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**UNITED STATES COURT OF APPEALS
NINTH CIRCUIT**

GEORGE K. YOUNG JR,)	
)	
Plaintiff-Appellant,)	No. 12-17808
vs.)	
)	
STATE OF HAWAII ET. AL.)	CASE No. CV12-00336 HG BMK
)	
Defendants - Appellees.)	

DECLARATION OF STEPHEN D. STAMBOULIEH

1. My name is Stephen D. Stamboulieh and I represent George K. Young, Jr. I am an adult male resident of the State of Mississippi and am competent to testify as to matters herein.

2. Before this Court issued an Order directing Mr. Young to provide a response to Defendants' Petition for Rehearing En Banc, my co-counsel and I began to draft Mr. Young's Response. When the Defendants' filed their Petition, we believed that we were in a good position to have Mr. Young's Response filed within the timeframe ordered by this Court.

3. Afterwards, four amicus briefs were filed in this matter on September 24, 2018, which necessitated additional research, review and analyzing.

4. Given the complexity of issues, the new Attorney General's opinion, and additional information and argument presented by amici for Defendants, it has become necessary to request from this Court an additional amount of time, not to exceed thirty (30) days, in which to fully and fairly respond to the Petition.

5. Before Mr. Young's current response is due, I have a number of matters which are either scheduled or anticipated to be filed:

- a. A Motion to Dismiss in *Daniel Umbert v. United States of America*, Civil Action No. 1:18-cv-01336-TSC, is expected to be filed on or before October 2, 2018 in the United States District Court for the District of Columbia. I represent the Plaintiffs in that matter, and Alan Beck is my co-counsel. I anticipate a Motion to Dismiss will be filed as conferences with the government's counsel indicated a dispositive motion would be filed. This is a matter with eight (8) plaintiffs and is very fact specific case brought under 18 USC § 925A and 42 USC § 1983 which will necessitate extensive briefing for the response.
- b. I am defense counsel in an OSHA investigation with interviews for my client set for October 3, 2018. It is anticipated that preparation for the interviews and the interviews themselves will take more than one (1) day.
- c. I have a settlement conference scheduled for Thursday, October 4, 2018 in federal court in Gulfport, Mississippi requiring overnight travel.

6. My co-counsel and I have also been litigating a case in the Northern District of New York, Albany Division, in a highly contested electric arms case styled: *Matthew Avitabile v. Lt. Col. George Beach*, Civil Action No. 1:16-cv-1447 (DNH/CFH). The Opposition and Reply to Defendant's Cross Motion for

Summary Judgment was filed on September 17, 2018 which we completed before it was due to focus our attention on the Young matter.

7. This motion is not brought for purposes of delay or harassment, but so that justice may be done. Additionally, I declare that I have assisted in diligently working on preparing Mr. Young's response and that the response will be filed within the time requested.

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

DATED: Madison, Mississippi, September 30, 2018.

/s/ Stephen D. Stamboulieh

Stephen D. Stamboulieh