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11 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF WASHINGTON
12 **AT YAKIMA**

13 STATE OF WASHINGTON, et
al.,
14 Plaintiffs,
15 v.
16 DONALD J. TRUMP, et al.,
17 Defendants.

NO. 1:20-cv-03127-SAB

DECLARATION OF DAVID W.
DART IN SUPPORT OF
PLAINTIFF STATES' MOTION
FOR PRELIMINARY
INJUNCTION

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I, David W. Dart, declare as follows:

1. I am over the age of 18, am competent to testify as to the matters herein, and make this declaration based on my personal knowledge.

2. I am a U.S. Navy veteran. I entered the service in December 1980 and separated from service in July 1985.

3. I am long-time resident of Washington State.

4. I have an underlying medical condition that puts me at increased risk for severe illness from COVID-19. I am following my state's stay at home orders. But because I am at increased risk, I have taken additional precautions and try to avoid leaving my home.

5. I primarily buy the basic necessities I need online through retailers like Wal-Mart and Amazon. These necessities include household cleaning items, bulk items, pet food, and clothes. Over the last few months, I have experienced package delays ranging from two weeks to a month from the expected delivery date. At least twice, the original item arrived after the replacement item. Through delivery tracking, I saw that another package was stuck at the same facility in California for 10 days.

6. I also get my medication delivered to me through the United States Postal Service. I use the Department of Veterans Affairs to get my medication. My doctor has prescribed me with eleven medications and four supplements, three of which treat my chronic condition.

1 7. I refill my prescriptions online and am able to track their delivery
2 status.

3 8. Generally, through the VA refill process, I receive my refills three
4 or four days before I run out of that medication.

5 9. Starting sometime in July 2020, I began noticing and experiencing
6 delays in Postal Service deliveries for my medications. Because of these delays,
7 I have received prescription refills three or four days after I run out of that
8 medication.

9 10. I am very concerned about how these mail delays will affect me and
10 that future deliveries of critical medication will be delayed.

11 11. I am most worried about getting delayed refills of one of the
12 medications that I take to manage my chronic condition. I am anxious about the
13 consequences if the delivery of this refill does not get to me on time before I run
14 out. I must take this medication every day around the same time and cannot miss
15 a dose. Skipping even for just a few days of this medicine can be life-threatening.
16 Missing doses increases my risk for blood clots, which could result in stroke,
17 heart attack, or a pulmonary embolism (where a blood clot blocks blood flow to
18 my lungs).

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

DATED this 18 day of August, 2020, at Seattle, Washington.

David William Dart
David W. Dart