

# Exhibit A

Plunderbund - » Ohio's Homophobes Revealed, Part II: REDACTED

REDACTED

Case 2:09-cv-00058-MCE-DAD Document 135-2 Filed 06/03/2009 Page 2 of 3

# Plunderbund

A Progressive Political Playground

## Ohio's Homophobes Revealed, Part II: REDACTED

- Posted by [Joseph](#)
- November 16, 2008

Yesterday we started talking about the list of [homophobes from Ohio](#) who contributed money to help pass the gay marriage ban in California.

Blogger Interrupted has already exposed [the guy who works at NASA](#) REDACTED and [the certified diversity contractor](#) REDACTED REDACTED

REDACTED is up next.

REDACTED is the owner of a plastics company in REDACTED

He's a member of the REDACTED

Oh, and he's a homophobe.

Two years ago he [made a couple of contributions to](#) REDACTED - Ohio's leading homophobe - during REDACTED failed run for REDACTED

This year REDACTED decided to skip the political contributions and donate his money directly to an organization that hates gays as much as he seems to: [the national organization for marriage](#).

UPDATE:

It turns out REDACTED is not just a single-issue guy.

Judging by this [comment on the](#) REDACTED blog he also seems to have signed on to the anti-union, pro-school voucher and muslim-hating aspects right wing nuttury:

"political correctness dictates that God is taken out of the classroom with a threat from the ACLU and (for recent example in another public school system) replaced with mandatory field trips to the local mosque (with headscarves for the girls to boot)"

You've just been upgraded REDACTED From a simple homophobe to a full-fledged wing nut. Congrats!

Plunderbund - » Ohio's Homophobes Revealed, Part II: REDACTED

REDACTED

Case 2:09-cv-00058-MCE-DAD Document 135-2 Filed 06/03/2009 Page 3 of 3

## Information and Links

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### Information

[November 16th, 2008](#)

[One Response](#)

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[Ohio's Homophobes Revealed](#)

## Plunderchat:

1

Written by: [tim russo](#)

Posted on: November 16, 2008 at 8:10 am

this is so much fun. let's continue, shall we?

## Plunderbund

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**John Doe #32**

Case 2:09-cv-00058-MCE-DAD Document 135 Filed 06/03/2009 Page 1 of 3

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 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED] IN              SUPPORT OF PLAINTIFFS' MOTION              FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
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Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

John Doe #32

Case 2:09-cv-00058-MCE-DAD Document 135 Filed 06/03/2009 Page 2 of 3

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of Ohio over 18 years of age, and my statements herein are  
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made three donations, totaling \$**XXX**, to the National  
6 Organization for Marriage California - Yes on 8, sponsored by National Organization for  
7 Marriage.

8 4. I have supported causes similar to Proposition 8 in the past, and I have never  
9 experienced any sort of retribution because of my support for these causes.

10 5. Because of my donations in support of Proposition 8, at least one website has singled  
11 me out as a "homophobe" and a "wingnut" because of my support for Proposition 8. A true and  
12 correct copy of this website as it appeared on February 6, 2008 is attached as Exhibit A.

13 5. I have a son in California who shares my name. My son is a practicing lawyer.

14 6. Because we share the same name, I feel that these attacks on me are an indirect attack  
15 on my son, even though he is not involved with supporting Proposition 8. I do not want my  
16 support of Proposition 8 to compromise his professional identity, yet I fear that the sort of  
17 harassment I experienced on the internet will do so.

18 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
19 AND CORRECT.

20 Executed on **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #32 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
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*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
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*Attorney for Defendant Jan Scully*

Mollie M. Lee  
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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

**John Doe #33**

Case 2:09-cv-00058-MCE-DAD Document 136 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
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\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED] IN                  SUPPORT OF PLAINTIFFS' MOTION                  FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD                  Time: TBD.                  Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

John Doe #33

Case 2:09-cv-00058-MCE-DAD Document 136 Filed 06/03/2009 Page 2 of 3

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$X,XXX to National Organization for Marriage  
6 California - Yes on 8, Sponsored by National Organization for Marriage.

7 4. I am a [REDACTED] in the [REDACTED] Church. As a [REDACTED], and in support of Proposition 8, I  
8 proactively spoke to my congregation about the sanctity of marriage as a sacramental union  
9 between a man and a woman, and the need to safeguard this through a yes vote on Proposition 8.  
10 I also stressed the importance of ensuring the mission of the Church not be jeopardized through  
11 the passage of laws that would force us to operate against our moral teachings.

12 5. In support of Proposition 8, I also placed yard signs in my yard on a fairly busy street.  
13 Throughout the months of September and October, I had a total of ten signs removed from my  
14 property. The signs were removed at night, and were not readily accessible. Whoever removed  
15 the signs had to climb up the slope of my property to remove the signs.

16 6. I purposely secured several of the signs to branches of trees in my yard. Someone also  
17 ripped these signs down.

18 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
19 AND CORRECT.

20  
21 Executed on: [REDACTED]

[REDACTED]

[REDACTED]

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28 Declaration of [REDACTED] in  
Support of Plaintiffs' Motion for  
Summary Judgment



**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #33 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
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*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

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*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

**John Doe #34**

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 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
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\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF REDACTED</b>  <b>IN SUPPORT OF</b>  <b>PLAINTIFFS' MOTION FOR SUMMARY</b>  <b>JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of REDACTED in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, on October 25, 2008, I placed a "Yes on 8" yard sign in  
6 our front yard.

7 4. Sometime between sundown on October 31, 2008 and noon on November 1, 2008, the  
8 yard sign was stolen.

9 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
10 AND CORRECT.

