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12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 SAUSALITO/MARIN COUNTY CHAPTER
 16 OF THE CALIFORNIA HOMELESS UNION,
 17 on behalf of itself and those it represents;
 ROBBIE POWELSON; SHERI L. RILEY;
 18 ARTHUR BRUCE; MELANIE MUASOU;
 SUNNY JEAN YOW; NAOMI
 19 MONTEMAYOR; MARK JEFF; MIKE
 20 NORTH; JACKIE CUTLER and MICHAEL
 ARNOLD on behalf of themselves and
 21 similarly situated homeless persons,

22 Plaintiffs,

23 v.

24 CITY OF SAUSALITO; MAYOR JILL
 25 JAMES HOFFMAN; POLICE CHIEF JOHN
 ROHRBACHER; CITY MANAGER
 26 MARCIA RAINES; DEPT. OF PUBLIC
 WORKS SUPERVISOR KENT BASSO,
 27 individually and in their respective official
 28 capacities,

Defendants.

CASE NO. 3:21-cv-01143-LB

**DECLARATION OF KEVIN MCGOWAN IN
 SUPPORT OF DEFENDANTS’
 (1) OPPOSITION TO PLAINTIFFS’ EX
 PARTE MOTION TO SHOW CAUSE WHY
 DEFENDANTS SHOULD NOT BE HELD IN
 CONTEMPT FOR VIOLATING THE
 PRELIMINARY INJUNCTION, FOR
 SANCTIONS AND FOR MODIFICATION OF
 PRELIMINARY INJUNCTION; AND
 (2) EX PARTE MOTION TO MODIFY
 PRELIMINARY INJUNCTION**

Date: December 9, 2021
 Time: 1:30 p.m.
 Courtroom: 5 – 17th Floor

Action Filed: February 16, 2021
 Trial Date: T.B.D.
 Judge: Hon. Edward M. Chen

DECLARATION OF KEVIN MCGOWAN

I, Kevin McGowan, declare as follows:

1. I am the Director of Public Works for the City of Sausalito and have held that position since August 2019. If called as a witness, I could and would competently testify to all facts stated herein based upon my personal knowledge except where stated upon information and belief. This Declaration is submitted in support of Defendants’ (1) Opposition to Plaintiffs’ *Ex Parte* Motion To Show Cause Why Defendants Should Not Be Held In Contempt for Violating the Preliminary Injunction, for Sanctions and for Modification of Preliminary Injunction; and (2) *Ex Parte* Motion to Modify Preliminary Injunction.

2. Prior to serving as Director of Public Works for the City of Sausalito, I served as an Assistant Public Works Director and City Engineer for the City of San Rafael between 2010 and 2019. Prior to that, I served under various positions for the County of Marin’s Public Works Department including but not limited to managing several divisions within the department. I received a Bachelor of Science (1987) and Master of Science (1991) in Civil Engineering from California State University, Sacramento. I thereafter received my California Civil Engineering License (No. 45967) in August 1990, which remains active as of the date of the filing of this Declaration (exp. December 31, 2022).

3. On November 12, 2021, City staff responded to reports from the encampment of an active sewage leak from the bathrooms at Marinship Park. Staff promptly responded and discovered that the source of the backflow was towels tied in a plastic bag and stuffed deep down the piping.

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

Executed on this 18th day of November, 2021 in Sausalito, California.

DocuSigned by:
Kevin McGowan
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Kevin McGowan