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6 *Counsel for Defendants*

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

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

14 Plaintiffs,

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

23 Defendants.

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

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

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