11  
12 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #34 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

**John Doe #35**

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James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
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\* *Admitted Pro Hac Vice*

\*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California**

**ProtectMarriage.com, et al.,**

*Plaintiffs,*

*v.*

**Debra Bowen, et al.,**

*Defendants.*

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED]  
 [REDACTED] IN SUPPORT OF  
 PLAINTIFFS' MOTION FOR  
 SUMMARY JUDGMENT**

Date: TBD

Time: TBD

Judge Morrison C. England, Jr.

Decl. of [REDACTED] in Support of Plaintiffs' Motion for Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are  
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of the passage of Proposition 8, I donated \$XXX to National Organization for  
6 Marriage California – Yes on 8, supported by National Organization for Marriage.

7 4. In support of the passage of Proposition 8, I also purchased two yard signs.

8 5. I placed the yard signs on each side of my yard near the street, a busy four lane frontage road  
9 beside the freeway.

10 6. Approximately ten days after I placed the signs in my yard, someone uprooted the signs and  
11 threw them down. The signs were slightly dirty and I replaced them in their original location.

12 7. The next day, the signs were once again removed. However, this time, whoever removed the  
13 signs also ripped them. I was able to repair the signs with clear tape and replaced them in their original  
14 location.

15 8. Approximately two days before the election, someone stole the signs during the evening  
16 hours.

17 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND  
18 CORRECT.

19  
20 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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Decl. of **REDACTED** in Support of Plaintiffs' Motion for Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #35 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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Judy W. Whitehurst  
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*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

**John Doe #36**

Case 2:09-cv-00058-MCE-DAD Document 139 Filed 06/03/2009 Page 1 of 3

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 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
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 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED]</b>  <b>[REDACTED] IN SUPPORT OF</b>  <b>PLAINTIFFS' MOTION FOR SUMMARY</b>  <b>JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	---

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment



1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of \$**XXX** to ProtectMarriage.com - Yes  
6 on 8, a Project of California Renewal.

7 4. In support of Proposition 8, I placed a "Yes on 8" sign outside my home, which is  
8 located on a busy street and has a streetcar stop in front of it. My "Yes on 8" sign was placed in a  
9 brick flower box, between my front steps and garage. This flower box is about 10-12 feet from  
10 the sidewalk. I put this sign out at the end of October 2008.

11 5. After Halloween, and about three or four days after putting out the sign, the sign - but  
12 not its metal stand - was taken from the flower box.

13 6. About a week later, I placed a second "Yes on 8" sign in the flower box. Within a day  
14 or two, this sign and its metal stand had also been taken.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
16 AND CORRECT.

17  
18 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #36 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED]</b>  <b>[REDACTED] IN SUPPORT OF</b>  <b>PLAINTIFFS' MOTION FOR SUMMARY</b>  <b>JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	---

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I placed a Yes on 8 sign in my front yard, which is on a  
6 back street. I also placed two Yes on 8 signs on my back fence, which faces a main street. My  
7 husband warned me about putting up the signs, as he was concerned that people might damage  
8 our property because of the signs. However, because I felt so strongly about Proposition 8, he  
9 agreed to let me put up these signs supporting Proposition 8.

10 4. About a month before the November 2008 election, someone tore up the sign in my  
11 front yard. I then replaced the sign in my front yard with two more. Someone then stole one of  
12 the signs from my front yard, and shredded the Yes on 8 sign that I had stapled onto its metal  
13 post.

14 5. I live in a small group of homes which, until this incident, I thought was very  
15 neighborly. This incident shocked me.

16 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
17 AND CORRECT.

18  
19 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #37 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
 BOPP, COLESON & BOSTROM  
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 Facsimile: (812) 235-3685  
 Counsel for All Plaintiffs

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 Facsimile: (480) 444-0028  
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
 ALLIANCE DEFENSE FUND  
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 Folsom, CA 95630  
 Telephone: (916) 932-2850  
 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF REDACTED</b>  <b>IN SUPPORT OF</b>  <b>PLAINTIFFS' MOTION FOR SUMMARY</b>  <b>JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of REDACTED in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of \$40 to Focus on the Family Action,  
6 and a donation of \$XX to ProtectMarriage.com - Yes on 8, a Project of California Renewal.

7 4. In support of Proposition 8, I also emailed state officials, placed a bumper sticker on  
8 my car, and had signs supporting Proposition 8 at my place of business.

9 5. In support of Proposition 8, I also installed 12 "Yes on 8" yard signs along the busy  
10 highway in front of my home on the Saturday before the November 2008 election.

11 6. The next day, between noon and 2:00 p.m., someone removed all 12 "Yes on 8" yard  
12 signs. In their place, I found a lone "No on 8" sign.

13 7. On my daily drives to and from work, I saw evidence of stolen and damaged "Yes on  
14 8" yard signs. I started seeing these stolen and damaged yard signs in October.

15 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
16 AND CORRECT.

17  
18 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #38 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs



**John Doe #39**

Case 2:09-cv-00058-MCE-DAD Document 142 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
 BOPP, COLESON & BOSTROM  
 1 South Sixth Street  
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 Telephone: (812) 232-2434  
 Facsimile: (812) 235-3685  
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)\*  
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 Telephone: (480) 444-0020  
 Facsimile: (480) 444-0028  
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
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 Folsom, CA 95630  
 Telephone: (916) 932-2850  
 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*

\*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California**

**ProtectMarriage.com, et al.,**

*Plaintiffs,*

*v.*

**Debra Bowen, et al.,**

*Defendants.*

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED]  
 [REDACTED] IN SUPPORT OF  
 PLAINTIFFS' MOTION FOR  
 SUMMARY JUDGMENT**

Date: TBD

Time: TBD

Judge Morrison C. England, Jr.

Decl. of [REDACTED] in Support of Plaintiffs' Motion for Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein are  
3 based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. I signed the petition to have Proposition 8 placed on the ballot.

6 4. In support of the passage of Proposition 8, I donated **\$XXX** to the National Organization for  
7 Marriage California – Yes on 8, sponsored by National Organization for Marriage.

