

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

<p>AMERICAN SOCIETY FOR TESTING AND MATERIALS d/b/a/ ASTM INTERNATIONAL;</p> <p>NATIONAL FIRE PROTECTION ASSOCIATION, INC.; and</p> <p>AMERICAN SOCIETY OF HEATING, REFRIGERATING, AND AIR CONDITIONING ENGINEERS,</p> <p style="text-align: center;">Plaintiffs/ Counter-Defendants,</p> <p>v.</p> <p>PUBLIC.RESOURCE.ORG, INC.,</p> <p style="text-align: center;">Defendant/ Counter-Plaintiff.</p>	<p style="text-align: center;">Case No. 1:13-cv-01215-TSC</p>
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**DECLARATION OF CHRISTIAN DUBAY**  
**IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, Christian Dubay, declare as follows:

1. I am Vice President, Codes and Standards, and Chief Engineer for the National Fire Protection Association ("NFPA"). My duties include managing and administering the NFPA Codes and Standards process. I have held this position since 2007. The following facts are based upon my own personal knowledge, and if called upon to do so, I could and would testify competently hereto.

2. A central component of NFPA's mission is to eliminate the risk of death, injury, property and economic loss due to fire, electrical and related hazards, for all people. As part of that mission, NFPA has long been involved with developing strategies and fire safety educational materials for people with disabilities.

3. Since at least 2007, NFPA has had a Disability Access Review and Advisory Committee. This committee is appointed by NFPA's president and advises NFPA's president and its Technical Committees.

4. The Disability Access Review and Advisory Committee works to identify existing needs and emerging issues within the disability community, and to ensure that the NFPA Codes and Standards process includes current subject matter that addresses disability issues, access provisions, and other matters that impact the disability community.

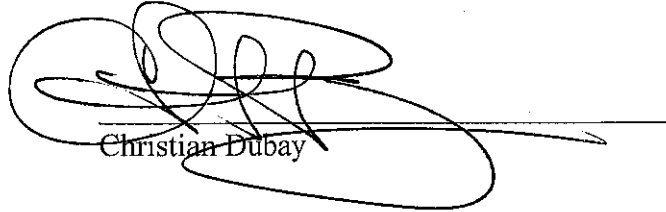
5. NFPA has taken a leading role in promoting building safety for the disabled by, among other things, developing an Emergency Evacuation Planning Guide for People with Disabilities, which is available for free download on NFPA's website. This Guide provides information on the five general categories of disabilities (mobility, visual, hearing, speech, and cognitive) and the four elements of evacuation information that occupants need: notification, way finding, use of the way, and assistance.

6. NFPA is also committed to providing access to its standards to all persons who have an interest in reading them. As part of that commitment, NFPA makes accommodations for disabled persons who request assistance in accessing any of NFPA's standards. NFPA is not aware of any persons who have requested assistance in accessing NFPA materials and have been unable to do so.

7. I am aware of one instance in which NFPA received a request for accommodation in accessing an NFPA standard from a person who had low vision. NFPA responded by providing that individual with a PDF copy of the requested standard, free of charge, and the individual was able to use that PDF copy to read the standard.

8. Attached hereto as Exhibit A is a true and correct copy of the 2011 edition of NFPA 70, the National Electrical Code.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed this 21st day of January 2016 at Quincy, Massachusetts.



Christian Dubay

# EXHIBIT A

**FILED UNDER SEAL**