

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION TWO

E064087
IN RE SUCTION DREDGE MINING CASES

THE NEW 49'ERS, INC., *et al.*; BEN KIMBLE, *et al.*; and
PUBLIC LANDS FOR THE PEOPLE, INC. *et al.*

Plaintiffs and Appellants,

v.

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE, *et al.*

Defendants and Respondents.

Appeal from the Superior Court of San Bernardino County
Hon. Gilbert Ochoa, Department R-9
Coordinated Proceeding JCPDS4720
SCCVCV1200482 (Siskiyou County); CIVDS1012922 (San Bernardino County);
CIVDS1203849 (San Bernardino County)

DECLARATION OF JUDY SHIREY

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August 5, 2015

Judy Shirey declares:

1. I am a member of The New 49ers, Inc., which is a plaintiff in Siskiyou County Case No. SCCVCV 1200482, one of the three coordinated cases prosecuting this appeal. I make this Declaration in support of appellants' motion for calendar preference, insofar as I am over 70 years of age and my health is such that a preference is necessary to avoid prejudicing my interest in this litigation.

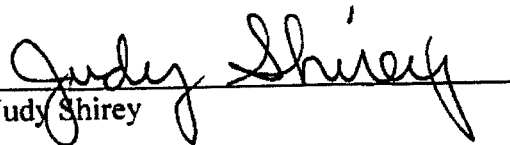
2. My husband and I have been suction dredge mining since 1993 when we purchased our first dredge. We looked forward each year to coming to the Klamath River. This was the highlight of our summer for 14 years until 2009 when CA decided to close down dredging in the middle of the dredging season.

3. We used the money from the dredging to help with summer vacation. We are currently 72 years old and are approaching the age where we will no longer be physically able to dredge. Our inability to dredge has had a negative impact on our quality of life.

4. Unless relief is granted to expedite this appeal, our health is unlikely to permit us to resume dredging by the time any appeal is decided in the ordinary course of events.

I certify under penalty of perjury that the foregoing is true and correct.

Executed at Happy Camp, California on August 5, 2015.


Judy Shirey