8 5. My two high school aged children also supported Proposition 8 by attending rallies where  
9 they held signs in support of the ballot measure.

10 6. In support of the passage of Proposition 8, I also placed a sign in my yard. I live in a  
11 residential neighborhood and my home is on a street that dead ends at a cul-de-sac shortly after my  
12 residence.

13 7. On or about October 24, 2008, the sign was stolen from my yard.

14 8. I noticed that three other homes on my street also had their signs supporting Proposition 8  
15 removed during this time, as well as many others on adjoining streets.

16 9. I am ashamed to admit that, although I would have liked to have placed a bumper sticker on  
17 my car supporting Proposition 8, I did not do so because of the aggression directed towards family and  
18 friends that resulted from their support of Proposition 8.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND  
20 CORRECT.

21  
22 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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Decl. of **REDACTED** in Support of Plaintiffs' Motion for Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #39 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
 BOPP, COLESON & BOSTROM  
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 Facsimile: (812) 235-3685  
 Counsel for All Plaintiffs

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 Telephone: (480) 444-0020  
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 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
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 Telephone: (916) 932-2850  
 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF REDACTED</b>  <b>IN SUPPORT OF</b>  <b>PLAINTIFFS' MOTION FOR SUMMARY</b>  <b>JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of REDACTED in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of \$**XX** to ProtectMarriage.com - Yes on  
6 8, a Project of California Renewal.

7 4. In support of Proposition 8, I also placed a bumper sticker on my car. One person  
8 made an obscene gesture at me because of this bumper sticker.

9 5. In support of Proposition 8, I also placed a "Yes on 8" yard sign on my front lawn in a  
10 gated community. My next door neighbor also placed a "Yes on 8" yard sign in his yard.

11 6. During October, my next door neighbor and I had our "Yes on 8" yard signs stolen four  
12 times. The signs were taken during the night.

13 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
14 AND CORRECT.

15  
16 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #40 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

**John Doe #41**

Case 2:09-cv-00058-MCE-DAD Document 144 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
 BOPP, COLESON & BOSTROM  
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 Facsimile: (812) 235-3685  
 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)\*  
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 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED] IN                  SUPPORT OF PLAINTIFFS' MOTION                  FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD                  Time: TBD.                  Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation to ProtectMarriage.com - Yes on 8, a  
6 Project of California Renewal.

7 4. In support of Proposition 8, I walked precincts/neighborhoods campaigning for  
8 Proposition 8, made several hundred phone calls weekly before the election, and placed a bumper  
9 sticker on my car, among other things.

10 5. In support of Proposition 8, I also placed two yard signs in my front yard. I live on a  
11 street that is not too busy, and I placed the one sign on each side of my driveway. The signs were  
12 clearly on my property, and were closer to my home than they were to the street.

13 6. During the month of October, I had a total of six "Yes on 8" signs stolen from my front  
14 lawn during the night. Because of the location of the signs, anyone who stole the signs would  
15 have had to trespass on my property.

16 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
17 AND CORRECT.

18  
19 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment



## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #41 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

John Doe #42

Case 2:09-cv-00058-MCE-DAD Document 145 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 1 South Sixth Street  
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 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)\*  
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 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED] IN              SUPPORT OF PLAINTIFFS' MOTION              FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$XX through my church, **REDACTED**

6 **REDACTED**.  
7 4. In support of Proposition 8, I participated in a Yes on 8 rally in Euclid, wrote several  
8 commentaries for both our local paper and online blogs, attended our church's Yes on 8  
9 presentation, and visited numerous websites that supported Proposition 8.

10 5. In support of Proposition 8, I also placed yard signs in my hard. On three separate  
11 occasions, the signs were stolen or vandalized during the night. I reported these incidents to my  
12 local police department, but I received no response from them.

13 6. On one morning following the disappearance of my signs, I walked up and down my  
14 street and saw that all of the Proposition 8 were tagged with the words "hate speech" or "hater."  
15 I walked over to my neighbor's house to talk about what had happened, and I noticed that my  
16 sign was in his yard, along with several other signs. I knew that this was my sign, because I  
17 purchased it from my church and the graphics were different than most of the "Yes on 8" signs.

18 7. That day, I took photographs of the vandalized signs, sent the photos to the police, and  
19 reported the vandalism as hate speech. True and correct copies of the pictures I took are attached  
20 as Exhibit A. As set forth above, I never received a response from the police department about  
21 this vandalism.

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
23 AND CORRECT.

24 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

27  
28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #42 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

Case 2:09-cv-00058-MCE-DAD Document 145-2 Filed 06/03/2009 Page 1 of 6 **John Doe #42**

