

1 Kevin T. Snider, State Bar No. 170988  
Counsel of record  
2 Michael J. Peffer, State Bar. No. 192265  
Matthew B. McReynolds, State Bar No. 234797  
3 PACIFIC JUSTICE INSTITUTE  
4 P.O. Box 276600  
Sacramento, CA 95827  
5 Tel. (916) 857-6900  
6 Fax (916) 857-6902  
Email: ksnider@pji.org

7  
8 Alexander M. Snyder (SBN 252058)  
Life Legal Defense Foundation  
9 P.O. Box 2015  
Napa, CA 94558  
10 Tel: 707.224.6675  
11 asnyder@lldf.org

12 Attorneys for Plaintiffs

13  
14 IN THE UNITED STATES DISTRICT COURT  
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

16 Jonee Fonseca, an individual parent and ) Case No.:  
17 guardian of Israel Stinson, a minor, )  
Plaintiff, )  
18 ) DECLARATION OF ALEXANDRA  
19 Plaintiffs, ) SNYDER REGARDING DISPUTES  
) CONCERNING BRAIN DEATH  
20 v. )  
) )  
21 Kaiser Permanente Medical Center )  
22 Roseville, Dr. Michael Myette M.D. and )  
23 Does 1 through 10, inclusive, )  
Defendants. )  
24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DECLARATION OF ALEXANDRA SNYDER

I, Alexander Snyder, declare as follows:

I am an attorney admitted to the State Bar of California (SL# 252058), and am not a party to the above-encaptioned case. If called upon, I could and would testify truthfully, as to my own person knowledge, as follows:

- 1) I have personally read the attached article (Exhibit 1, Piercing the Veil) by Seema K. Shah, JD, a bioethicist with the National Institutes of Health. I have also read Shah’s Curriculum Vitae. (Exhibit 2, Shah CV)
- 2) Shaw cites the “persistent controversy and recent conflicts between hospitals and families over the treatment of brain-dead patients [which] demonstrate the need for clearer limits on the legal fiction of brain death.” (Exhibit 1, “Piercing the Veil: The Limits of Brain Death as a Legal Fiction”)
- 3) Shah notes that “Some scholars, and even the members of the Harvard Ad Hoc Committee themselves, were uneasy with the concept of brain death from the beginning.”
- 4) Because of the ongoing dispute about death, Shaw argues that “judges and legislators should sometimes “pierce the veil” of brain death and should not use the legal fiction in cases involving: (1) religious and moral objections, (2) insurance reimbursement for extended care of brain-dead patients, (3) maintenance of pregnant, brain dead women, and (4) biomedical research.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 6<sup>th</sup> day of May, 2016.

S/ Alexandra Snyder  
Alexandra Snyder, Declarant