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Drakes Bay Oyster Company

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF MARIN

14 PHYLLIS FABER, an individual, and  
ALLIANCE FOR LOCAL SUSTAINABLE  
15 AGRICULTURE, an unincorporated organization,  
DRAKES BAY OYSTER COMPANY, a  
16 California corporation,

17 Petitioners and Plaintiffs,

18 v.

19 CALIFORNIA COASTAL COMMISSION,  
CHARLES LESTER, DOES 1 through 10,  
20 inclusive,

21 Respondents and Defendants.

22 And Related Cross Actions.  
23  
24

Nos. CIV 1301469 and 1301472  
**CONSOLIDATED**

**DECLARATION OF LARRY  
GIAMBASTIANI  
IN SUPPORT OF DRAKES BAY**

## DECLARATION OF LARRY GIAMBASTIANI

I, Larry Giambastiani, declare as follows:

1. I am making this declaration in support of the Drakes Bay Oyster Company. I have personal knowledge of the following facts and, if called as a witness, I could and would competently testify to them under oath.
2. I was born and raised in West Marin, California. I began working for an oyster farm in Drakes Estero in approximately 1956.
3. When I began working at the oyster farm, there were already numerous oyster racks built in Drakes Estero.
4. I operated a boat powered with an aircraft engine used by the oyster farm.
5. Drakes Estero is cleaner and in better condition now than it was when I worked there.

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

September 21, 2013

  
LARRY GIAMBASTIANI

1 **PROOF OF SERVICE**

2 I declare that I am over the age of eighteen years and not a party to this action. I am  
3 employed in the City and County of San Francisco and my business address is 155 Sansome St.,  
Suite 700, San Francisco, California 94104.

4 On August 14, 2014, at San Francisco, California, I served the attached document(s):

5 **DECLARATION OF LARRY GIAMBASTIANI IN SUPPORT OF DRAKES BAY**

6  
7 on the following parties:

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13 *County Farm Bureau, The California Farm*  
*Bureau Federation and The Mendocino*  
14 *County Farm Bureau*

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19 *Attorneys for Real Party in*  
20 *Interest Drakes Bay Oyster*  
*Company*

21  
22 X **BY FIRST CLASS MAIL:** On the date written above, I deposited with the United States Postal Service a true copy of the  
23 attached document in a sealed envelope, with postage fully prepaid, addressed as shown on the service list. I am aware that  
on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than  
one day after the date of deposit for mailing contained in this declaration.

24 X **BY E-MAIL OR ELECTRONIC TRANSMISSION:** On the date written above, I e-mailed the documents to the persons  
25 on the service list at the e-mail addresses listed above. I did not receive, within a reasonable time after transmission, any  
26 electronic message or other indication that transmission was unsuccessful.  
27  
28

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9 *Complainant California Coastal*  
10 *Commission*

*Attorneys for Petitioner and*  
11 *Plaintiff Phyllis Faber*

- 12 X **BY OVERNIGHT DELIVERY:** On the date written above, I delivered the Federal Express package to a location authorized  
13 by Federal Express to receive documents for pickup. The package was placed in a sealed envelope or package designated by  
14 Federal Express with delivery fees paid or provided for, addressed to the persons on whom it is to be served at the addresses  
15 shown above.
- 16 X **BY E-MAIL OR ELECTRONIC TRANSMISSION:** On the date written above, I e-mailed the documents to the persons  
17 on the service list at the e-mail addresses listed above. I did not receive, within a reasonable time after transmission, any  
18 electronic message or other indication that transmission was unsuccessful.

19 I declare under penalty of perjury under the laws of the State of California that the  
20 foregoing is true and correct and that this document was executed on August 14, 2014, at San  
21 Francisco, California.

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27  
  
\_\_\_\_\_  
Arlene Won