

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ORLY TAITZ)
Plaintiff,)
)
)
)
v.)
)
JEH JOHNSON, et al.)
Defendants.)

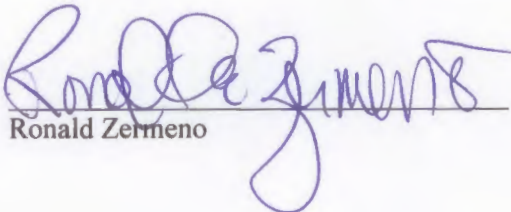
No. 1:14-cv-119

DECLARATION OF RONALD ZERMENO

1. I am the Director of Safety and Office of Worker’s Compensation Programs for the National Border Patrol Council, Local 1613 (San Diego, California). I am employed as a Border Patrol Agent for U.S. Customs and Border Protection. I make this declaration on the basis of my own knowledge.
2. On Monday, August 25, 2014 I received an e-mail from the e-mail address I know to belong to Daniel Mais, who is the Vice President of the National Border Patrol Council, Local 1613. A true and accurate copy of that e-mail is attached as Exhibit A.
3. In that e-mail Mr. Mais forwarded me an e-mail that appears to be from Gabe Pacheco, who is the lead union representative from the National Border Patrol Council, Local 1613. Attached to that e-mail was a document that appeared to be a subpoena compelling my testimony in the above referenced case on August 27, 2014 at 1:30 pm.
4. Prior to receiving this e-mail I had no interaction with Orly Taitz, whom I understand to be the plaintiff in the present case.

5. I was not provided information about Federal Rule of Civil Procedure 45(c)(1) which I now understand to limit the ability of a subpoena to command a non-party person to attend a hearing to within 100 miles of where the person resides, is employed or regularly transacts business in person.
6. I reside in Lake Elsinore, California which is more than 100 miles away from the place that I have been ordered to appear, specifically the US District Court for the Southern District of Texas located in Brownsville, Texas.
7. I never waived the application of Rule 45(c)(1), particularly since I have had no discussions or interactions with Dr. Taitz.
8. It is my personal wish not to testify at the hearing that I understand is scheduled for August 27, 2014.
9. I provide this declaration voluntarily based on my own wish to provide the Court with these facts, including the fact that I do not wish to be required to testify at the hearing on August 27, 2014.
10. I declare that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: August 26, 2014


Ronald Zermeno