

1 C.D. Michel – SBN 144258
Sean A. Brady – SBN 262007
2 Anna M. Barvir – SBN 268728
Matthew D. Cubeiro – SBN 291519
3 MICHEL & ASSOCIATES, P.C.
180 E. Ocean Boulevard, Suite 200
4 Long Beach, CA 90802
Telephone: (562) 216-4444
5 Facsimile: (562) 216-4445
Email: abarvir@michellawyers.com

6 Attorneys for Plaintiffs

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10 VIRGINIA DUNCAN, et al.,
11 Plaintiffs,

12 v.

13 XAVIER BECERRA, in his official
14 capacity as Attorney General of the
15 State of California,

16 Defendant.
17
18
19
20
21
22
23
24
25
26
27
28

Case No: 17-cv-1017-BEN-JLB

**DECLARATION OF ANNA M.
BARVIR IN SUPPORT OF
PLAINTIFFS' EX PARTE
APPLICATION FOR ORDER
EXTENDING PAGE LIMITATION**

DECLARATION OF ANNA M. BARVIR

1
2 1. I am an attorney at the law firm Michel & Associates, P.C., attorneys of
3 record for Plaintiffs in this action. I am licensed to practice law before the United
4 States District Court for the Southern District of California. I am also admitted to
5 practice before the Eastern, Central, and Northern Districts of California, the courts
6 of the state of California, the Supreme Court of the United States, and the D.C.,
7 Fourth, Ninth, and Tenth Circuit Courts of Appeals. I have personal knowledge of
8 the facts set forth herein and, if called and sworn as a witness, could and would
9 testify competently thereto.

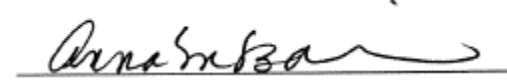
10 2. On November 30, 2022, at 10:20 a.m., I sent an email to Deputy
11 Attorneys General Robert Meyerhoff (robert.meyerhoff@doj.ca.gov) and John
12 Echeverria (john.echeverria@doj.ca.gov), counsel of record for Defendant Attorney
13 General Rob Bonta, giving them notice of Plaintiffs' Ex Parte Application for an
14 Order Extending the Page Limitation for their supplemental brief. I was directed to
15 Deputy Attorney General Kevin Kelly (kevin.kelly@doj.ca.gov) because Mr.
16 Meyerhoff is currently on leave.

17 3. Mr. Kelly responded via email and informed me that his client's
18 position is that "Local Rule 7.1(h) does not apply to limit the length of the court-
19 ordered briefing, since that rule pertains to briefs 'in support of or in opposition to
20 motions' and there is no pertinent motion currently pending before the Court." That
21 said, Mr. Kelly indicated that his client would not oppose Plaintiffs' request for an
22 order extending the page limitation.

23 4. Plaintiffs' Ex Parte Application for Order Extending Page Limitation is
24 made in good faith and for good cause because they require more than 25 pages to
25 address the issues and evidence that the State raised in its 63-page supplemental
26 brief, and there is not enough time to bring a properly noticed motion since the Court
27 ordered Plaintiffs to file their supplemental brief just 21 days after the State filed its
28 brief.

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

2 Executed within the United States on December 1, 2022.

3
4 

5 Anna M. Barvir

6 Declarant
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Case Name: *Duncan, et al. v. Becerra*
Case No.: 17-cv-1017-BEN-JLB

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, declare under penalty of perjury that I am a citizen of the United States over 18 years of age. My business address is 180 East Ocean Boulevard, Suite 200 Long Beach, CA 90802. I am not a party to the above-entitled action.

I have caused service of the following documents, described as:

DECLARATION OF ANNA M. BARVIR IN SUPPORT OF PLAINTIFFS' EX PARTE APPLICATION FOR ORDER EXTENDING PAGE LIMITATION

on the following parties by electronically filing the foregoing on December 1, 2022, with the Clerk of the District Court using its ECF System, which electronically notifies them.

Rob Bonta
Attorney General of California
Mark R. Beckington
Supervising Deputy Attorney General
Kevin J. Kelly
Deputy Attorney General
300 South Spring Street, Suite 1702
Los Angeles, CA 90013
kevin.kelly@doj.ca.gov

I declare under penalty of perjury that the foregoing is true and correct.
Executed on December 1, 2022, at Long Beach, CA.



Laura Palmerin