# Exhibit A



John Doe #42

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John Doe #42

Document 145-2

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Filed 06/03/2009

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John Doe #42

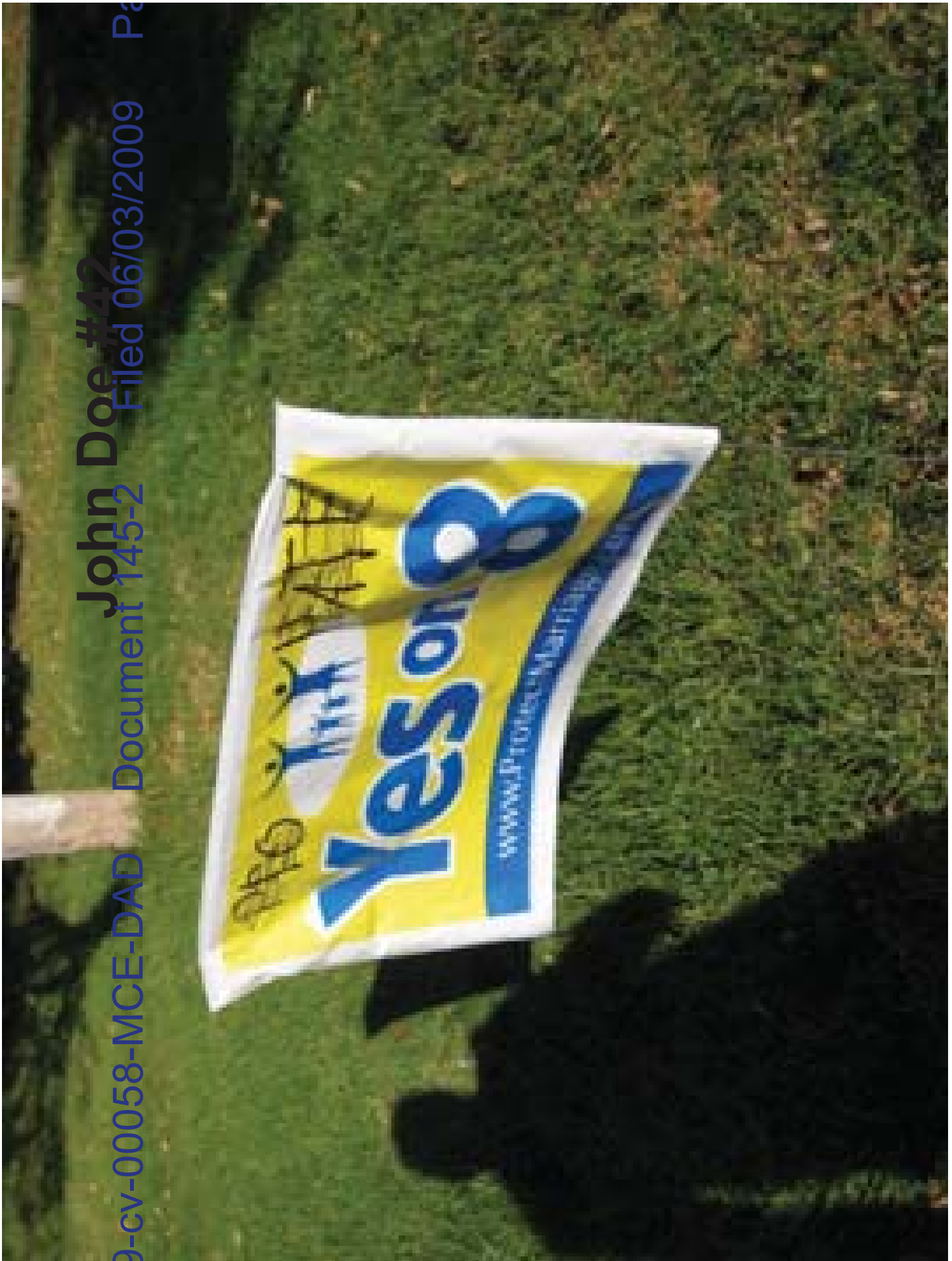
Filed 06/03/2009

Document 145-2

9-cv-00058-MCE-DAD









John Doe #42

Case 2:09-cv-00058-MCE-DAD Document 146 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
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\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED] IN              SUPPORT OF PLAINTIFFS' MOTION              FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$XX through my church, **REDACTED**

6 **REDACTED**.  
7 4. In support of Proposition 8, I participated in a Yes on 8 rally in Euclid, wrote several  
8 commentaries for both our local paper and online blogs, attended our church's Yes on 8  
9 presentation, and visited numerous websites that supported Proposition 8.

10 5. In support of Proposition 8, I also placed yard signs in my hard. On three separate  
11 occasions, the signs were stolen or vandalized during the night. I reported these incidents to my  
12 local police department, but I received no response from them.

13 6. On one morning following the disappearance of my signs, I walked up and down my  
14 street and saw that all of the Proposition 8 were tagged with the words "hate speech" or "hater."  
15 I walked over to my neighbor's house to talk about what had happened, and I noticed that my  
16 sign was in his yard, along with several other signs. I knew that this was my sign, because I  
17 purchased it from my church and the graphics were different than most of the "Yes on 8" signs.

18 7. That day, I took photographs of the vandalized signs, sent the photos to the police, and  
19 reported the vandalism as hate speech. True and correct copies of the pictures I took are attached  
20 as Exhibit A. As set forth above, I never received a response from the police department about  
21 this vandalism.

22 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
23 AND CORRECT.

24  
25 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

26  
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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #42 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

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jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

