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10 UNITED STATES DISTRICT COURT
11
12 NORTHERN DISTRICT OF CALIFORNIA

13 AMERICAN FEDERATION OF LABOR AND)
14 CONGRESS OF INDUSTRIAL)
15 ORGANIZATIONS, et al.,)

16 Plaintiffs,)

17 SAN FRANCISCO CHAMBER)
18 OF COMMERCE, et al.,)

19 Plaintiffs-Intervenors,)

20 and)

21 UNITED FOOD AND COMMERCIAL)
22 WORKERS INTERNATIONAL UNION, et al.,)

23 Plaintiffs-Intervenors)

24 v.)

25 MICHAEL CHERTOFF, Secretary of Homeland)
26 Security, et al.,)

27 Defendants.)
28)

Case No. 07-4472 CRB

**DECLARATION OF DANIEL
BENSING IN SUPPORT OF
DEFENDANTS' MOTION TO
EXCEED PAGE LIMITATIONS**

1
2 I, Daniel Bensing, declare as follows:

3 I am a member of the Bar of the District of Columbia and counsel for defendants in this
4 action.

5 In its Opposition to the Motions for Preliminary Injunction filed by plaintiffs AFL-CIO, et
6 al. and plaintiff-intervenors San Francisco Chamber of Commerce, et al., defendants have to respond
7 to a total of 59 pages of arguments contained in those two briefs. Defendants' Opposition raises new
8 defenses challenging plaintiffs' claims, i.e. standing and ripeness, that are not addressed in plaintiffs'
9 motions. Because of the importance of this litigation and the issues presented, full briefing is
10 necessary to adequately present defendants' position. Consequently, defendants request that the
11 Court permit defendants to file an Opposition Memorandum of up to 55 pages in length.
12

13 Today, I spoke with counsel for plaintiffs, (AFL-CIO, et al.) Scott Kronland, who informed
14 me that plaintiffs would not consent to defendant filing a brief of up to 60 pages.
15

16 Today, I also spoke to counsel for plaintiff-intervenors, (San Francisco Chamber of
17 Commerce, et al.) Laura Klaus, who informed me that plaintiff-intervenors did not object to
18 defendants' motion to file an Opposition Memorandum of up to 60 pages.
19

20 Today, I also spoke to counsel for plaintiff-intervenors, (United Food and Commercial
21 Workers, et al.) Leon Dayan, who informed me that plaintiff-intervenors did not object to
22 defendants' motion to file an Opposition Memorandum of up to 60 pages.

23 I declare under penalty of perjury that the foregoing is true and correct. Executed on
24 September 18, 2007

25
26
27 /s/

28 Daniel Bensing