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7 UNITED STATES DISTRICT COURT FOR THE
8
9 NORTHERN DISTRICT OF CALIFORNIA
10
OAKLAND DIVISION

11 AFRICAN AMERICAN TOBACCO CONTROL
LEADERSHIP COUNCIL, ACTION ON
12 SMOKING AND HEALTH, AMERICAN
MEDICAL ASSOCIATION, and NATIONAL
13 MEDICAL ASSOCIATION,

14 Plaintiffs,

15 v.

16 U.S. DEPARTMENT OF HEALTH AND
17 HUMAN SERVICE, ALEX M. AZAR II, in his
official capacity as Secretary of the U.S.
18 Department of Health and Human Services; U.S.
FOOD AND DRUG ADMINISTRATION;
19 STEPHEN HAHN, in his official capacity as
Commissioner of the U.S. Food and Drug
20 Administration; CENTER FOR TOBACCO
21 PRODUCTS; MITCH ZELLER in his official
capacity as the Center for Tobacco Products,
22 Director.

23 Defendants.
24

Case No. 4:20-cv-4012-KAW

**DECLARATION OF SARAH WILLIAMS
IN SUPPORT OF STIPULATION TO
EXTEND DEADLINES**

25 I, Sarah Williams, declare and state as follows:
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- 1 1. I am a Trial Attorney with the Consumer Protection Branch in the Civil Division of the
2 United States Department of Justice, and counsel of record for the Defendants in the above-
3 captioned action.
- 4 2. On January 14, 2021, Plaintiffs submitted a “Supplement to the Citizen Petition: Prohibit
5 Menthol as a Characterizing Flavoring of Cigarettes and Cigarette Smoking.” A true and
6 exact copy of that supplement is Exhibit 1.
- 7 3. By January 14, 2021, FDA’s draft citizen petition response was in the final stages of agency
8 review and clearance to meet FDA’s January 29, 2021 commitment.
- 9 4. FDA will not be able to review and consider Plaintiffs’ January 14, 2021 supplement, and
10 revise its already-drafted citizen petition response in light of the January 14, 2021,
11 supplement, by January 29, 2021.
- 12 5. On January 15, 2021, I advised Plaintiffs’ counsel of the facts in Paragraphs 3 and 4, *supra*,
13 by email.
- 14 6. On January 19, 2021, the parties met and conferred by telephone with regard to this
15 requested extension, and agreed to stipulate.
- 16 7. Before Plaintiffs submitted their supplement to the citizen petition, the Court previously
17 granted an extension of deadlines to account for FDA’s intended response by January 29,
18 2021. *See* Dkt. 40. The Court also granted a previous deadline extension for the briefing
19 schedule on Defendants’ motion to dismiss. *See* Dkt. 29.

20 Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the foregoing is true and
21 correct. EXECUTED in Washington, D.C., on January 21, 2021.

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25 /s/ Sarah Williams
26 SARAH WILLIAMS
27 Trial Attorney
28 Consumer Protection Branch, Civil Division
United States Department of Justice