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10

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA, NORTHERN DIVISION**
13

14 UPPER SOUTHEAST COMMUNITIES
COALITION,

15 Plaintiff,

16 v.
17

18 U.S. ARMY CORPS OF ENGINEERS;
LT. GEN. THOMAS P. BOSTICK, in his
official capacity, Chief of Engineers and
19 Commanding General, U.S. Army Corps of
Engineers; COL. MICHAEL J. FARRELL,
20 in his official capacity, District
Commander, Sacramento District, U.S.
21 Army Corps of Engineers; KRISTINE S.
HANSEN, in her official capacity, Senior
22 Project Manager, Reno Field Office,
Sacramento District, U.S. Army Corps of
23 Engineers; and REGIONAL
TRANSPORTATION COMMISSION OF
24 WASHOE COUNTY,

25 Defendants.
26
27
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Case No. 3:13-cv-00403

**DECLARATION OF KIMBERLY
RHODEMYRE IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

1 DECLARATION OF KIMBERLY RHODEMYRE

2 I, Kimberly Rhodemyre, declare as follows:

3 1. I am the chair of the Upper South East Communities Coalition (“Coalition”), a
4 party in the above-caption action. I have personal knowledge of the facts set forth herein, except
5 as to those stated on information and belief, and as to those, I am informed and believe them to
6 be true. If called as a witness, I could and would competently testify to the matters stated
7 herein.

8 2. I submit this declaration in support of the Coalition’s motion for a preliminary
9 injunction. By this motion the Coalition seeks to preserve the status quo until this Court can
10 decide the merits of the Coalition’s complaint.

11 3. The Coalition is a non-profit organization funded entirely by community
12 fundraising activities and donations from individuals who are concerned about the
13 environmental impacts of the proposed SouthEast Connector.

14 4. Given its limited resources, the Coalition, or individual members of the Coalition,
15 would be unable to post anything more than a nominal bond during the period of any
16 preliminary injunction.

17 5. I declare under penalty of perjury under the laws of the United States of America
18 that the foregoing is true and correct.

19 Executed July 29, 2013, at Reno, Nevada.

20
21 
22 Kimberly Rhodemyre

23 498011.1

PROOF OF SERVICE

Upper Southeast Communities Coalition v. U.S. Army Corps of Engineers, et al.
Case No. 3:13-cv-00403
United States District Court, District of Nevada

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the City and County of San Francisco, State of California. My business address is 396 Hayes Street, San Francisco, CA 94102.

On July 31, 2013, I served true copies of the following document(s) described as:

DECLARATION OF KIMBERLY RHODEMYRE IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

on the parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY CERTIFIED MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing via Certified Mail, Return Receipt Requested, following our ordinary business practices. I am readily familiar with 's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. (FRCP 4(i)(2)).

BY FEDEX: I enclosed said document(s) in an envelope or package provided by FedEx and addressed to the persons at the addresses listed in the Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of FedEx or delivered such document(s) to a courier or driver authorized by FedEx to receive documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on July 31, 2013, at San Francisco, California.


Sean P. Mulligan

SERVICE LIST

**Upper Southeast Communities Coalition v. U.S. Army Corps of Engineers, et al.
3:13-cv-00403
United States District Court, District of Nevada**

U.S. Army Corps of Engineers, Headquarters
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Washington, DC 20314-1000

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Chief of Engineers & Commanding General
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441 G Street N.W.
Washington, DC 20314-1000

Via Certified Mail

Via Certified Mail

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