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CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

THE AMERICAN BEVERAGE ASSOCIATION, CALIFORNIA RETAILERS ASSOCIATION, CALIFORNIA STATE OUTDOOR ADVERTISING ASSOCIATION,

Plaintiffs,

vs.

THE CITY AND COUNTY OF SAN FRANCISCO,

Defendant.

Case No. 3:15-cv-03415 EMC

DECLARATION OF CHRISTINA GOETTE IN SUPPORT OF SAN FRANCISCO'S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION

Hearing Date: April 7, 2016
Time: 1:30 p.m.
Place: Crtrm. 5, 17th Fl.

Trial Date: None set

I, Christina Goette, declare as follows:

1. I am a Senior Health Program Planner with the Department of Public Health (DPH) of the City and County of San Francisco. The matters within this declaration are true of my personal knowledge or, where stated otherwise, upon information and belief.

2. Attached hereto as Exhibits A, B, and C are true and correct copies of photographs that I took of sugar-sweetened beverage advertisements within the City and County of San Francisco. I took all of these photographs in February 2016, except the photograph on page 1 of Exhibit C (taken on May 15, 2015), the photograph on page 2 of Exhibit C (taken on July 10, 2015), and the photograph on page 3 of Exhibit C (taken on January 14, 2016).

3. The photographs attached as Exhibit A were taken in the Tenderloin neighborhood of San Francisco. Those attached as Exhibit B were taken in the Mission District neighborhood of San Francisco. Those attached as Exhibit C were taken in various locations within San Francisco.

4. One of my responsibilities at DPH is coordinating the department's programs to educate the public concerning the risks of consuming sugar-sweetened beverages. DPH staffs the Shape Up San Francisco Coalition. This coalition has implemented two public education campaigns to discourage SSB consumption: the Choose Healthy Drinks Campaign in 2014 and the Open Truth Campaign in 2015. These campaigns included disseminating advertising to educate the public about the risks of sugary drinks. A sample ad from the Choose Healthy Drinks Campaign is attached hereto as Exhibit D. A sample ad from the Open Truth Campaign is attached hereto as Exhibit E.

5. In light of all of DPH's public health responsibilities—including running a public hospital that provides comprehensive health services to San Franciscans, including San Francisco's indigent—funding for prevention campaigns is extremely limited. To date, DPH has been able to spend less than $300,000 on media buys for the Choose Healthy Drinks and Open Truth campaigns.

[signature page follows]

I declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct. Executed February 22, 2016, at San Francisco, California.

Christina Goette

EXHIBIT A

TO

DECLARATION OF CHRISTINA GOETTE IN SUPPORT OF SAN FRANCISCO'S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION

O'FARRELL
LIQUOR
FINE WINE, BEER & SPIRIT
O'FARRELL LIQUORS
ATM
ATM
O'FARRELL
LIQUORS
BEER • WINE • ATM • GROCERY • LOTTERY
LIQUOR
Orange Village
Hostel

Bienvenidos
A La Tienda
Golden Gate Market
Coca-Cola
Bienvenidos a
Golden Gate Market
LUVS
LUVS
Marlbo

pepsi
LANCE
HAT YOU
EAT
RINK
& DO
7UP
Mtn Dew
Dr Pepper

Coca-Cola
EMPIRE
LIQUORS GROCERY
7UP
EMPIRE MARKET
7UP
ATM
395
CHEERS TO 50
LIQUORS WINE CHAMPAGNE
BEER GROCERIES TEMS AND
PRODU NDWICHES

231
Catholic Radio 1260 AM
WELCOME TO
KUSINA NI TESS
pepsi
Kusina Ni Tess
Authentic Filipino Cuisine
BREAKFAST SPECIAL
7am - 10am • 5pm - 8pm
BANSILOG
LONGSILOG
TOCILOG
HOTSILOG
CORNSILOG $9
We are stepping UP and powering down!
CHEERS TO 50