Case 2:09-cv-00058-MCE-DAD Document 146-2 Filed 06/03/2009 Page 1 of 6

**John Doe #42**

# Exhibit A



John Doe #42

Document 146-2 Filed 06/03/2009

9-cv-00058-MCE-DAD

John Doe #42

Document 146-2

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Filed 06/03/2009

Page 1





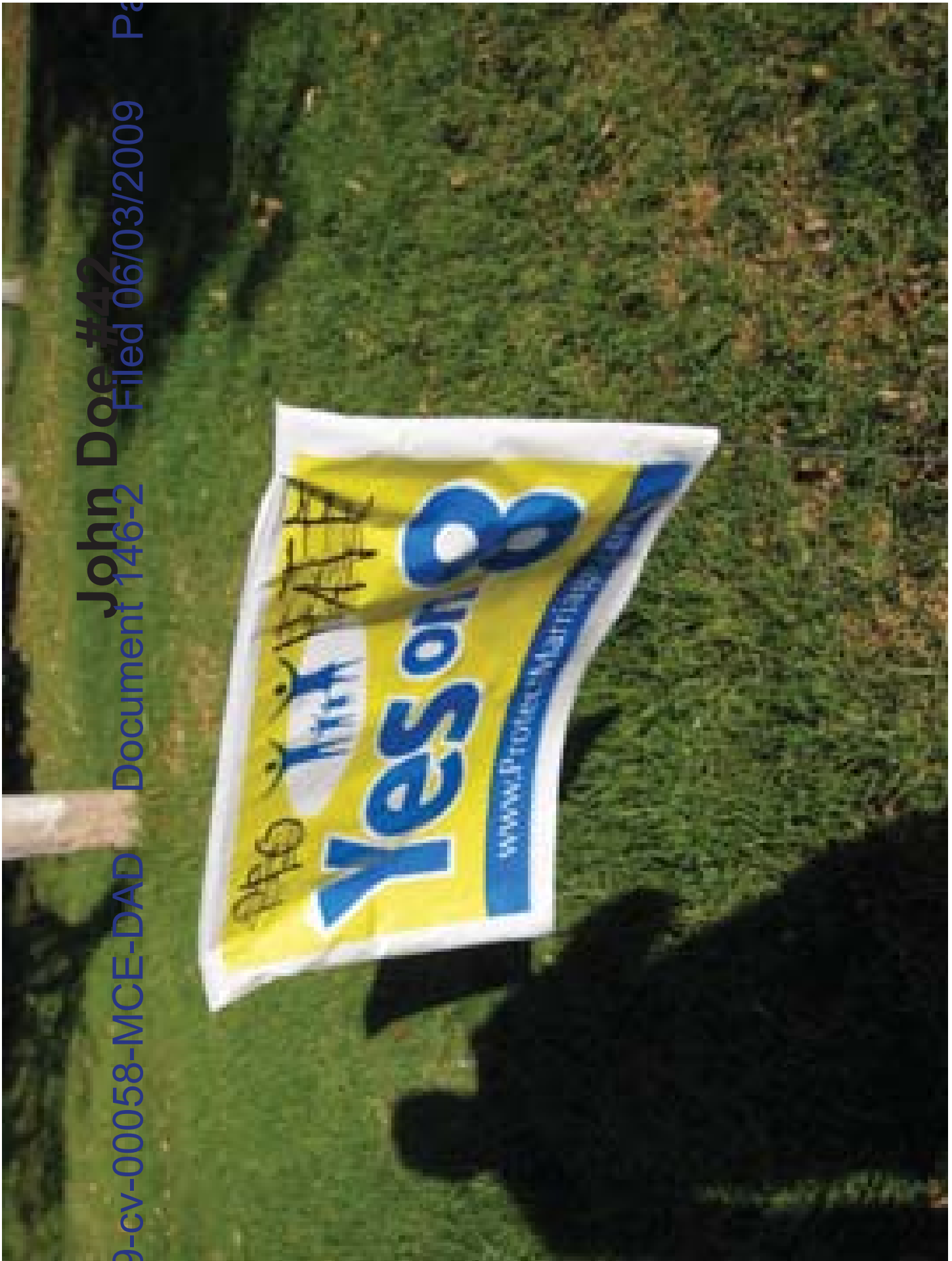
John Doe #42

Filed 06/03/2009

Document 146-2

9-cv-00058-MCE-DAD







James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED] IN                  SUPPORT OF PLAINTIFFS' MOTION                  FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD                  Time: TBD.                  Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. On October 19, 2008, in support of Proposition 8, I placed a "Yes on 8" yard sign on  
6 my front lawn.

7 4. I live in a quiet, residential neighborhood. My sign was placed approximately twenty  
8 feet from the street.

9 5. On the night of October 27, 2008, someone stole the yard sign from my front lawn.

10 6. Two signs opposing Proposition 8 were visible from my front yard, and they were not  
11 removed for the entirety of the campaign.

12 7. Having the sign removed from my front lawn will negatively affect my support of a  
13 cause similar to Proposition 8 in the future. The person who removed my sign knows where I  
14 live, knows my political position, and yet felt "empowered" to come onto my property and  
15 remove this sign. I believe that the people in my neighborhood are not open to freedom of  
16 speech, unless it agrees with their own speech.

17 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
18 AND CORRECT.

19  
20 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

21  
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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #44 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

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 Facsimile: (480) 444-0028  
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
 ALLIANCE DEFENSE FUND  
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 Telephone: (916) 932-2850  
 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED]</b>  <b>IN SUPPORT OF PLAINTIFFS' MOTION</b>  <b>FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I gave approximately \$ **XXX** to National Organization  
6 for Marriage California - Yes on 8, sponsored by National Organization for Marriage.

7 4. In support of Proposition 8, I also put out "Yes on 8" yard signs. Approximately two  
8 weeks before the November 2008 election, someone ripped down the "Yes on 8" sign in our  
9 front yard on a quiet street. I work the 3:00 p.m. to 11:30 p.m. shift, and I usually get home  
10 between midnight and 12:30 a.m. On the evening that this first sign was destroyed, I went into  
11 the garage to put my recyclables in the recycle can and heard male voices in my front yard. By  
12 the time I went back inside and out my front door, they had already pulled up the sign, and ripped  
13 it apart into several pieces. When I stepped outside, I saw two teenaged boys running away, and  
14 believe that a third ran the other way.

15 5. About a week later, the signs I had replaced the original in my yard with were also  
16 stolen. Other signs I had placed around the neighborhood were also stolen repeatedly,  
17 particularly in the two weeks leading up to the November 2008 election.

18 6. I was nervous to put out these signs in the first place, because the last thing that I want  
19 to do is offend anyone. However, because I want to support what I believe is right, I put out the  
20 signs. I thought it was very disrespectful for people to steal and vandalize my property.  
21 Although I would hope that I would support a good cause whatever the persecution that might  
22 happen to me, I will have to seriously consider my livelihood and the safety of my family in the  
23 future when deciding to support a cause similar to Proposition 8.

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment



1 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
2 AND CORRECT.

