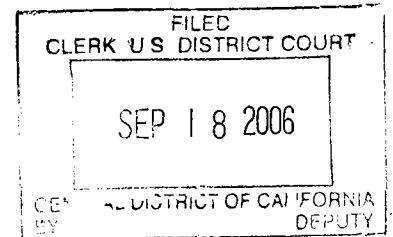


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14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA

16 CITY OF LOS ANGELES; ORANGE  
COUNTY SANITATION DISTRICT;  
17 COUNTY SANITATION DISTRICT NO. 2  
OF LOS ANGELES COUNTY;  
18 RESPONSIBLE BIOSOLIDS  
MANAGEMENT, INC.; R&G FANUCCHI,  
19 INC.; SHAEN MAGAN, both individually  
and d/b/a HONEY BUCKET FARMS and  
20 TULE RANCH/MAGAN FARMS;  
WESTERN EXPRESS, INC.; SIERRA  
21 TRANSPORT, INC.; CALIFORNIA  
ASSOCIATION OF SANITATION  
22 AGENCIES,

23 Plaintiffs,

v.

24 COUNTY OF KERN; KERN COUNTY  
25 BOARD OF SUPERVISORS,

26 Defendants.

No. CV 06-5094 GAF (VBKx)

**DECLARATION OF  
PROFESSOR CHARLES P.  
GERBA, PH.D., IN  
SUPPORT OF PLAINTIFFS'  
MOTION FOR A  
PRELIMINARY  
INJUNCTION**

Date: October 16, 2006

Time: 9:30 a.m.

Place: 255 East Temple St.,  
Los Angeles, CA 90012  
Room 740

Judge: Hon. Gary A. Feess

## DECLARATION OF PROFESSOR CHARLES P. GERBA, Ph.D.

I, Charles P. Gerba, hereby declare:

1. The following facts are true to my own personal knowledge and if called to witness I could so testify.

2. I have been retained by attorneys for the City of Los Angeles to provide an expert opinion regarding the environmental effects of allowing Green Acres Farm to remain open during the course of this case if the Court issues a preliminary injunction that stays the Kern County biosolids ban. As explained below, my conclusion, following an extensive data review and a visit to Green Acres Farm, is that allowing Green Acres Farm to remain open and to continue to recycle biosolids during the course of this litigation will not pose a risk to public health or the environment.

3. Since 1984, I have been a tenured Professor in the Department of Soil, Water and Environmental Science at the University of Arizona in Tucson, Arizona. I have worked and researched at the University of Arizona since 1981 and prior to that I was an Assistant Professor at the University of Texas School of Public Health and Baylor College of Medicine. I received my Ph.D in microbiology from the University of Miami in 1973 and a B.S. in microbiology in 1969 from Arizona State University in Tempe. I have authored major textbooks in the field of environmental science and microbiology, including *Environmental and Pollution Science* (2d ed. 2006); *Environmental Microbiology* (2000), and *Quantitative Microbial Risk Assessment* (1999), I have been an author or co-author on more than 500 scientific articles on the control, transport, fate and health risks of pathogens in the environment

4. I have volunteered significant time for the advancement of public health, environmental science, risk assessment, and microbiology. The United States

