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 7 D. Harris and California Department of Food and  
 Agriculture*

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 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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 13 **THE STATE OF MISSOURI, ex rel., Chris  
 14 Koster, Attorney General; THE STATE OF  
 15 NEBRASKA, ex rel. Jon Bruning, Attorney  
 16 General; THE STATE OF OKLAHOMA,  
 17 ex rel. E. Scott Pruitt, Attorney General;  
 18 THE STATE OF ALABAMA, ex rel. Luther  
 Strange, Attorney General; THE  
 19 COMMONWEALTH OF KENTUCKY, ex  
 20 rel. Jack Conway, Attorney General; and  
 21 TERRY E. BRANSTAD, Governor of the  
 22 State of Iowa,**

2:14-CV-00341-KJM-KJN

**DECLARATION OF SUSAN K. SMITH  
 IN SUPPORT OF DEFENDANT'S  
 MOTION TO DISMISS**

Courtroom: 3, 15th Floor  
 Judge: Hon. Kimberly J. Mueller  
 Trial Date:  
 Action Filed: February 3, 2014

Plaintiffs,

v.

23 **KAMALA D. HARRIS, solely in her official  
 24 capacity as Attorney general of California;  
 25 KAREN ROSS, solely in her official  
 26 capacity as Secretary of the California  
 27 Department of Food and Agriculture,**

Defendants.

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 29 **DECLARATION OF SUSAN K. SMITH**

I, SUSAN K. SMITH, declare as follows:

1           1. I am an attorney admitted to practice before the Courts of the State of California and  
2 this Court. I am a Deputy Attorney General in the Government Law Section of the Office of the  
3 Attorney General, and I am the attorney of record in this matter for defendant Attorney General  
4 Kamala D. Harris. The matters set forth in this Declaration are true of my own knowledge, and if  
5 called as a witness I could and would testify competently thereto.

6           2. Pursuant to this Court's Standing Order, paragraph 4(A), I have conferred with J.  
7 Andrew Hirth, Deputy General Counsel for the Office of the Missouri Attorney General and lead  
8 counsel for the plaintiffs in this matter with respect to the motion to dismiss, filed herewith.

9           I declare under penalty of perjury under the laws of the United States that the foregoing is  
10 true and correct. Executed on April 9, 2014 in Los Angeles, California.

/s/ Susan K. Smith  
SUSAN K. SMITH

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**CERTIFICATE OF SERVICE**

Case Name: State of Missouri, ex rel., et al., No. 2:14-CV-00341-KJM-KJN  
v. Kamala D. Harris, et al.

I hereby certify that on April 9, 2014, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**DECLARATION OF SUSAN K. SMITH IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on April 9, 2014, at Los Angeles, California.

Angela Artiga

Declarant

/s/ Angela Artiga

Signature