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Attorneys for Defendants

THE CITY AND COUNTY OF HONOLULU and
MICHAEL FORMBY, in his official capacity as
Director of the City and County of Honolulu
Department of Transportation Services

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

HONOLULUTRAFFIC.COM; CLIFF
SLATER; BENJAMIN J. CAYETANO;
WALTER HEEN; HAWAII'S
THOUSAND FRIENDS; THE SMALL
BUSINESS HAWAII
ENTREPRENEURIAL EDUCATION
FOUNDATION; RANDALL W. ROTH;
DR. MICHAEL UECHI; and THE
OUTDOOR CIRCLE,

Plaintiffs,

vs.

FEDERAL TRANSIT
ADMINISTRATION; LESLIE ROGERS,
in his official capacity as Federal Transit
Administration Regional Administrator;
PETER M. ROGOFF, in his official
capacity as Federal Transit Administration
Administrator; UNITED STATES
DEPARTMENT OF
TRANSPORTATION; ANTHONY FOX,
in his official capacity as Secretary of
Transportation; THE CITY AND
COUNTY OF HONOLULU; and
MICHAEL FORMBY, in his official
capacity as Director of the City and County
of Honolulu, Department of Transportation
Services,

Defendants, and

FAITH ACTION FOR COMMUNITY
EQUITY; THE PACIFIC RESOURCE
PARTNERSHIP; and MELVIN UESATO,

Intervenor Defendants.

Civil No: 11-00307 AWT

**DECLARATION OF ROBERT D.
THORNTON IN SUPPORT OF
NOTICE OF COMPLIANCE**

(Presiding: The Honorable A. Wallace
Tashima)

Date Action Filed: May 12, 2011

I, ROBERT D. THORNTON, declare as follows:

1. I am an attorney at law and a partner with the law firm of Nossaman LLP, attorneys of record for Defendants the City and County of Honolulu and Michael Formby, in his official capacity as Director of the City and County of Honolulu, Department of Transportation (collectively, "City Defendants"). I have personal knowledge of the facts herein and, if called as a witness, I could testify competently thereto.

2. On October 2, 2013, David Glazer, counsel for Federal Defendants notified me that, due to the lapse in Congressional appropriations and the resulting shutdown of the Federal government, Federal Defendants could not file a Notice of Compliance with the Court's Judgment and Partial Injunction and Order on Cross-Motions for Summary Judgment.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 8th day of October, 2013, at Irvine, California

s/ Robert D. Thornton

Robert D. Thornton