

UNITED STATES DISTRICT COURT  
DISTRICT OF DISTRICT OF COLUMBIA

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MASSACHUSETTS LOBSTERMEN’S  
ASSOCIATION, INC.  
8 Otis Place  
Scituate, MA 02066

Plaintiffs,

v.

GINA RAIMONDO, *in her official capacity*  
*as Secretary,*  
U.S. Department of Commerce  
1401 Constitution Avenue, NW  
Washington, DC 20230,

JANET COIT, *in her official capacity as*  
*Assistant Administrator,*  
NOAA Fisheries  
1315 East-West Highway  
Silver Spring, MD 20910,

NATIONAL MARINE FISHERIES  
SERVICE,  
1315 East-West Highway  
Silver Spring, MD 20910

Defendants.

Case No.

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DECLARATION OF BETH CASONI

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I, Beth Casoni, pursuant to 28 U.S.C. § 1746, do hereby state and declare as follows:

1. I am a resident of Marshfield, Massachusetts, and I am over 18 years of age.
2. I am the Executive Director and a member of the Massachusetts Lobstermen’s Association, Inc. (“MLA”).

3. The MLA was established in 1963 as a member-driven organization with the goal of maintaining both the lobstering industry and the lobsters themselves.

4. I assist the MLA in the tracking of changes in laws and regulations that affect our industry.

5. I am a current member of the Atlantic Large Whale Take Reduction Team.

6. On January 31, 2023, I received an email from the National Oceanic and Atmospheric Association (“NOAA”) announcing an “emergency closure” of federal waters within the Massachusetts Restricted Area, a true and correct copy of which is appended herein as **Exhibit A**.

7. The email, which came from Atlantic Large Whale Take Reduction Team Coordinator Marisa Trego, contained a hyperlink directing me to the NOAA Fisheries website at <https://www.fisheries.noaa.gov/action/emergency-restricted-area-trap-pot-fishery-massachusetts-restricted-area-wedge>.

8. This website contained another link, under the heading “Federal Register,” to the text of the emergency rule referenced in the aforementioned email. A true and correct copy of the text of the emergency rule, found by clicking on the link at the above URL, is appended herein as **Exhibit B**.

9. On February 1, 2023, I received an email from the Atlantic Large Whale Take Reduction Team at the Center for Coastal Studies. True and correct copies of that email and its attachment are appended herein as **Exhibits C** and **D**, respectively.

10. The email and its attachment indicated that the Center from Coastal Studies had performed an aerial study of the Massachusetts Bay on February 1, 2023 and had spotted zero Right Whales, or any other large marine mammal, in the Massachusetts Bay, including in the area closed by the “emergency closure.”

FURTHER YOUR DECLARANT SAYETH NAUGHT.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this  
1st day of February, 2023 in the City of Marshfield, Commonwealth of Massachusetts.

/s/BETH CASONI  
Beth Casoni