

## EXHIBIT 2

DECLARATION OF ROBERT G. RYAN

I, the undersigned, declare:

1. I am an Associate Attorney in th Law Offices of Eugene C. Wong in San Francisco, California. This declaration is submitted in support of a Motion for Attorneys' Fees in Yick Hung Sim v. USCIS, et al, No. C-04-4643 CW.

2. I am a graduate of the University of California at Santa Cruz, having received a B.A. degree in U.S. History in 1971.

3. I worked from 1973-77, and in 1979, as a legislative staff member in the California State Senate in Sacramento.

4. I received my law degree from Golden Gate University Law School in 1983.

5. From 1983 to 1991, I worked primarily as a legal researcher and writer with various law forms in the San Francisco Bay Area, including the Law Offices of Valencia & Wong (now Law Offices of Eugene C. Wong) in a contact basis from September 1989 until January 31, 1992.

6. On November 26, 1991, I was admitted to the Pennsylvania Bar.

7. On December 13, 1991, I was admitted to practice before the United States District Court for the Northern District of California.

8. On February 1, 1992, I became an Associate Attorney with the Law Offices of Valencia & Wong (now Law Offices of Eugene C.

W9ng) where I have worked until the present time.

9. On November 29, 2001, I was admitted to the bar of  
Washington State.

10. During the past three years I have been the lead  
attorney for more than 100 petitions for review filed with the  
United States Court of Appeals for the Ninth Circuit. I was lead  
attorney in Sael v. Ashcroft, 386 F.3d 922 (9<sup>th</sup> Cir. 2004), an  
asylum case, which held that Indonesia's ethnic Chinese are  
members of a disfavored group. As a result, ethnic Chinese  
Indonesians now have a "comparatively lower" burden of proof to  
establish eligibility for asylum.

11. Although I am paid on a salary basis as an Associate  
Attorney, I am aware that the law firm charges \$250.00 per hour  
for immigration matters requiring litigation.

12. Pursuant to Rule 54-6 of the Civil Local Rules of this  
Court, this morning Assistant U.S. Attorney Edward A. Olsen and I  
conducted a telephonic meet and confer session after I sent to  
Counsel Olson him by facsimile transmission of a draft of  
petitioner's motion for EAJA fees and memorandum of points and  
authorities in support of the motion, and my billing statement.

We discussed the legal issues in the case and my billing  
statement. After considering the government's arguments,  
petitioner has decided to proceed with the EAJA motion.

13. Attached to the Declaration is an itemization of all

fees incurred by me in connection with this litigation.

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed on this 4<sup>th</sup> day of August, 2005 at San Francisco,  
California.

/s/ ROBERT G. RYAN  
ROBERT G. RYAN  
Declarant