

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF OREGON  
3 PORTLAND DIVISION

4 **Case 3:24-cv-00755-JR**

5 **David White, Pro Se**  
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7 **Portland OR.**  
8 [dave@salmonprotectiondevice.com](mailto:dave@salmonprotectiondevice.com)

**MEMORANDUM**  
**United States Magistrate**  
**Judge Jolie A. Russo**

9  
10  
11 **vs.**

12  
13 **Defendant 1. (D1)**  
14 **Dave Coffman, as geoscientist**  
15 **dcoffman@res.us, sburley@res.us**  
16 **Resource Environmental Solutions,**  
17 **Corporate Headquarters – Houston**  
18 **6575 West Loop South, Suite 300**  
19 **Bellaire, TX 77401**  
20 **713.520.5400 x6134**

21 **Defendant 2. (D2)**  
22 **Mark Bransom in his capacity as Chief Executive Officer of**  
23 **Klamath River Dam Renewal Corp.**  
24 **info@klamathrenewal.org**

25 **Defendant 3 (D3)**  
26 **Klamath River Renewal Corporation**  
27 **2001 Addison Street, Suite 317**  
28 **Berkeley, CA 94704**  
29 **Phone: 510-560-5079**

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**Legal Counsel for D2 and Klamath River Renewal Corporation (KRRC),**  
32 **(D3)**

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 17 Telephone: 510.296.5589  
 18 *Attorneys for Defendants Mark Bransom and*  
 19 *Klamath River Renewal Corporation*

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21

### Table of Authorities

22

18 USC 3 accessory after the fact.

23

16 USCA § 1532(19); see also Goble, D. D.; George, S. M.; Mazaika, K.;

24

Scott, J. M. & Karl, J. (1999) "Local and national protection of endangered  
 species: An assessment," Environmental Science & Policy, 2, pp. 43-59.

25

26

18 U.S. Code § 41 - Hunting, fishing, trapping; disturbance or injury on  
 wildlife refuges.

27

28

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Background:

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Plaintiff is statistically qualified by virtue of advanced college and statistics

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studies -- only 22 credits shy of a PhD -- and a long career in semi-

32

conductors.

1 According to worldpopulationreview.com, the population of Siskiyou  
 2  
 3 County, California in 2023 is 42,905. A total of 17,204 people voting out of  
 4 42,905 is 41% of the total population including children. If families have 1.3  
 5 children then the adults are  $42,905 = x \text{ adults} + y \text{ children}$   $2x = 1.2y$ .

6  
 7 Therefore,  $y = 2x/1.2$ .  $42905 = x + 2x/1.2 = 1.2X + 2x = 3.2x$ ,  $x =$   
 8  $42905/3.2 = 13,408$  adults. Therefore all 17,204 people voting were adults  
 9 and most likely some older teenagers and the voting represents 100% of  
 10 the county.

## 11 **Klamath Dams Facts Matter**

### 12 **FACT: Siskiyou County Votes Against Dam Removal**

13 SCWUA put forth a ballot measure, Measure G, on November 2, 2010.  
 14 A "Yes" vote was in favor of Klamath Dam Removal. A "No" vote was in favor of  
 15 Klamath Dam Retention.

16  
 17 **The "No" vote prevailed by 13,564 votes, representing 78.84% of the**  
 18 **population.** The "Yes" vote represented only 21.16% of the population – with  
 19 3,640 votes cast.

20  
 21 Thus, according to this data 78.8% of adults in Siskiyou County  
 22 overwhelmingly oppose

23 removal of the Klamath river dams. Clearly Defendants ignored and did not  
 24 confer with this

25 group or other stakeholders in the Klamath river basin who were against dam  
 26 removal. In

1 addition, to their lack of scientific acumen, it is abundantly clear that  
 2 defendants lack any  
 3 appreciation of how decisions are made in a democratic society. They chose  
 4 instead to ignore  
 5 the will of the majority and manipulate the law for their own benefit.

6  
 7 Today (5/15/24) D2 and D3 sent plaintiff their proposal to dismiss the case.  
 8 Plaintiff emailed  
 9 back that plaintiff opposes this proposal in whole and in part. This is the email  
 10 received on May  
 11 15<sup>th</sup>, 2024.

12

 Wed 5/15/2024 4:14 PM  
 Markley, Julia E. (Perkins Coie) <JMarkley@perkinscoie.com>  
 Proposed briefing schedule: White v. KRRC  
 To: dave@salmonprotectiondevice.com  
 Cc: Zagor, Laura (Perkins Coie); Houlihan, Megan (Perkins Coie)  
 You replied to this message on 5/15/2024 4:29 PM.

Mr. White,  
 I represent Defendants in the referenced case. Defendants intend to file a motion to dismiss and, for certainty and efficiency, Defendants plan to ask the Court for a briefing schedule in this case as detailed below. Would you please let me know if I can represent to the Court that Defendants' request is unopposed, or if you have any comment on Defendants' proposed briefing schedule?

Event	Deadline
Defendants file Motion to Dismiss	May 31, 2024
Plaintiff files Response to Motion to Dismiss	June 14, 2024
Defendants file Reply in Support of Motion to Dismiss	June 28, 2024 or 14 days after Plaintiff files his Response, whichever is earlier
If the Court denies, in whole or in part, Defendants' Motion to Dismiss, the parties will confer on a briefing schedule on Plaintiff's Motion for Preliminary Injunction	Within seven (7) days of this Court's ruling on Defendants' Motion to Dismiss

Thank you,  
 Julia  
**Julia E. Markley | Perkins Coie LLP**  
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Rulings requested.

1 1. Plaintiff moves honorable federal Judge Jolie A. Russo to charge  
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3 D1, D2 and D3 with over 2,000 counts of killing wildlife (including  
4  
5 endangered salmon) and order federal marshals to arrest them  
6  
7 forthwith. By 18 U.S. Code § 41, 6 months' imprisonment for each of  
8  
9 2,000 counts would be 1,000 years for each person. Confer also 16  
10  
11 USCA § 1532(19).

12  
13 Defendants and their employees should now be in custody awaiting a  
14  
15 court date. Instead, they are left free to flaunt the law, ignore the vote  
16  
17 of the people, and destroy the only remaining Iron Gate Dam on the  
18  
19 Klamath, with its critical flood control and power producing capacity.  
20  
21 Doing this during the pendency of his case.

22 2. Plaintiff moves the honorable federal Judge Jolie A. Russo to a ruling  
23  
24 that defendants must immediately cease and desist from removal of  
25  
26 the Iron Gate Dam and restore all property they have damaged thus  
27  
28 far. Time is of the essence!

29  
30 3. Plaintiff moves the honorable federal Judge Jolie A. Russo to reject  
31  
32 any defendant motion to dismiss this case and approve the rulings in  
33  
34 this Memorandum and other documents filed by Plaintiff in the case.  
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1 David C. White Pro Se. 5/15/2024