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4 Executed on:

REDACTED

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28 Declaration of REDACTED in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #45 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED] IN                  SUPPORT OF PLAINTIFFS' MOTION                  FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD                  Time: TBD.                  Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made various donations to groups who supported the  
6 passage of Proposition 8, including a donation of \$XXX to ProtectMarriage.com - Yes on 8 , a  
7 Project of California Renewal, and a donation of \$XX to National Organization for Marriage  
8 California - Yes on 8, Sponsored by National Organization for Marriage. I also donated to other  
9 groups who supported Proposition 8, and I spent at least \$XXX purchasing "Yes on 8" signs, as  
10 well as approximately \$XX copying handouts and a personal letter supporting Proposition 8.

11 4. In support of Proposition 8, I wrote a personal letter supporting Proposition 8 that I  
12 copied and handed out to at least 300 of my neighbors.

13 5. In support of Proposition 8, I also had five "Yes on 8" signs destroyed or stolen from  
14 my yard. I live on a corner in a residential area, but the street beside my house is somewhat busy.

15 6. One sign that was stolen was a large handmade sign I had placed in the yard after the  
16 previous signs I had placed in the yard had been stolen. This sign was stolen even though I had it  
17 wired to two trees on my property and had placed a light on it.

18 7. I live a few blocks from a Catholic church that displayed "Yes on 8" signs on its  
19 property. I saw that every sign the church placed along or anywhere near the street during the  
20 campaign was stolen or destroyed. Despite the constant theft and destruction, the church would  
21 replace the signs. At the end of the campaign, the only signs that remained were a few that had  
22 been torn up by vandals, and later repaired.

23 8. At my own expense, I made a banner supporting Proposition 8, and a friend and I hung  
24 this banner on two trees on church property in such a way so that it could not be torn down or  
25 destroyed. I also had a large "Yes on 8" sign that I would place on church property during the  
26 day, but take down at night so that it would not be stolen or destroyed.

27  
28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

1 9. I spoke to a police dispatcher about the sign theft. Although she was sympathetic, she  
2 could only give me another number to report the sign theft when it happened. I never reported  
3 any sign theft, because the theft of signs at this point was constant, and I do not believe reporting  
4 sign theft would have prevented any such theft.

5 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
6 AND CORRECT.

7  
8 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #46 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

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jwhitehurst@counsel.lacounty.gov  
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*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
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\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED]</b>  <b>IN SUPPORT OF PLAINTIFFS' MOTION</b>  <b>FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**XXXX** to the ProtectMarriage.com - Yes on 8, a  
6 project of California Renewal.

7 4. In support of Proposition 8, I also placed a yard sign in my yard on a very busy main  
8 street, put a bumper sticker on my car, and attended meetings about the ballot measure.

9 5. On October 14 or 15, 2008, someone stole the yard sign supporting Proposition 8 that I  
10 had placed in my yard. To replace the stolen sign, I made my own substitute sign. A photograph  
11 that I took of this substitute sign is attached as Exhibit A.

12 6. I obtained two more "Yes on 8" signs on October 19, 2008 - one for myself, and one  
13 that I intended to give to someone else. I displayed one of the signs in front of my house that  
14 afternoon.

15 7. Sometime late on October 21, 2008, or early on October 22, 2008, this second sign was  
16 stolen. I replaced the stolen sign with the one I had intended to give to someone else. I also  
17 made a second, handmade sign protesting the thefts. I displayed this handmade sign together  
18 with the replacement sign for several days. A photograph that I took of the signs displayed  
19 together is attached as Exhibit B.

20 8. After the second sign supporting Proposition 8 was stolen, I began bringing in the signs  
21 at night, so as to prevent any further theft.

22 9. Even though after October 22, 2008, I only had the sign supporting Proposition 8 out  
23 during the day, on approximately October 25, 2008, a man in his car pulled up near the sign in  
24 the early evening, before I had brought the sign in. It is easy to notice when a car stops in front  
25 of our house, because we live on a busy street without a parking lane, and people never stop in  
26 front of our house unless they have a reason to do so.

27  
28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment



1 10. After pulling up in front of our house, the man started to get out of his car. As he did  
2 so, my wife looked at him from inside our front window, and he got back in his car and sped  
3 away.

4 11. I noticed that several people on our street who had Yes on 8 signs in front of their  
5 homes had taped strongly worded warnings against stealing to their Yes on 8 signs. If you look  
6 at the picture in Exhibit A, you can see a yard sign supporting Proposition 8 in the yard of one of  
7 my neighbors. By the time I took the second set of photos, this sign had disappeared, as you can  
8 see in one of the pictures in Exhibit B.

9 12. The stealing of my yard signs made me very upset. While I do not agree with the  
10 other side, I would never try to stop them from presenting their views on this issue.

11 13. I am self-employed, so I am not too worried that my support of Proposition 8 will hurt  
12 me financially, although I do have some worries that if my clients hear of my support for  
13 Proposition 8 that they will stop sending me work. However, if I was employed by someone else  
14 or in a more public position, I would be worried that my support of Proposition 8 or a similar  
15 cause could financially harm me.

16 14. If the reprisals against people who support Proposition 8 rise to the level where  
17 people are physically harmed or have their property destroyed, I would be very worried about  
18 supporting a cause similar to Proposition 8 in the future.

19 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
20 AND CORRECT.

21  
22 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #47 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
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*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs







Exhibit 9, Page 341





**John Doe #48**

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James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
 BOPP, COLESON & BOSTROM  
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 Counsel for All Plaintiffs

Benjamin W. Bull (Ariz. State Bar No. 009940)\*  
 ALLIANCE DEFENSE FUND  
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 Scottsdale, Arizona 85260  
 Telephone: (480) 444-0020  
 Facsimile: (480) 444-0028  
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
 ALLIANCE DEFENSE FUND  
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 Folsom, CA 95630  
 Telephone: (916) 932-2850  
 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED] IN              SUPPORT OF PLAINTIFFS' MOTION              FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of **\$XXX** to the Yes on 8 campaign.

6 4. In support of Proposition 8, I also participated in five or six phone banks, for two hours  
7 each time, and placed a yard sign in my yard on a quiet, residential street..

