

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN SOCIETY FOR TESTING AND
MATERIALS d/b/a ASTM INTERNATIONAL;

NATIONAL FIRE PROTECTION
ASSOCIATION, INC.; and

AMERICAN SOCIETY OF HEATING,
REFRIGERATING, AND AIR
CONDITIONING ENGINEERS,

Plaintiffs-Counterdefendants,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant-Counterclaimant.

Case No. 1:13-cv-01215-TSC-DAR

Action Filed: August 6, 2013

**SUPPLEMENTAL DECLARATION OF CARL MALAMUD IN FURTHER SUPPORT
OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

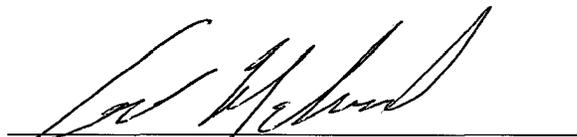
I, Carl Malamud, declare as follows:

1. I am over the age of 18 years and am fully competent to testify to the matters stated in this declaration.
2. This declaration is based on my personal knowledge. If called to do so, I would and could testify to the matters stated herein.
3. I am the President and sole employee of Public.Resource.Org, Inc. ("Public Resource"), which is a 501(c)(3) non-profit corporation headquartered in Sebastopol, California. I have worked at Public Resource since I founded the organization in 2007. It is my only source of employment.

4. Public Resource does not charge for access to the archive of laws and other government authored materials on the domains under the public.resource.org website.
5. In August of 2008, I posted the Alabama Electrical Code, Arkansas Electrical Code, Idaho Electrical Code, Minnesota Electrical Code, North Carolina Electrical Code, North Dakota Electrical Code, New Hampshire Electrical Code, Rhode Island Electrical Code, South Dakota Electrical Code, Utah Electrical Code, and Wyoming Electrical Code to the website law.resource.org.
6. Each of these codes contains the unmodified text of the 2008 National Electrical Code.
7. For instance, the Alabama Electrical Code, Alabama Building Commission Administrative Code chapter 170-X-2, consists of the complete, unmodified 2008 National Electrical Code with five pages of Alabama-specific material placed at the front of the document. Attached to Public Resource's Index of Consolidated Exhibits as **Exhibit 16** is a true and correct copy of the first 34 pages of the Alabama Electrical Code that I posted on the Public Resource website in August of 2008. Because the entire document is over 800 pages I have not included it in its entirety, and Public Resource will have the entire document available at the hearing on Public Resource's Motion for Summary Judgment and requests permission to lodge it or file it formally at the hearing, instead of putting such a large document on PACER. The full document will be made available for Plaintiffs to inspect at their request.

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

Executed this 4th day of February, 2016 at Sebastopol, California.

A handwritten signature in black ink, appearing to read 'Carl Malamud', is written over a horizontal line.

Carl Malamud