  
2 the On-Road Controls Branch of the Board's Mobile Source Control Division. In this capacity,  
3 my duties include community outreach and public education regarding zero and near zero  
4 emission vehicles as well as other programs and regulations to reduce emissions from passenger  
5 cars and trucks.

6           3.       One of my duties at ARB has been working as part of the team on the A.B.  
7 1493 regulatory process ("proposed regulatory action" hereafter). In that capacity, I coordinated  
8 four community focused public workshops on the ARB's proposed regulatory action. One  
9 workshop took place on February 18, 2004 and was noticed on January 27, 2004 on the ARB's  
10 public climate change website, <http://www.arb.ca.gov/cc/cc.htm>. The other three workshops  
11 took place in July 2004 and were noticed on June 14, 2004 on the ARB's public climate change  
12 website, <http://www.arb.ca.gov/cc/cc.htm>. A true and correct copy of that June 14, 2004 notice  
13 is included in Exhibit 8 of Plaintiffs' request for judicial notice, dated May 2, 2005. One of the  
14 workshops noticed on June 14, 2004 occurred in Fresno, California on July 8, 2004 (the "Fresno  
15 Workshop").

16           4.       Since September 20, 2002, members of the public have been able to sign  
17 up at <http://www.arb.ca.gov/listserv/listserv.php> to an electronic mail server, which provides list  
18 subscribers with automatic alerts of updates to the public climate change website link above. For  
19 example, on June 14, 2004, climate change listserv subscribers received specific electronic  
20 notice of the materials posted to the climate change website regarding the Fresno Workshop, as  
21 presented in Exhibit 8 of Plaintiffs' request for judicial notice, dated May 2, 2005. Attached as  
22 Exhibit A is a true and correct copy of the text of that specific electronic notice, as archived at  
23 ARB. Individuals at or representing the Alliance of Automobile Manufacturers, the Alliance of  
24 International Automobile Manufacturers, the California Motor Car Dealers Association, General  
25 Motors Corporation, and DaimlerChrysler Corporation, are currently subscribed to the climate  
26 change listserv.

27           5.       I made the Board's main presentation at the Fresno Workshop. This  
28 presentation covered background on greenhouse gas emissions and climate change, background

