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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

14 COUNTY OF SAN DIEGO,)

15 Plaintiff,)

16 v.)

17 STATE OF CALIFORNIA, SANDRA)
18 SHEWRY, Director of the California Department)
19 of Health Services in her official capacity; and)
20 DOES 1 through 50, inclusive,)

21 Defendants.)
22)

No. 06-cv-0130 WQH JMA

**DECLARATION OF JOSEPH D.
ELFORD IN SUPPORT OF
MOTION TO INTERVENE**

Date: March 13, 2006

Time: 11 a.m.

Place: Courtroom 4

23 I, Joseph D. Elford, declare as follows:

24 1. I am Chief Counsel for Americans for Safe Access and a member in good standing of
25 the State Bar of California.

26 2. Based upon my investigation into this case, I understand the following facts regarding
27 the proposed intervening defendants.
28

1 3. Proposed intervening defendant AMERICANS FOR SAFE ACCESS (“ASA”) is a
2 non-profit corporation with its office in Oakland, California that has as its primary purpose working
3 to protect the rights of patients and doctors to use marijuana for medical purposes. ASA’s members
4 and constituents include individuals within the County of San Diego and other parts of the State of
5 California who are adversely affected by the instant litigation. This litigation, if resulting in the
6 declaratory and injunctive relief sought by plaintiff, will have a severe impact on the statutory rights
7 of the members and constituents of ASA, including, but not limited to, the deprivation of medicine to
8 the seriously ill.
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11 4. Proposed intervening defendant WENDY CHRISTAKES (“Christakes”) is, and at all
12 times mentioned herein was, a resident of the County of San Diego and she pays taxes there.
13 Christakes is a twenty-nine-year-old mother of two children who uses marijuana on the
14 recommendation of her physician to treat chronic pain, sciatica, and other symptoms associated with
15 a herniated disk. Christakes would apply for a California medical marijuana identification card if
16 given the opportunity. Christakes is a member of ASA.
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18 5. Proposed intervening defendant PAMELA SAKUDA (“Sakuda”) is, and at all times
19 mentioned herein was, a resident of the County of San Diego and she pays taxes there. Sakuda is a
20 fifty-eight-year-old medical marijuana patient who uses marijuana on the recommendation of her
21 physician to treat symptoms associated with stage four rectal cancer. Sakuda would apply for a
22 California medical marijuana identification card if given the opportunity. Sakuda is a member of
23 ASA.
24

25 6. Proposed intervening defendant NORBERT LITZINGER is, and at all times
26 mentioned herein was, a resident of the County of San Diego and he pays taxes there. Litzinger is the
27 husband of proposed intervening defendant Pamela Sakuda and he is her primary caregiver.
28

1 Litzinger would apply for a California medical marijuana identification card if given the opportunity.

2 Litzinger is also a member of ASA.

3
4 7. Proposed intervening defendant WILLIAM BRITT ("Britt") is, and at all times
5 mentioned herein was, a forty-six-year-old medical marijuana patient who uses marijuana on the
6 recommendation of his physician to treat symptoms associated with epilepsy and post-polio
7 syndrome. Britt is a resident of Long Beach, California and a member of ASA.

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9 8. Proposed intervening defendant YVONNE WESTBROOK is, and at all times
10 mentioned herein was, a fifty-three-year-old medical marijuana patient who uses marijuana on the
11 recommendation of her physician to treat muscle spasticity resulting from multiple sclerosis.
12 Westbrook is a resident of Richmond, California and a member of ASA.

13 I declare under penalty of perjury that the foregoing is true and correct.

14 Executed on this 24th day of January, 2006, in Oakland, California.

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18 JOSEPH D. ELFORD
19 Counsel for Proposed Intervening Defendants
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