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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON,

Plaintiff,

v.

DONALD TRUMP, in his official capacity as President of the United States; U.S. DEPARTMENT OF HOMELAND SECURITY; JOHN F. KELLY, in his official capacity as Secretary of the Department of Homeland Security; TOM SHANNON, in his official capacity as Acting Secretary of State; and the UNITED STATES OF AMERICA,

Defendants.

DECLARATION OF ROBERT
DZIELAK

Pursuant to 28 U.S.C. § 1746(2), I, Robert Dzielak, hereby declare as follows:

1. I am Executive Vice President, General Counsel, and Secretary of Expedia, Inc. (“Expedia”). I work at Expedia’s Bellevue, Washington headquarters. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. Expedia is the world’s largest online travel company, with an extensive portfolio that includes some of the world’s leading online travel brands. Collectively,

1 Expedia's brands cover virtually every aspect of researching, planning, and booking travel.
2 The annual value of travel booked on Expedia's websites exceeds \$72 billion.

3 3. Expedia operates travel websites in over 75 countries. Expedia's websites
4 service over 55 million flight shoppers per month, 450 million site visits per month, and 8.6
5 billion flight searches per year.

6 4. Expedia employs approximately 20,000 workers across the globe, over 3,500
7 of whom work in the State of Washington.

8 5. I understand that, based on the World Travel and Tourism Council's 2016
9 Economic Impact Report ("WTTC Report"), in 2015, the broader travel and tourism industry
10 contributed a total of \$1,469.9 billion to the United States Gross Domestic Product ("GDP"),
11 or 8.2% of total GDP. The industry's contribution to total GDP was forecasted to rise by
12 3.0% in 2016, and to rise by 3.4% per year to \$2,118.6 billion, or 9.3% of GDP, in 2026.

13 6. I understand that, based on the WTTC Report, in 2015, the broader travel and
14 tourism industry directly supported 5,633,000 jobs, or 3.8% of total employment in the
15 United States. That percentage was expected to rise by 1.2% in 2016, and by 2.4% per year
16 to 7,248,000 jobs, or 4.5% of total employment in the United States, in 2026.

17 7. One of Expedia's 2017 key corporate goals is to "Go Global." The company
18 believes that its growth prospects are best furthered by expanding its services to satisfy travel
19 demand across the world. To that end, Expedia strives to make global travel seamless and
20 easy for the millions of customers it serves worldwide. In order to serve the global travel
21 market, it is crucial that Expedia hire talent from around the world to provide a broad
22 spectrum of insights, ideas and perspective to the travel services and destinations that it
offers. In addition, many Expedia employees regularly travel among its worldwide offices as
part of their jobs; sharing ideas and cultures all with the aim of developing and providing the
best travel tools and options for the global travel marketplace. Expedia believes that hiring

1 employees from different parts of the world, with different backgrounds and perspectives,
2 spurs innovation and creates a richer environment for its employees.

3 8. On Friday, January 27, 2017, Expedia learned that President Donald Trump
4 issued an executive order titled "Protecting the Nation from Foreign Terrorist Entry Into the
5 United States," which bans travelers from Syria, Yemen, Sudan, Somalia, Iraq, Iran, and
6 Libya from entering the United States ("Executive Order").

7 9. Expedia believes that the Executive Order jeopardizes its corporate mission
8 and could have a detrimental impact on its business and employees, as well as the broader
9 U.S. and global travel and tourism industry.

10 **Impact of Executive Order on Expedia's Business**

11 10. Since Expedia began offering travel bookings in 1996, it estimates that it has
12 served at least one hundred thousand customers who have passports issued by one of the
13 seven countries that are impacted by the Executive Order.

14 11. As of January 29, 2017, at least 1,000 Expedia customers who hold passports
15 issued by one of the seven impacted countries have purchased current itineraries that involve
16 flights to, from or through the United States. Almost 500 of the flights have a U.S. origin,
17 over 500 have a U.S. destination, and approximately 30 have connections in the United
18 States.

19 12. Expedia has and will continue to incur increased business costs to research
20 and understand which of its customers may be impacted by the Executive Order and to assist
21 those customers in making alternative travel arrangements, including canceling and
22 rebooking flights, hotels and other travel services and obtaining refunds and/or credits for
those customers from airlines, hotels and other travel suppliers. Expedia is in the process of
contacting all affected travelers and continues to incur costs to monitor the impacts of the
Executive Order and determine how best to take care of its customers around the globe.

1 13. Additionally, the uncertainty surrounding the Executive Order creates
2 significant difficulties for the operation of Expedia's business. It is not clear which of
3 Expedia's customers will be affected by the Executive Order, or how they will be affected.
4 As a result, Expedia is incurring increased business costs to monitor developments related to
5 the interpretation and application of the Executive Order.

6 14. The direct financial impact to Expedia resulting from the Executive Order,
7 ranging from increased business costs to the broader impact on the global travel market, is
8 not yet known.

9 **Impact of Executive Order on Expedia's Employees and Recruitment**

10 15. The Executive Order has restrained Expedia employees' ability to travel
11 freely, for professional or personal purposes.

12 16. After the issuance of the Executive Order, Expedia advised all of its
13 employees who are from one of the seven impacted countries and currently located in the
14 United States to refrain from traveling until further notice. Expedia advised all of its
15 employees who are from one of the seven impacted countries and currently traveling outside
16 of the country to contact immigration counsel immediately.

17 17. Expedia is providing legal counsel and immigration services, at its own
18 expense, to all affected employees.

19 18. Based on an initial review, Expedia has at least two employees who work in
20 technology jobs in Bellevue, Washington who, under the Executive Order, would be at risk
21 for not being re-admitted to the United States if they were to leave. Because of the Executive
22 Order, these employees are unable to travel freely abroad to conduct business or their
personal affairs.


1 19. Expedia also has a number of employees in offices outside of the United
2 States who are unable to travel to Expedia’s U.S. headquarters or other offices in the United
3 States for work due to the Executive Order.

4 20. Aside from the personal costs to each of these employees, the Executive Order
5 imposes restraints on Expedia’s ability to efficiently operate its business.

6 21. Expedia expects that its ability to recruit talent from around the globe to
7 support its growing business will suffer as a result of the Executive Order.

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

9 Executed this 30th day of January, 2017.

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11 Robert Dzielak

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