

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAMES DEREK MIZE, et al.,

*Plaintiffs,*

v.

MICHAEL R. POMPEO, et al.,

*Defendants.*

Civil Action No. 1:19-cv-3331-MLB

**DECLARATION OF SUSAN BAKER MANNING**

I, Susan Baker Manning, hereby declare:

1. I am over 18 years of age. I am a partner of Morgan, Lewis & Bockius LLP, counsel of record for Plaintiffs. I have personal knowledge of the facts stated herein, except those stated on information and belief, and, if called upon, could and would testify competently to them. I submit this declaration in support of Plaintiffs' Motion for Partial Summary Judgment.

2. **Exhibit M** is a true and correct copy of the State Department Foreign Affairs Manual homepage. The State Department makes this document available online at <https://fam.state.gov/> (last visited Jan. 6, 2020).

3. **Exhibit N** is a true and correct copy of 8 FAM § 301.4 ("Acquisition by Birth Abroad to U.S. Citizen Parent(s) and Evolution of Key Statutes"). The

State Department makes this document available online at <https://fam.state.gov/FAM/08FAM/08FAM030104.html> (last visited Jan. 6, 2020).

4. **Exhibit O** is a true and correct copy of 8 FAM § 304.1 (“Birth in Wedlock, of Wedlock, Void and Voidable Marriages”). The State Department makes this document available online at <https://fam.state.gov/FAM/08FAM/08FAM030401.html> (last visited Jan. 6, 2020).

5. **Exhibit P** is a true and correct copy of 8 FAM § 304.3 (“Acquisition [sic] of U.S. Citizenship at Birth - Assisted Reproductive Technology”). The State Department makes this document available online at <https://fam.state.gov/FAM/08FAM/08FAM030403.html> (last visited Jan. 6, 2020).

6. **Exhibit Q** is a true and correct copy of the excerpt of the transcript of the December 20, 2018 deposition of Paul Peek that was publicly filed in the case *Dvash-Banks v. Pompeo*, Case No. 2:18-cv-00523 (C.D. Cal.), on January 7, 2019 as ECF No. 83-4. Mr. Peek is a State Department employee who the State Department designated to testify on its behalf pursuant to Federal Rule of Civil Procedure 30(b)(6) in *Dvash-Banks v. Pompeo*, Case No. 2:18-cv-00523 (C.D. Cal). Exhibit Q is a complete copy of the publicly available transcript. On information and belief, the remainder of the transcript of Mr. Peek’s deposition has been designated as confidential and remains under the Protective Order issued by the court

in *Dvash-Banks*, Case No. 2:18-cv-00523 (C.D. Cal. Dec. 19, 2018) (ECF No. 71).

7. **Exhibit R** is a true and correct copy of the excerpt of the transcript of the December 6, 2018 deposition of Larilyn Reffett that was publicly filed in the case *Dvash-Banks v. Pompeo*, Case No. 2:18-cv-00523 (C.D. Cal.), on January 7, 2019 as ECF No. 83-8. Ms. Reffett is a State Department employee who was deposed pursuant to Federal Rule of Civil Procedure 30(b)(1) in *Dvash-Banks v. Pompeo*, Case No. 2:18-cv-00523 (C.D. Cal). Ms. Reffett was represented at the deposition by the Department of Justice. Exhibit R is a complete copy of the publicly available transcript. On information and belief, the remainder of the transcript of Ms. Reffett's deposition has been designated as confidential and remains under the Protective Order issued by the court in *Dvash-Banks*, Case No. 2:18-cv-00523 (C.D. Cal. Dec. 19, 2018) (ECF No. 71).

8. **Exhibit S** is a true and correct copy of the excerpt of the transcript of the December 7, 2018 deposition of Margaret Ramsay that was publicly filed in the case *Dvash-Banks v. Pompeo*, Case No. 2:18-cv-00523 (C.D. Cal.), on January 7, 2019 as ECF No. 83-7. Ms. Ramsay is a State Department employee who was deposed pursuant to Federal Rule of Civil Procedure 30(b)(1) in *Dvash-Banks v. Pompeo*, Case No. 2:18-cv-00523 (C.D. Cal). Ms. Ramsay was represented at the deposition by the Department of Justice. Exhibit S is a complete copy of the publicly

available transcript. On information and belief, the remainder of the transcript of Ms. Ramsay's deposition has been designated as confidential and remains under the Protective Order issued by the court in *Dvash-Banks*, Case No. 2:18-cv-00523 (C.D. Cal. Dec. 19, 2018) (ECF No. 71).

9. **Exhibit T** is a true and correct copy of the Plaintiffs' Combined Statement of Facts that was publicly filed in the case *Dvash-Banks v. Pompeo*, Case No. 2:18-cv-00523 (C.D. Cal.), on January 22, 2019 as ECF No. 110-1.

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

Dated: January 16, 2020



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Susan Baker Manning