1	DENNIS CUNNINGHAM (Cal. Bar No. 112910) ROBERT BLOOM		
2	BEN T. ROSENFELD 115-A Bartlett Street		
3	San Francisco, CA 94110 Tel: (415) 285-8091		
4	Fax: (415) 285-8092		
5	WILLIAM M. SIMPICH (Cal. Bar No. 106672) 1736 Franklin Street, 10th Floor		
6	Oakland, CA 94612 Tel: (510) 444-0226		
7	Fax: (510) 444-1704		
8	Attorneys for Plaintiffs		
9	JAMES R. WHEATON (Cal. Bar No. 115230) DAVID A. GREENE (Cal. Bar No. 160107)		
10	SOPHIA S. COPE (Cal. Bar No. 233428) FIRST AMENDMENT PROJECT		
11	1736 Franklin Street, 9th Floor		
12	Oakland, CA 94612 Tel: (510)208-7744 Fax: (510)208-4562		
13	Fee Counsel for Plaintiffs		
14	ree Counsel for Flamums		
15	UNITED STATES DISTRICT COURT		
16	NORTHERN DISTRICT OF CALIFORNIA		
17	SAN FRANCISCO DIVISION		
18	VERNELL LUNDBERG, et al.,) Case No. C-97-3989-SI	
19	Plaintiffs,) SUPPLEMENTAL DECLARATION OF	
20	V.	SOPHIA S. COPE IN SUPPORT OF PLAINTIFFS' MOTION FOR	
21	COUNTY OF HUMBOLDT, et al.,	ENTITLEMENT TO ATTORNEY'S FEES	
22)	
23	Defendants.) 	
24			
25		Date: July 29, 2005 Time: 9:00 a.m. Courtroom: 10	
26		Courtroom: 10 Judge: Hon. Susan Illston	
27))	
		,	

I, SOPHIA S. COPE, declare as follows:

- 1. I am a member in good standing of the State Bar of California and a member of the bar of this Court. I am also a Staff Attorney and Environmental Advocacy Fellow at the First Amendment Project. I make this declaration based on my personal knowledge, and if called to testify, could and would testify as stated herein.
- 2. Attached as **Exhibit A** is a true and correct copy of a May 5, 2005, North Coast <u>Journal</u> article by Hank Sims entitled "Pepper spray saga ends with victory for plaintiffs, but \$1 award points to compromise," available at http://www.northcoastjournal.com/050505/news0505.html, and printed on July 16, 2005.
- 3. Attached as **Exhibit B** is a true and correct copy of an excerpt (pages 73-84) of the deposition of Don Cameron, conducted on February 3, 2005.
- 4. Attached as **Exhibit C** is a true and correct copy of an October 8, 1998, Santa Rosa <u>Press Democrat</u> article by Mike Geniella entitled "Logging Foes Pepper-Sprayed, Humboldt Authorities Raid Earth First! Camp," available at http://www.pressdemocrat.com, and printed on June 28, 2005.
- 5. Attached as **Exhibit D** is a true and correct copy of a June 24, 2005, letter from Plaintiffs' fee counsel Sophia Cope to Defendants' counsel Nancy Delaney requesting information about pepper spray uses by Defendants since the beginning of the lawsuit.
- 6. Attached as **Exhibit E** is a true and correct copy of a June 28, 2005, letter from Defendants' counsel Nancy Delaney to Plaintiffs' fee counsel Sophia Cope in response to the June 24, 2005, letter, attached as Exhibit D.
- 7. Attached as **Exhibit F** is a true and correct copy of information about Humboldt County's membership in the California State Association of Counties Excess Insurance Authority (CSAC-EIA), available at http://www.csac-eia.org/index.cfm?pageid=72&id=63, and printed on July 16, 2005.
- 8. Attached as **Exhibit G** is a true and correct copy of information about the CSAC-EIA Excess Liability Program, available at http://www.csac-eia.org/index.cfm?pageid=79, and printed on July 16, 2005.

- 9. Attached as **Exhibit H** is a true and correct copy of the a chart explaining the CSAC-EIA Excess Liability Program, available at http://www.csac-eia.org/index.cfm?pageid=363, and printed on July 16, 2005.
- 10. Attached as **Exhibit I** is a true and correct copy of an excerpt of the deposition of Kimberly Kerr, the Humboldt County Risk Manager, conducted on March 17, 1998.
- 11. Attached as **Exhibit J** is a true and correct copy of a July 8, 2005, letter from Plaintiffs' fee counsel Sophia Cope to Defendants' counsel Nancy Delaney requesting information about Defendants' insurance policies.
- 12. Attached as **Exhibit K** is a true and correct copy of a July 8, 2005, letter from Defendants' counsel Nancy Delaney to Plaintiffs' fee counsel Sophia Cope in response to the July 8, 2005, letter, attached as Exhibit J.
- 13. Attached as **Exhibit L** is a true and correct copy of electronic mail correspondence I had with a Reference Attorney at the California Office of Administrative Law on June 15-16, 2005.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 20th day of July 2005, in Oakland, California.

Sophia S. Cope	