

EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LINDA GUSTITUS, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 1:06CV814 (RCL)
	:	
ANTHONY WILLIAMS, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

DECLARATION OF DAVID JANIFER

I, David Janifer pursuant to 28 U.S.C. § 1746, declare under penalty of perjury that the foregoing is true and correct:

1. I am the the Chief Building Inspector of the District of Columbia Department of Consumer and Regulatory Affairs (“DCRA”) and have held that position since February 2006.
2. I understand that on or before February 23, 2006, plaintiffs Gustitus, McBride, Parentia and Ramoy posted signs of protest on their residential property challenging the Zoning Administrator’s decision to allow the subdivision of the property at 4717 Ellicot Street, in Northwest, Washington, D.C.
3. I understand that on or before February 23, 2006 a DCRA inspector observed the signs and on March 4, 2006 plaintiffs Gustitus, McBride, Parenti, and Ramoy each received a Notice of Violation (“NOV”), dated February 24, 2006, pertaining to 12 D.C. M.R. §§ 3107.1 *et seq.*
4. The NOVs, which were issued by DCRA, indicated that plaintiffs Gustitus, McBride, Parentis, and Ramoy had violated 24 D.C.M.R § 108, because they did not

have a permit for their signs. The NOV's also indicated that if they did not abate the violations within 15 days they could be subject to enforcement proceedings and a \$2,000 fine.

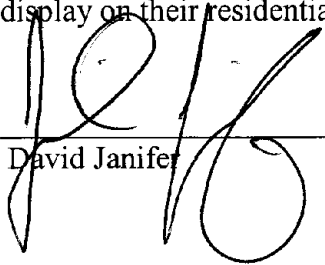
5. I understand that plaintiffs' efforts to apply for a permit were unavailing.

6. Upon information and belief, I understand that plaintiffs continued to display their signs long after the 15 day grace period expired and continue to do so to date.

Furthermore, DCRA has not issued any Notices of Infractions ("NOI's") against plaintiffs, nor have plaintiffs been prosecuted or fined.

7. The Acting Deputy Director of DCRA for Inspections and Compliance, Nicholas A. Majett, has directed that the above-referenced NOV's, which were never enforced against plaintiffs Gustitus, McBride, Parentis, and Ramoy, nonetheless be rescinded.

8. Furthermore, the District will not seek to enforce the above-referenced provisions of the 2003 Supplement to the Building Code against any of the plaintiffs as it relates to protest signs that they may choose to display on their residential properties.



David Janifer

Signed: May 11, 2006

EXHIBIT B

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs



May 11, 2006

Christopher A. Mohr
Meyer, Klipper, Mohr PLLC
923 Fifteenth Street, NW
Washington, DC 20005

Re.: *Gustitus, et al., v. District of Columbia, et al.*, Civil Action 1:06CV00484

Dear Mr. Mohr:

I am writing on behalf of the District of Columbia in the above referenced matter in which plaintiffs seek injunctive and declaratory relief against the Department of Consumer and Regulatory Affairs ("DCRA") enforcement of 12 D.C.M.R. §§ 3107.3, 3107.6.6.3, 3107.9.5.1, 3107.6.7 and 24 D.C.M.R § 108. These provisions are contained in the 2003 Supplement to the District's Building Code. I understand that on or before February 23, 2006, plaintiffs Gustitus, McBride, Ramoy and Parenti posted signs of protest on their residential property challenging the Zoning Administrator's decision to allow the subdivision of the property at 4717 Ellicot Street, in Northwest, Washington, D.C.. On February 23, 2006 a DCRA inspector observed the signs and on March 4, 2006 plaintiffs Gustitus, McBride, and Ramoy each received a Notice of Violation ("NOV"), dated February 24, 2006.

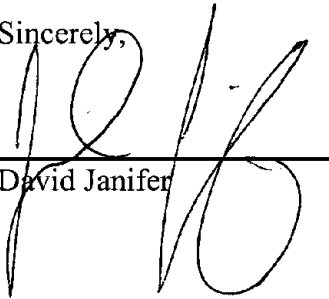
The NOVs, which were issued by DCRA, indicated that plaintiffs Gustitus, McBride, and Ramoy had violated 24 D.C.M.R § 108 because they did not have a permit for their signs. The NOVs also indicated that if they did not abate the violations within 15 days they could be subject to enforcement proceedings and a \$2,000 fine. I understand that plaintiffs' efforts to apply for a permit were unavailing. I also understand that plaintiffs have continued to display their signs and have not been issued any Notices of Infractions ("NOIs"), nor have they been prosecuted or fined.

At the direction of the Acting Deputy Director of DCRA for Inspections and Compliance, I write to inform you that the above-referenced NOVs issued to plaintiffs Gustitus, McBride, Parenti and Ramoy are hereby rescinded. I also write to inform you that the District will not seek to enforce the above-referenced provisions of the 2003 Supplement to the Building Code against any of the plaintiffs named in this lawsuit as it relates to protest signs that they may choose to display on their residential properties.

Letter to Christopher A. Mohr
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Please feel free to contact Martha J. Mullen, Senior Assistant Attorney General, at (202) 724-6612 if you have any questions regarding this matter.

Sincerely,



David Janifer