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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAI'I

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

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; RAY  
LAHOOD, in his official capacity as

CIVIL NO. 11-00307 AWT

**DECLARATION OF SEAN KIM IN  
SUPPORT OF INTERVENORS'  
REQUEST FOR JUDICIAL NOTICE**

(Presiding: The Honorable A. Wallace  
Tashima, United States Circuit Judge  
Sitting by Designation)

Date Action Filed: May 12, 2011

Trial Date: None Set

**Secretary of Transportation; THE CITY  
AND COUNTY OF HONOLULU;  
WAYNE YOSHIOKA, in his official  
capacity as Director of the City and  
County of Honolulu, Department of  
Transportation Services,**

**Defendants.**

I, SEAN KIM, hereby declare as follows:

1. I am licensed to practice law in the State of Hawai'i and admitted to practice before the United States District Court for the District of Hawai'i. I am counsel of record for Intervenors Faith Action for Community Equity ("FACE"), Hawai'i Carpenters Market Recovery Program, dba The Pacific Resource Partnership ("PRP"), and Mr. Melvin Uesato (collectively, "Intervenors") in the above entitled action. I have personal knowledge of each matter stated herein. I offer this declaration in support of Intervenors' Request for Judicial Notice.

2. Attached as **Exhibit A** is a true and correct copy of *Environmental Justice in the OMPO Planning Process: Defining Environmental Justice Populations* ("March 2004 Report"), which was published by the Oahu Metropolitan Planning Organization ("MPO") in or about March 2004. I obtained this document on January 3, 2011 by using the Internet Explorer web browser to access the official website for the Oahu MPO at <http://www.oahumpo.org>. From there, I accessed the "Reports & Documents" drop-down menu and clicked on the "Title VI / Environmental Justice" hyperlink ("link"). From there, I followed the link titled "Environmental Justice in the Oahu MPO Planning Process." The document I accessed and downloaded was located at <http://www.oahumpo.org/reports-docs/2004Update.pdf>.

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

Executed January 3, 2012, at Honolulu, Hawai'i.

  
SEAN KIM