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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

Brian P. Carr
Plaintiff

versus

The State of Oregon through Hardy Myers in his official
capacity as Attorney General of the State of Oregon and
the City of Portland through Linda Meng in her official
capacity as City Attorney of the City of Portland
Defendants

Civil No. 3:08-CV-398-HA

Plaintiff's Declaration
In Support of
Motion For
Extension of Time

I, Brian P. Carr, am the plaintiff in this matter, have knowledge of the facts of this matter, and make the following statements under oath and penalty of perjury.

1. Prior to June 3, 2008, I was not aware that the defendants were going to each submit a motion to dismiss in lieu of an answer. While it was certainly a reasonable possibility it was not such a strong likelihood as to warrant the scheduling of time to prepare a response.
2. I am currently employed full time and, as such, do not have an unrestricted ability to allocate my time to any particular effort. Further, I routinely allocate a proportion of my 'free' time to volunteer work. In specific, prior to June 3, 2008 I had made commitments to drive a truck picking up donations for Habitat for Humanity and to teach yoga meditation classes at Oregon State Penitentiary (O.S.P.) in Salem, OR and Sheridan Federal Correction Institute (F.C.I.) during the period when I would be preparing the response. While it is possible to decommit on these obligations, it is expected that that would have a negative impact on these causes

which I believe are beneficial.

3. Under normal circumstances, preparing a response to multiple motions submitted contemporaneously is not a problem as there is commonly a pool of staff who can be allocated to the effort so that concurrent time periods is a reasonable requirement. However, I do not have any staff to rely on in the preparation of a response. The requested extension of time amounts to 22 days or 11 days for responding to each motion to dismiss, but serially rather than concurrently. This is expected to be sufficient time for responding to both motions to dismiss.
4. The associated response to defendants motions to dismiss and this declaration will be filed with the court. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system as all parties are listed for electronic notice. Parties access this filing through the court's CM/ECF System.

I certify under penalty of perjury under the laws of the state of Oregon and the United States that the foregoing is true and correct.

Respectfully submitted, June 9, 2008 (Portland, OR).

s/ Brian P. Carr
Signature of Plaintiff
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