

David F. Sugerman (OSB No. 862984)
Nadia H. Dahab (OSB No. 125630)
SUGERMAN LAW OFFICE
707 SW Washington Street, Suite 600
Portland, OR 97205
Telephone: (503) 228-6474
david@sugermanlawoffice.com
nadia@sugermanlawoffice.com

Randolph T. Chen (D.C. Bar No. 1032644) (*pro hac vice* forthcoming)
PUBLIC JUSTICE, PC
1620 L Street NW, Suite 630
Washington, D.C. 20036
Telephone: (202) 797-8600
rchen@publicjustice.net
dmuraskin@publicjustice.net

*Counsel for the National Black Farmers Association
and the Association of American Indian Farmers*

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PENDLETON DIVISION

KATHRYN DUNLAP, et al.,

Case No.: 2:21-cv-00942-SU

Plaintiffs,

v.

**DECLARATION OF SHADE MARSHALL
LEWIS IN SUPPORT OF NATIONAL
BLACK FARMERS ASSOCIATION AND
ASSOCIATION OF AMERICAN INDIAN
FARMERS MOTION TO APPEAR AS
AMICUS CURIAE AND CONDITIONAL
MOTION TO INTERVENE AS
DEFENDANTS**

THOMAS J. VILSACK, in his official
capacity as Secretary of the United States
Department of Agriculture, et al.,

Defendants.

DECLARATION OF SHADE MARSHALL LEWIS

My name is Shade Marshall Lewis. I am over the age of 18 and fully competent to make this declaration.

1. I am an African-American rancher who is a member of the National Black Farmers Association (NBFA). I want the NBFA to represent my interests in this lawsuit.

2. I live in La Grange, MO, a rural town of 958 people in northeast Missouri. I was born and raised in La Grange.

3. I own and operate a cattle farm in La Grange, where I raise between 100-200 heads of cattle on over 100 acres of land. I have operated my cattle farm since 2014.

4. In addition to my job as a rancher, I also work a second job conducting maintenance on power transmission lines. I work a second job for financial stability, as the cattle farming business can be unpredictable and vary significantly from year-to-year.

5. I am 30 years old and a first-generation rancher. Prior to starting my own cattle farm, I spent years building up my ranching experience, as well as the credit necessary to purchase property for a cattle farm. I believe everyone deserves a fair chance at farming, especially beginning farmers.

6. In 2014, I was able to take out a USDA loan for \$300,000. I used this loan to buy the property for my cattle farm.

7. As of January 1, 2021, the outstanding balance on my loan was approximately \$197,000.

8. My loan has an annual payment term and I have made many payments. However, due to fluctuations in the cattle farming business from year-to-year, I have also missed annual

payments on my loan. As a result of being late on my loan payments, I have received warnings from USDA threatening foreclosure on my property.

9. I believe I am eligible for loan forgiveness under Section 1005 of the American Rescue Plan Act because I am a socially disadvantaged rancher who has an outstanding balance on a direct farm loan with USDA.

10. After learning about the passage of Section 1005, I factored the law’s debt forgiveness provision into my business plans. For example, I explored how receiving this loan forgiveness would enable me to pay down other loans I have taken out to purchase livestock.

11. Thus, if Section 1005 is enjoined, I would suffer injury.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in La Grange, MO.

6/8/2021

Date: _____

DocuSigned by:



6E7CD79EC5F3463...

By: _____

SHADE MARSHALL LEWIS