

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

 NATURAL RESOURCES DEFENSE)
 COUNCIL, INC., and PUBLIC CITIZEN,)
 INC.,)

Plaintiffs,)

v.)

08 Civ. 10507 (PGG)

U.S. CONSUMER PRODUCT)
 SAFETY COMMISSION,)

Defendant.)

_____)

DECLARATION OF JOSEPH STOSHAK

I, Joseph Stoshak, declare as follows:

1. I am the Chief Financial Officer of Public Citizen, Inc. (Public Citizen).

2. Public Citizen is a membership organization incorporated under the laws of the District of Columbia. It is recognized as a not-for-profit corporation under section 501(c)(4) of the United States Internal Revenue Code. Currently, it has approximately 80,000 members.

3. In my duties as Chief Financial Officer, I regularly view materials that Public Citizen distributes to members and prospective members. Those materials describe Public Citizen and describe its mission.

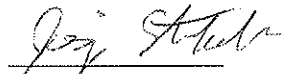
4. Our mission statement declares that Public Citizen fights in the Congress, the courts, and before the regulatory agencies for, among other things, “strong health, safety and environmental protections.” Over the years, we have fought for bans and exposure-level reductions regarding a large number of environmental and workplace toxins, such as cadmium, hexavalent chromium, vinyl chloride, and lead, to name just a few.

5. Public Citizen played a major role in advocating for the Consumer Product Safety Improvement Act, the interpretation of which is at issue in this litigation.

6. In sum, protecting the public from the adverse health effects caused by exposure to toxic chemicals, such as phthalates, is consistent with one of Public Citizen's key purposes—to protect Americans from environmental and workplace toxins.

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

Executed in Washington, D.C. on December 15, 2008



Joseph Stoshak