DECLARATION OF YOSHINORI H. T. HIMEL 1 2 YOSHINORI H. T. HIMEL declares under 28 U.S.C. 1746(2): 3 1. I am an Assistant United States Attorney in the office of the United States Attorney 4 for the Eastern District of California, and am assigned the above-captioned case. 5 2. I plan to move for dismissal of the defendant Department of Justice components for lack of subject matter jurisdiction; summary judgment on plaintiff's FOIA request to the 6 7 Federal Bureau of Investigation; and summary judgment on plaintiff's FOIA request to the 8 Drug Enforcement Administration. 9 10 unexpectedly failed to complete its declaration. 11 12 13 14 expressed my consent. A copy of the letter is attached. 15 June 14, 2011. 16 17 18 19 ORDER 20 21 22 23 be filed not later than June 29, 2011. 24 DATED: June 16, 2011. 25 26 27 28

3. The motion requires declarations from the FBI and the DEA. One of those has 4. On June 14, 2011, Pamela Beauvais of this office spoke with plaintiff to find out his position on the requested extension. He consented to the extension if I would consent to extend his time to oppose the motion if he is locked down. By letter dated June 14, 2011, I I declare under penalty of perjury that the foregoing is true and correct. Executed on HINORI H. T. HIMEL It is APPROVED and SO ORDERED. Defendants' request for a two-week extension of its time to file its dismissal and summary judgment motion is granted and the motion shall Bil ma UNITED STATES MAGISTRATE JUDGE