

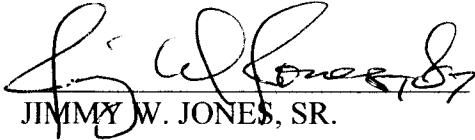
DECLARATION OF JIMMY W. JONES, SR.

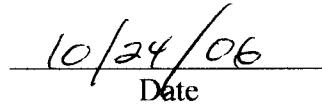
1. I am over 18 years of age and a United States Citizen. My birth date is May 23, 1963. My mailing address is 614 Eagle Drive, Gravette, Arkansas 72736.
2. I have a Bachelor of Science Degree in Family Studies and Gerontology from Southern Nazarene University, Bethany, Oklahoma. I was a federal government employee for 19 years. I served in the US Military from 1986 to 1992. I was employed as a Field Examiner for the US Department of Veterans Affairs from 1992 to 1999. I was employed as a Federal Investigator for the US Equal Employment Opportunity Commission from 1999 to 2001. I was employed as an Equal Opportunity Specialist for the US Department of Agriculture, Office of Civil Rights, Washington, DC from 2001 to 2004. I was employed as an Assistant District Director for the US Department of Labor, Office of Federal Contract Compliance, Kansas City, MO, from 2004 to 2005. I am currently self employed as a contract Assistant Director for a drug and alcohol recovery program called The DARP Foundation in Decatur, Arkansas, telephone number (479) 752-3333.
3. As an Equal Opportunity Specialist for the US Department of Agriculture, Office of Civil Rights, Washington DC I reviewed program complaints of discrimination to ensure timeliness and jurisdictional requirements were met prior to investigation. If the complaint was timely and within jurisdiction then I conducted an investigation of the complaint, prepared a report of investigation and sent the report forward to adjudication for a Final Agency Decision (FAD).
4. In November of 2003, I was assigned to investigate a civil rights complaint filed by Tyn Davis, a Hispanic farmer from Fort Hancock, Texas. Mr. Davis filed his discrimination complaint with the USDA Civil Rights Office in October 2002. His complaint was accepted and given the discrimination complaint # 137418. When the complaint filed by Mr. Davis was assigned to me for investigation I was told by Mr. Frederick Isler to check with a different Equal Opportunity Specialist named Wy Ping Chan to see if the complainant was a class action complainant. I was told if the complainant was a class action complainant I should return the complaint to Mr. Chan to hold in abeyance until the class was certified. I spoke to Wy Ping Chan and as I recall Wy Ping Chan said that I needed to return the complaint to him without investigation because the complainant was a member of a class action complaint. I returned the complaint file to Wy Ping Chan without conducting an investigation.
5. During my tenure as a Civil Rights Equal Opportunity Specialist for the USDA, I do not recall being allowed to investigate any Hispanic farmer discrimination complaints, nor do I recall any of my colleagues being allowed to investigate any. We were told on numerous occasions by our supervisors that the majority of

Hispanic farmer discrimination complaints were not to be investigated pending certification of a class and that the complaints should be forwarded to Wy Ping Chan. I have no way of knowing which complaints were investigated by other Equal Opportunity Specialists in the USDA Office of Civil Rights. I do not recall investigating any complaints filed by Hispanic farmers because to the best of my recollection, Hispanic farmers were routinely considered putative class members of the Garcia class action lawsuit and held in abeyance.

6. I departed the USDA Office of Civil Rights, Washington DC in August of 2004. I did not investigate the complaint filed by Tyn Davis prior to my departure and as far as I know, his complaint was still being held in abeyance.

I have reviewed the forgoing Declaration, and declare, under penalty of perjury that it is true and correct and to the best of my personal knowledge and recollection.


JIMMY W. JONES, SR.


Date