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13 *Attorneys for Plaintiffs John Tos, Quentin Kopp,*  
14 *Town of Atherton, County of Kings, Morris Brown,*  
15 *Patricia Louise Hogan-Giorni, Anthony Wynne,*  
16 *Community Coalition on High-Speed Rail,*  
17 *Transportation Solutions Defense and Education Fund,*  
18 *and California Rail Foundation*

19 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
20 **IN AND FOR THE COUNTY OF SACRAMENTO**

21 JOHN TOS, QUENTIN KOPP, TOWN OF  
22 ATHERTON, a municipal corporation,  
23 COUNTY OF KINGS, a subdivision of the State  
24 of California, MORRIS BROWN, PATRICIA  
25 LOUISE HOGAN-GIORNI, ANTHONY  
26 WYNNE, COMMUNITY COALITION ON  
27 HIGH-SPEED RAIL, a California nonprofit  
28 corporation, TRANSPORTATION SOLUTIONS  
29 DEFENSE AND EDUCATION FUND, a  
30 California nonprofit corporation, and  
31 CALIFORNIA RAIL FOUNDATION, a  
32 California nonprofit corporation,  
33 Plaintiffs

34 vs.

35 CALIFORNIA HIGH SPEED RAIL  
36 AUTHORITY, a public entity, BOARD OF  
37 DIRECTORS OF THE CALIFORNIA HIGH-  
38 SPEED RAIL AUTHORITY, and DOES 1-20  
39 inclusive,  
40 Defendants

No. 34-2016-00204740

DECLARATION OF STUART M.  
FLASHMAN RE: NOTICE OF EX PARTE  
APPEARANCE

Date: March 17, 2017  
Time: 1:30 PM  
Department: 54  
Action filed: December 13, 2016  
Trial Date: Not Yet Set

I, Stuart M. Flashman, hereby declare as follows:

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1. I am an attorney licensed to practice in the State of California. I am one of the attorneys representing the Plaintiffs in this action. I have personal knowledge of the facts stated in this declaration and am competent to testify as to them if called as a witness.

2. Pursuant to California Rule of Court 5.151(e) I informed Defendants California High-Speed Rail Authority and Board of Directors of the California High-Speed Rail Authority of this ex parte request by a telephone call to Ms. Sharon O’Grady, Deputy Attorney General and counsel for the defendants in this action on March 15, 2017 at 8:45 AM at her office phone number (415) 703-5899.

3. Ms. O’Grady did not answer her phone, but I left her a voicemail that I would be bringing this ex parte request in Department 54 of the above entitled court, located at 813 6th Street, Sacramento, CA 95814 on March 17, 2017 at 1:30 PM regarding this Ex Parte Application for Temporary Restraining Order and Order to Show Cause re: Preliminary Injunction, seeking to temporarily block defendants from expending or committing any Proposition 1A bond funds or funds derived from those bond funds towards construction of the Central Valley Segment of the California High-Speed Rail system as described in the Final Funding Plan approved by the Director of Finance on March 3, 2017. I also shortly thereafter sent her an e-mail at her address: [Sharon.OGrady@doj.ca.gov](mailto:Sharon.OGrady@doj.ca.gov) to the same effect.

4. I expect Ms. O’Grady to appear and present an opposition to my request from the defendants.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 15, 2017 at Oakland, California.

  
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Stuart M. Flashman