

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

THE LOS ALAMOS STUDY GROUP,

Plaintiff,

v.

Case No. 1:10-CV-0760-JH-ACT

UNITED STATES DEPARTMENT OF  
ENERGY; THE HONORABLE STEVEN  
CHU, in his capacity as SECRETARY,  
DEPARTMENT OF ENERGY;  
NATIONAL NUCLEAR SECURITY  
ADMINISTRATION; THE HONORABLE  
THOMAS PAUL D'AGOSTINO, in his  
Capacity as ADMINSTRATOR,  
NATIONAL NUCLEAR SECURITY  
ADMINISTRATION,

Defendants.

**AFFIDAVIT OF JODY BENSON**

State of New Mexico            )  
  ) ss.  
County of Los Alamos         )

Jody Benson, under penalty of perjury, hereby declares as follows this 7 day of  
January 2011:

1. My education and experience have been presented to this Court in my  
previous affidavit in this case.
2. I make this declaration as an addendum to my earlier affidavit of November 2,  
2010 in support of the Los Alamos Study Group's Motion for a Preliminary  
Injunction.

3. Defendants stated on page 14-15 of their "Federal Defendants' Opposition to Plaintiff's Motion for Preliminary Injunction" that "Jody Benson does not allege that she is a member of Plaintiff's organization...and her allegations of irreparable injury are therefore irrelevant." I am in fact a member of the Los Alamos Study Group.

The foregoing is signed and declared under penalty of perjury to be true and correct.

Dated: January 7, 2011

Jody Benson  
Jody Benson

SUBSCRIBED AND SWORN TO before me this 7<sup>th</sup> day of January 2011,  
by Jody Benson.

Judy L. Martinez  
Notary Public

My Commission Expires:

6-18-2011

