

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

NATURAL RESOURCES DEFENSE)
COUNCIL, INC.; CENTER FOR SCIENCE)
IN THE PUBLIC INTEREST; FOOD)
ANIMAL CONCERNS TRUST; PUBLIC)
CITIZEN, INC.; and UNION OF)
CONCERNED SCIENTISTS, INC.,)

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG)
ADMINISTRATION; MARGARET)
HAMBURG, in her official capacity as)
Commissioner, United States Food and Drug)
Administration; CENTER FOR)
VETERINARY MEDICINE; BERNADETTE)
DUNHAM, in her official capacity as)
Director, Center for Veterinary Medicine;)
UNITED STATES DEPARTMENT OF)
HEALTH AND HUMAN SERVICES; and)
KATHLEEN SEBELIUS, in her official)
capacity as Secretary, United States)
Department of Health and Human Services,)

Defendants.

11 CIV 3562 (THK)
ECF Case

**THIRD DECLARATION OF
JENNIFER A. SORENSON**

I, Jennifer A. Sorenson, declare as follows:

1. I serve as counsel for plaintiffs in this proceeding. I am a member in good standing of the bar of the State of California, and I am admitted to practice *pro hac vice* in this action. I have personal knowledge of the facts stated herein.

2. Attached as Exhibit A is a true and correct copy of a Letter from Amy A. Barcelo to Hon. Theodore H. Katz (Nov. 7, 2011).

3. Attached as Exhibit B is a true and correct copy of the Corrected Transcript of Proceedings held before Hon. Theodore H. Katz, Magistrate Judge, on February 23, 2012.

4. Attached as Exhibit C is a true and correct copy of *Emergence of the Superbug: Antimicrobial Resistance in the United States, Hearing before the S. Comm. on Health, Education, Labor, and Pensions, S. Hrg. No. 110-989 (2008).*

5. Attached as Exhibit D is a true and correct copy of Center for Veterinary Medicine (CVM), *Annual Report, Fiscal Year 2003.*

6. Attached as Exhibit E is a true and correct copy of CVM, *Annual Report, Fiscal Year 2004.*

7. Attached as Exhibit F is a true and correct copy of *In re: Enrofloxacin for Poultry*, FDA Dkt. No. 00N-1571 (Apr. 10, 2002) (order).

8. Attached as Exhibit G is a true and correct copy of FDA, *Update: FDA's Proposed Withdrawal of Approval of Poultry Fluoroquinolones.* I downloaded this document in May 2012, using the following URL: <http://www.fda.gov/AnimalVeterinary/SafetyHealth/RecallsWithdrawals/ucm042012.htm>.

9. Attached as Exhibit H is a true and correct copy of the results of a search of the Department of Health and Human Services' (HHS's) online employee directory, <http://directory.psc.gov/employee.htm>, for employees of CVM's Office of New Animal Drug Evaluations (ONADE). I performed this search in May 2012 by entering "CVM/ONADE" in the "Other org." field and selecting "contains" from the corresponding pull-down menu. For the line reading "Return no more than ___ rows," I entered "500."

10. Attached as Exhibit I is a true and correct copy of the results of a search of HHS's online employee directory, <http://directory.psc.gov/employee.htm>, for employees of CVM's Office of Research (OR). I performed this search in May 2012 by entering "CVM/OR" in the "Other org." field and selecting "contains" from the corresponding pull-down menu. For the line reading "Return no more than ___ rows," I entered "500."

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

Executed on May 25, 2012, at San Francisco, California.

s/ Jennifer A. Sorenson
Jennifer A. Sorenson