8 5. In approximately mid-October, someone took my "Yes on 8" yard sign.

9 6. The next day, I replaced the "Yes on 8" yard sign. That night, someone took this  
10 second "Yes on 8" yard sign.

11 7. I replaced this sign with a third "Yes on 8" sign. After having my first two signs taken,  
12 I brought in the third sign every night.

13 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
14 AND CORRECT.

15  
16 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #48 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs



John Doe #49

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James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

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 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED] IN  
 SUPPORT OF PLAINTIFFS' MOTION  
 FOR SUMMARY JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I handed out approximately 200 Yes on 8 yard signs. I  
6 passed out some of these yard signs at my church.

7 4. At my church, I urged my pastor to make an announcement regarding Proposition 8,  
8 because both the Los Angeles Diocese and the Roman Catholic Church were supporting the  
9 ballot measure. Despite the strong statements of many Bishops in support of Proposition 8, my  
10 pastor told me privately, and parishioners at Mass, that he was not going to tell them how to vote.

11 5. Because of my involvement in supporting Proposition 8 and my attempts to promote it  
12 at church, my pastor told me that he thought I should find another church.

13 6. I was shocked that he would say this. I didn't think that he had any right to say this to  
14 me.

15 7. Because of the threats and harassment associated with Proposition 8, I would not place  
16 a bumper sticker supporting Proposition 8 on my car.

17 8. In support of Proposition 8, I placed a Yes on 8 sign in my front yard. The sign was  
18 not disturbed for approximately a month and a half. Approximately a week to ten days before the  
19 election, someone removed the sign itself. The metal support for the sign was bent out of shape  
20 and thrown on the ground.

21 9. On the day that my Yes on 8 sign was taken, the No on 8 signs at the homes on either  
22 side of my home remained intact.

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

1 10. I believe my friendship with a long-time friend was risked when she saw my “Yes on  
2 8” sign and said she was hurt by my support of the initiative. She was visibly upset and angry  
3 with me, though she has always known that I am on the other side of most of the social issues  
4 that she espouses. At the time, I believed that our friendship might have been compromised by  
5 my public support for Proposition 8. However, it appears that we have now both moved beyond  
6 our differences.

7 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
8 AND CORRECT.

9  
10 Executed on: REDACTED

REDACTED

REDACTED

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28 Declaration of REDACTED in  
Support of Plaintiffs’ Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #49 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

John Doe #50

Case 2:09-cv-00058-MCE-DAD Document 153

Filed 06/03/2009

Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

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 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED]  
 [REDACTED] IN SUPPORT OF PLAINTIFFS'  
 MOTION FOR SUMMARY JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I attended a rally in Fresno, passed out literature and lawn  
6 signs, and made presentations at both the English and Spanish language Masses at **REDACTED**

7 **REDACTED**. I also attended some of the meetings with the local committee formed to  
8 support Proposition 8.

9 4. In support of Proposition 8, I also placed a "Yes on 8" sign outside at my business  
10 address, on a very busy street. Within 48 hours after I posted the "Yes on 8" sign, someone  
11 removed it and threw it somewhere down the street during the night.

12 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
13 AND CORRECT.

14 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #50 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

John Doe #51

Case 2:09-cv-00058-MCE-DAD Document 154 Filed 06/03/2009

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
 BOPP, COLESON & BOSTROM  
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 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED] IN  
 SUPPORT OF PLAINTIFFS' MOTION  
 FOR SUMMARY JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment



1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated \$**X,XXX** to the National Organization for Marriage  
6 California - Yes on 8, Sponsored by National Organization for Marriage.

7 4. Because of my support for Proposition 8, I received many emails from people who  
8 were angry about my support of Proposition 8. Mostly, the emails referred to me as a "bigot" or  
9 a "gay hater," and/or they mocked Christianity. I have since deleted these emails.

10 5. Because of my support for Proposition 8, many websites began slandering me as a  
11 "bigot," "gay hater," or "racist." At some point in December, there were over 30 websites  
12 slandering me in this way.

13 6. Because I do a large amount of public speaking, when people searching for me on the  
14 internet search for my name, these websites come up.

15 7. My son is an actor. Because of the harassment he received for his support of  
16 Proposition 8, he has had to change the name under which he acts.

17 8. If I was asked to support a cause similar to Proposition 8 in the future, these incidents  
18 would definitely affect my support. As a father who saw how support of Proposition 8 affected  
19 my son, I would hesitate to donate to a similar cause if there was not a way to keep our giving  
20 confidential.

21 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
22 AND CORRECT.

23  
24 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #51 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

John Doe #52

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James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

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 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF REDACTED  
 IN SUPPORT OF PLAINTIFFS'  
 MOTION FOR SUMMARY JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of REDACTED in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. Our **REDACTED** was retained in mid-October 2008 by the **REDACTED**  
5 **REDACTED** campaign. I handled the public relations, to assist **REDACTED**, the Deputy  
6 Communications Director for **REDACTED**, with the overwhelming international news  
7 interest in this case.

8 3. During the campaign leading up to the November 2008 election, my public relations  
9 firm received approximately one to three telephone calls per day from angry callers who swore or  
10 threatened us because of our representation of the **REDACTED** campaign.

11 4. The day after Proposition 8 passed, the amount of telephone calls and emails we  
12 received of this nature increased, and became significantly more threatening..

13 5. Early on November 5, 2008, we received a telephone call from a man who wanted the  
14 address of **REDACTED**, so that he could send her a "gift." I referred the caller to the **REDACTED**  
15 website, but he wanted her home or office address. I refused to give him her address, and he  
16 became very angry. He made numerous threats to me personally and my business.

17 6. He continued calling, and immediately re-calling, my **REDACTED** firm all day.  
18 Three of the many voice mail messages that he left are attached as Exhibits A, B, and C.

