Verification and Declaration of Eugene Martin LaVergne pursuant to 28 U.S.C. §1746 and L.Cv.R. 11.1(2)

Eugene Martin LaVergne hereby swears, certifies and declares as follows:

1. I am the first named Plaintiff in the above matter and as such I am fully familiar with all facts relevant to this case and to the accompanying Motion for Summary Judgment.

2. All of the factual allegations in the First Amended Complaint are true, and all Exhibits attached thereto are true and accurate copies of the original documents. To the extent necessary, the foregoing may be treated as a nunc pro tunc Verification of the First Amended Complaint by the undersigned.
3. Additionally, attached hereto as Exhibits are true and accurate copies of the following documents:

**Exhibit “A”:**
True copies of certain microfilmed documents pertaining to the *Article V* ratification action taken in the various State Legislatures regarding the first twelve proposed Amendments to the *United States Constitution* that formally reported their *Article V* ratification action to the Federal Government during the time period of January 1790 through January 1792. These original documents were originally on file with Department of State and were transferred to the custody and control of the National Archives and Records Administration (“NARA”) at some time after that Administration was created by law in 1934. In 1960 certain of these documents were memorialized by the NARA on the medium of microfilm, and the documents reproduced here at Exhibit “A” are taken from that microfilm publication. *See National Archives Microfilm Publications Microcopy No. 338: “CERTIFICATES OF RATIFICATION OF THE CONSTITUTION AND THE BILL OF RIGHTS, Including Related Correspondence and Rejections of Proposed Amendments (1787-92), Microfilmed by the National Archives and Records Service, General Services Administration, WASHINGTON: 1960.*

**Exhibit “B”:**
“Jefferson Chart” on file with the NARA.

**Exhibit “C”:**
True copy of February 1792 Official Department of State text printing of the instruments of ratification the Federal Government received from the State Legislatures during the time period of January 1790 through January 1792. Note that this 19 page printing was bound together with and placed at the front of the Official First Edition Francis Childs & John Swaine printing of the Laws and Acts of the Second Congress, First Session. *See Acts Passed at the First Session of the Second Congress of the United States of America, Begun and Held at the City of Philadelphia, in the State of Pennsylvania, on Monday the Twenty-Fourth of October, One Thousand Seven Hundred and Ninety-One: And of*
the Independence of the United States, the Sixteenth
(Published by Authority), PHILADELPHIA:
Printed by Francis Childs and John Swains,
Printers of the Laws of the United States [1792].

Exhibit “D”:
True copy of Official Department of State text printing of
the instruments of ratification the Federal Government
received from the State Legislatures during the time
period of January 1790 through January 1792 as found on
pages 325 through 390 inclusive in Volume II of the
Official Department of State publication: See
Documentary History of the Constitution of the
United States of America (1786 - 1870), Derived from
the Records, Manuscripts, and Rolls Deposited in
the Bureau of Rolls and Library of the Department
of State (VOLUME II), WASHINGTON: Department
of State (1894). (*)Note on page 390 there is an
editorial footnote that confirms that as of 1894
regarding the formal records in the custody and
control of and on file with the Department of State
that “…there is no evidence of the ratification of
these amendments by Massachusetts, Connecticut
and Georgia.” See Id. at page 390.

Exhibit “E”:
Certified true copies of unreported Article V ratification
taken by the Connecticut State Legislature in the Fall of
1789 and Spring of 1790. (*)Note: Includes an
unreported ratification of Article the First as an
amendment to the United States Constitution.

Exhibit “F”:
Certified and uncertified true copies of unreported Article
V ratification taken by the Kentucky State Legislature in
June 1792. (*)Note: Includes an unreported
ratification of Article the First as an amendment to
the United States Constitution.

Exhibit “G”:
True copies of excerpts from the Official Journal of the
Virginia State House of Delegates for the Fall 1789
Legislative Session and the Journal of the Virginia State
Senate for the Fall 1789 Legislative Session. (*)Note:
Includes an unreported ratification of Article the
First as an amendment to the United States Constitution.
“Exhibit “H”: True copy of official “Tazewell Senate Report” to the United States Senate presented in January 1797 on the status of what was known about the ratification of the first twelve proposed amendments, as published in and excerpted from the Official Senate Legislative Journal, which Report was ultimately adopted by the full Senate with an accompanying Resolution. See pages 61, 62 & 63 in Journal of the Senate of the United States of America, Being the Second Session of the Fourth Congress, Begun and Held at the City of Philadelphia, December 5th, 1796, and in the Twenty-First Year of the Sovereignty of the Said United States, PHILADELPHIA: Printed by John Fenno, Printer to the Senate of the United States, M,DCC,XCVI [1792]. (*)Note: The United States House of Representatives ultimately adopted and concurred in the Senate's proposed Resolution without change, after the House rejected the conclusions of a separate House Committee Report and accompanying alternative proposed Resolution.

Exhibit “T”: True copies of February 21, 1797 alternate House Committee Report and proposed alternate Resolution. See REPORT OF THE COMMITTEE to Whom was Re-Committed the Sixteenth Instant, Their REPORT ON A RESOLUTION OF THE SENATE, For Obtaining Information Relative to the Amendments Proposed by Congress to the Constitution of the United States Concerning the Suability of States”, 21st February 1797, committed to a Committee of the Whole House to-morrow, Printed by Order of the House of Representatives [February 1797] (original 5 pages in length); see also Report Re-Printed as Document No. 94 in American State Papers, Documents, Legislative and Executive, of the Congress of the United States, Miscellaneous Volume, WASHINGTON: Published by Gales & Seaton (1834) (1 page).

Exhibit “J”: True copies of the Title Page and pages 21 & 22 and pages 97 & 98 from United States Statutes at Large Volume I (1845).
“I declare, certify, verify and state under penalty of perjury that the foregoing is true and correct.”

Executed on this 17th day of October, 2017.

Eugene Martin LaVergne
Plaintiff Pro Se