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11 In Pro Per Third Party Objector

12 **SUPERIOR COURT OF CALIFORNIA**  
13 **COUNTY OF CONTRA COSTA**

14 ROBERT TIERNAN, et al.,

15 Plaintiffs,

16 v.

17 DIABLO COMMUNITY SERVICES  
18 DISTRICT, et al.,

19 Defendants.

Case No. MSC17-02529

**DECLARATION OF BOB GORMAN IN  
SUPPORT OF THIRD PARTIES DAVID  
HAMMOND AND HAL SEIBERT'S  
MOTION TO SET ASIDE  
STIPULATED JUDGMENT BETWEEN  
INTERVENORS AND U.S. BANK**

Date: 05/17/24  
Time: 9:00am  
Dept.: 18

20  
21  
22 **AND RELATED CROSS-ACTION AND  
ACTION IN INTERVENTION**  
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1 I, Bob Gorman, declare as follows:

2 1. I am currently a resident of the City of San Ramon, County of Contra Costa. I make  
3 this Declaration based on my own personal knowledge, and if called as a witness, could and would  
4 testify to the same.

5 2. I am familiar with a gravel trail approximately 100 to 125 feet in length connecting  
6 Alameda Diablo and Mount Diablo Scenic Boulevard (leading to Mount Diablo State Park's  
7 "South Gate" entrance ("the Easement"), which is at the southerly end of the property located at  
8 2354 Alameda Diablo, Diablo, California.

9 3. I moved to the Tri Valley in 1987 and started racing my bicycle in 1988. Every  
10 Thursday night I would meet up with other riders at California Pedaler Bike Shop in Danville to  
11 ride up to the Junction on Mount Diablo. Our group would generally be around 15 to 20 strong  
12 and we always rode respectfully through the streets of Diablo and we always used the Easement  
13 to access Mount Diablo Scenic Blvd. We purposely wanted to avoid the dangers of the narrow  
14 curves of Diablo Road, especially at dusk.

15 4. I also have ridden in the Valley Spokesmen New Years Day Ride from the Cal  
16 Pedaler bike shop in Danville to the Summit of Mount Diablo. This was mainly in the 1988 thru  
17 1992 time period. My group used the Easement in both directions.

18 5. I quit riding for a while but returned to active riding again in 2011 and have ridden  
19 across the Easement on a weekly basis through the present time, or until the Easement was blocked  
20 last fall. I find it troubling that a popular and safe route to Mount Diablo, used by myself or over  
21 35 years has been blocked for all users. The alternative ways to get to Mount Diablo are less safe  
22 than the Easement.

23 I declare under penalty of perjury under the laws of the State of California that the  
24 foregoing is true and correct. Executed on FEB 3 2024 in San Ramon, California.

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