

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

**PEOPLE OF THE STATE OF
CALIFORNIA, ex rel. EDMUND G.
BROWN JR., ATTORNEY GENERAL,**

Appellant,

v.

**GENERAL MOTORS CORPORATION,
et al.,**

Defendants and Appellees.

Case No. 07-16908

On Appeal From the United States District Court
for the District of California

No. 06-cv-05755 MJJ
Hon. Martin J. Jenkins, Judge

**DECLARATION OF HARRISON M. POLLAK
IN SUPPORT OF MOTION TO DISMISS
APPEAL**

EDMUND G. BROWN JR.
Attorney General of California
HARRISON POLLAK
Deputy Attorney General
State Bar No. 200879
1515 Clay Street, 20th Floor
P.O. Box 70550
Oakland, CA 94612-0550
Telephone: (510) 622-2183
Fax: (510) 622-2270
Email: Harrison.Pollak@doj.ca.gov
*Attorneys for People of the State of
Calif. ex rel. Edmund G. Brown Jr.*

I, Harrison M. Pollak, declare as follows:

1. I am employed by the California Department of Justice as a Deputy Attorney General. In that capacity, I am one of the attorneys assigned to the case entitled *California v. General Motors, et al.*
2. On April 24, 2009, the United States Environmental Protection Agency caused to be published in the Federal Register a proposed “endangerment finding” for greenhouse gases under Section 202 of the Clean Air Act, which is an initial step to regulating greenhouse gases from mobile sources under the Act. 74 Fed. Reg. 18886 (Apr. 24, 2009).)
3. On May 19, 2009, President Obama announced an agreement to implement a new national fuel efficiency standard in line with the standards California has sought to implement over the last several years. Press Release, White House, President Obama Announces National Fuel Efficiency Policy (May 19, 2009), available at http://www.whitehouse.gov/the_press_office/President-Obama-Announces-National-Fuel-Efficiency-Policy/ (last visited June 19, 2009).
4. On April 30, Chrysler filed for Chapter 11 bankruptcy protection in the Southern District of New York. *In re Old Carco LLC (f/k/a/ Chrysler LLC)*, No. 09-50002 (S.D.N.Y. filed Apr. 30, 2009). On June 1, 2009, General Motors filed

for Chapter 11 bankruptcy protection in the Southern District of New York. *In re General Motors Corp.*, No. 09-50026 (S.D.N.Y. filed June 1, 2009).

5. On June 16, 2009, Marjorie Lewis, counsel for defendants-appellees, informed me by e-mail that her clients do not oppose this motion and that they agree that each party is to bear its own costs.

I declare under penalty of perjury that the foregoing is true and correct and to the best of my knowledge and belief. Executed on June 19, 2009, in Oakland, California.

/s/

Harrison M. Pollak