

# **EXHIBIT 5**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

O. JOHN BENISEK, <i>et al.</i> ,	*	
	*	
<i>Plaintiffs,</i>	*	
	*	Case No. 13-cv-3233
v.	*	
	*	
LINDA H. LAMONE., <i>et al.</i> ,	*	
	*	
<i>Defendants.</i>	*	
	*	
* * * * *		

**DECLARATION OF VALERIE G. KWIATKOWSKI**

I, Valerie G. Kwiatkowski, under penalty of perjury, declare and state:

1. I am over the age of 18 and am competent to testify to the matters stated below.
2. Since May 2014, I have been the Assistant to the Speaker in the office of the Maryland House Speaker Michael E. Busch.
3. In the role of Assistant to the Speaker, I maintain Speaker Busch’s schedule.
4. The Maryland General Assembly will reconvene on January 11, 2017 and will adjourn on April 10, 2017. Given the restrictions of a 90-day legislative session and mandatory deadlines at each stage during which bills are considered, Speaker Busch has extensive legislative responsibilities on each day that the House is in session. Having Speaker Busch unavailable for legislative business even for a day during session would pose considerable scheduling challenges.
5. On Friday, February 3, 2017, Speaker Busch has a meeting with the Anne Arundel County Delegation beginning at 8:30am. Thereafter, he must preside over the Maryland House of Delegates beginning at 11am until the House of Delegates recesses for the day.
6. Based on Speaker Busch’s typical day during the legislative session, I anticipate that after the House recesses for the day, Speaker Busch will have committee hearings, meetings with other legislators, meetings with constituents, meetings with

advocacy groups, meetings with Executive Branch officials, and other legislative business for the remainder of the day.

7. On the Friday of the last week of January during the 2016 legislative session, Speaker Busch had an Anne Arundel County Delegation meeting at 8:30am, a speaking engagement at 9:30am, following by a meeting with a legislator at 10:45am, before assuming his duties of presiding over the House of Delegates at 11am. Speaker Busch had three meetings in the afternoon following the House floor session.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

1/6/17  
Date

  
Valerie G. Kwiatkowski