7UP
G&H
7UP
LIQUOR & GROCE
BEER • WINES • BEVERAG
MONEY ORDERS • ATM • VISA

EXHIBIT B

TO

DECLARATION OF CHRISTINA GOETTE IN SUPPORT OF SAN FRANCISCO'S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION

La Mission M arket

FIDA MARKET
1939 MISSION
groceries wine beer
Coca-Cola
FIDA MARKET
1939 MISSION
15th St
groceries wine beer
IF YOU LOOK UNDER 25
BE PREPARED TO SHOW I.D.
Corona

Coca-Cola
Mr Pizza Man
(415) 920-0260
ICE COLD Coca-Cola SOLD HERE
ORDER
seamless
foodler
EAT

TO SHOW I.D.
O TRESPASSING
REQUEST FOR ENFORCEMENT OF
UNICIPAL POLICE CODE SECTION 25
CON CARÁCTER
refreshing the neighborhood
#SFCoke
Refreshing San Francisco since 1904

EXHIBIT C

TO

DECLARATION OF CHRISTINA GOETTE IN SUPPORT OF SAN FRANCISCO'S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION

Press # Selection...
To Show Price
Vending
END
Pay with cash or credit
CREDIT CARD TRANSACTIONS
SINGLE SWIPE SINGLE PURCHASE
PRESS
END
TO CANCEL PURCHASE
pepsi
Lipton
AQUAFINA
CALORIES COUNT
CHECK THEN CHOOSE

Coca-Cola
快樂暢開
open happiness
PULL
©2013 The Coca-Cola Company.

BART
5% Juice
KICKSTART
ENERGIZING
ORANGE
CITRUS
with just the
right amount of
KICK

CHEERS TO 50
pepsi
50
SUPER BOWL
OFFICIAL SOFT DRINK OF
SUPER BOWL 50
pepsi

Budweiser
KING OF BEERS
Five Calories
100% Natural
Antioxidant Packed
bai5
bai
Mmm...
¡Ahhh!
el sabor de casa
taste of home
Coca-Cola
enjoy summer

EXHIBIT D

TO

DECLARATION OF CHRISTINA GOETTE IN SUPPORT OF SAN FRANCISCO'S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION

YOU WOULDN'T EAT 17 PACKS OF SUGAR*. WHY ARE YOU DRINKING THEM?
Sugar
Sugar
*Sugar in a 16-oz energy drink. Calculations based on a 3 gram sugar packet.

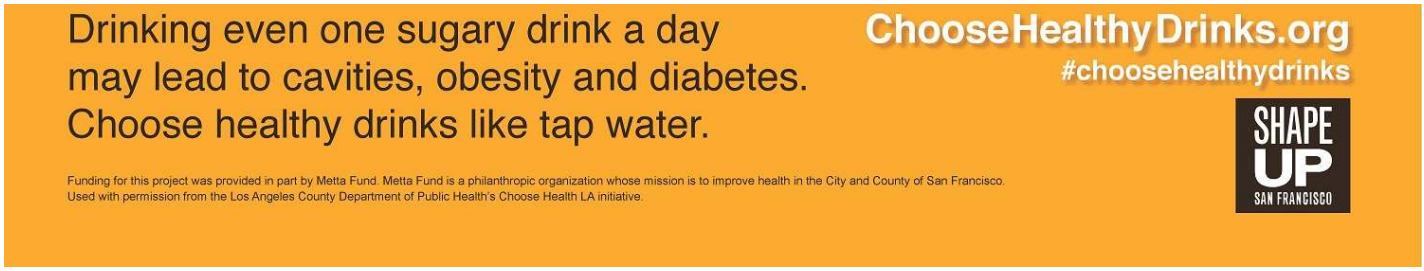
Drinking even one sugary drink a day may lead to cavities, obesity and diabetes. Choose healthy drinks like tap water.
ChooseHealthyDrinks.org
#choosehealthydrinks
SHAPE UP SAN FRANCISCO
Funding for this project was provided in part by Metta Fund. Metta Fund is a philanthropic organization whose mission is to improve health in the City and County of San Francisco.
Used with permission from the Los Angeles County Department of Public Health's Choose Health LA initiative.

EXHIBIT E

TO

DECLARATION OF CHRISTINA GOETTE IN SUPPORT OF SAN FRANCISCO'S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION

Sugary drinks are making us sick.
OPEN TRUTH NOW.ORG