

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

_____)	
MICHAEL NEWDOW, et al.,)	
)	
Plaintiffs,)	
v.)	Civil Action No. 08-2248 (RBW)
)	
HON. JOHN ROBERTS, JR., et al.,)	
)	
Defendants.)	
_____)	

**DECLARATION OF KEVIN T. SNIDER IN SUPPORT OF MOTION FOR
LEAVE TO FILE MEMORANDUM IN OPPOSITION**

I, Kevin T. Snider, do declare as follows:

1. My full name is Kevin Trent Snider.
2. I am a member of the State Bar of California, SBN #170988, and am admitted to practice before all federal and state courts in California.
3. I have previously argued opposite the lead plaintiff in this case, Michael Newdow, at the Ninth Circuit Court of Appeals in his lawsuit against the national motto.
4. I serve as Chief Counsel for the Pacific Justice Institute (PJI), which is based in Sacramento, California. Besides myself, PJI employs only one other litigation attorney in its Sacramento office.
5. PJI was first contacted on January 14, 2009, by Dr. Rick Warren, in reference to the present case.
6. Dr. Warren is a named defendant in this case.

7. Dr. Warren had become aware of the imminent preliminary injunction hearing in this case and asked PJI to represent him at that hearing.

8. With less than twenty-four hours until the hearing, PJI strongly believed Dr. Warren should be represented at this hearing and should not be told to seek other counsel or to rely on attorneys for other defendants to represent him.

9. I therefore took the first available flight from Sacramento to Washington, D.C., to appear at the preliminary injunction hearing on Dr. Warren's behalf. PJI's only other litigation attorney in the Sacramento office, Matthew McReynolds, began feverishly drafting the documents being presented to the Court today.

10. On January 14, 2009, my associate Matthew McReynolds spoke by telephone with the lead attorney for plaintiffs, Michael Newdow, and orally notified him that PJI represents Dr. Warren, that we would be making an appearance, and that I would at the hearing on January 15, 2009.

11. If leave to file is not granted, Dr. Warren will have no representation on a momentous issue directly affecting him—whether he will be permitted to offer an invocation at the presidential inauguration scheduled to take place next Tuesday.

Dated: January 15, 2009

Respectfully submitted,

PACIFIC JUSTICE INSTITUTE

/s/

Kevin T. Snider, Chief Counsel
California Bar Number 170988
P.O. Box 276600
9851 Horn Road, Suite 115
Sacramento, CA 95827
Tel. (916) 857-6900
Fax: (916) 857-6902
kevinsnider@pacificjustice.org

/s/ J. Stephen Simms
J. Stephen Simms
Simms Showers LLP
20 S. Charles Street, Suite 702
Baltimore, Maryland 21201
Tel. (410) 783-5795
Fax: (410) 510-1789
jssimms@simmshowers.com

CERTIFICATE OF SERVICE

I hereby certify that on January 15, 2009, I served on all parties to this action the foregoing by electronically filing this document through the Court's CM/ECF website.

/s/ J. Stephen Simms