19 7. The man began calling my office so often that we could not use the telephone to  
20 conduct business. At this point, we called the sheriff's office to report his behavior. The Sheriff  
21 identified the man because he had caller i.d. The sheriff called this man, and said that if he  
22 continued this behavior, he would be arrested.

23 8. I also received a number of emails. True and correct copies of the text of some of these  
24 emails are attached as Exhibit D.

25  
26  
27  
28 **Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment**

1 9. I regularly handle [REDACTED] for controversial issues. For example, several years  
2 ago, [REDACTED] County retained me to help handle media pertaining to the Catholic priest  
3 molestation issues. The harassment I personally endured as a result of my work on the [REDACTED]  
4 campaign was much worse than during the molestation issues or any other issue I have dealt  
5 with.

6 10. Because of these incidents, I was afraid for my own safety and the safety of my  
7 daughters. The internet has a large amount of information about people, and it would be easy for  
8 a person to find my business and home addresses.

9 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
10 AND CORRECT.

11  
12 Executed on: [REDACTED]

**REDACTED**

[REDACTED]

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28 Declaration of [REDACTED] in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #52 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

# Exhibit D

**From:** Jennie LaCovey [mailto:jennie@blocagency.com]

**Sent:** Friday, November 07, 2008 12:34 PM

**To:** REDACTED

**Subject:** prop 8

Hey All –

Some of you are aware that Yes on Prop 8 has unfortunately passed. For those of you not in Cali, this means that Gay marriage is no longer legal! I guess the wedding I was in back in Sept. for my dearest friends Sami and Karen is now void? And that means the wedding in April for my best friend, Shannon, and her fiancé Melissa now means it will only be a commitment ceremony. WTF!

We live in a country where everyone is supposed to be created EQUAL. I guess they are referring to everyone white or black, man or woman, straight... but not gay. I understand that it takes time, but didn't CA just take 2 steps back?! I could meet a man tomorrow and run off to Vegas to get married, but my best friends who are in committed loving relationships for years won't have the same privileges?!!

A week ago I was having a bold moment and stole 2 "Yes on Prop 8" signs off a lawn that was ridiculously covered in them. And I don't feel bad about it. Not one bit. How can discrimination still be tolerated? It's almost 2009 and more than half of the US continues to effect peoples lives by causing them to be second class citizens.

Being homosexual is not a disease... it's not something you can catch. Believe me, if I could have a girlfriend... I WOULD! Homosexuality is not taught in schools FYI. Do you remember learning about marriage in grade school? I sure don't. And even if it was taught, so what! Are we going to continue to spread hate and teach are kids to discriminate?!

Attached is a funny photo someone sent me. If you don't live here, Prop 2 passed which gives chickens animal rights, etc... Funny how we finally have an AA pres and the animal rights prop passed, but no rights for the gays.

Xoxo,

J.

P.S. Please sign the petition below if you live in Cali. J

With our new President elected, we know the seal has been broken in a beautiful show if this nation's growth, love, acceptance and the achievement of the Equality and Freedom we were founded for.

As many of you know, and some may not, proposition 8 on the California ballot passed by a very narrow margin yesterday. Prop 8 would eliminate the right for same sex couples to marry. Let's be clear about this proposition: Homosexual Californians are not looking for a special clause, new treatment, or right. WE HAD IT. Supporters of Prop 8 want to go in and RE-WRITE AN EXCLUSION of same sex couples into the Constitution. There has been a lot of propaganda to



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make some folks believe this is about education, Church's tax exempt status, and other nonsense. To get the FACTS, and see who supports this cause, visit [www.noonprop8.com](http://www.noonprop8.com).

Regardless of your personal beliefs, it is wrong and unjust to strip one group of people of a fundamental civil right. ALL people deserve the right to marry and have a family with the person they love. We can't let fear and propaganda take away this right from anyone.

Please take a minute to sign this petition to repeal Prop 8 and RESTORE EQUALITY FOR ALL.

<http://www.petitiononline.com/seg5130/petition.html>

I was at the West Hollywood Protest March last night with our best friends Jenn and Stacey, who were married, legally, in July. Prop 8 wants to tell them their marriage and love are not equal, not legal, and not allowed. Please stand with us and we fight for Equality. Please send this on to everyone you know. Changing just one mind matters

<http://www.youtube.com/watch?v=HSAAtGmUSLZM>

Check out YouTube.com and just enter in "no on prop 8 protest" and see the dozen of news clips and personal footage from all across the state! YES WE CAN!!!

Hi Everyone,

As you know Prop 8 has passed. It has brought great sadness to Karen and I. It hurts to know that discrimination is masked by religion. I am ashamed of all who voted to take my marriage away. I am hurt deeply by anyone who would try to break up loving families, just because they are not like theirs. All the lies that were told about schools and children. Using children!!!! The phone calls telling people that Obama supports "Yes" on 8 - LIES!! I especially cannot believe that those who have felt the horror of discrimination, would then discriminate. This is about EQUAL RIGHTS!! Not religion!!! This is so unconstitutional - the last legal discrimination. I am not a second rate citizen. My love deserves the same legal rights as a straight couple, and the same word - MARRIAGE. I do not want to call it anything else, that would be the same as sitting at the back of the bus. Separate is not equal.

Sami

Jennie LaCovey  
Bloc Talent Agency  
[www.blocagency.com](http://www.blocagency.com)  
T: 323 954 7730  
F: 323 954 7731

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**From:** Larry Walter [mailto:chumleynv@yahoo.com]

**Sent:** Friday, November 07, 2008 2:52 PM

**To:** REDACTED

**Subject:** Hello REDACTED

Hi REDACTED,

Just wanted you to know we all think you are a bigot and a religious zealot.

Hope your children all turn out to be gay!!

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**From:** Bobby Furler [mailto:blfurler@yahoo.com]

**Sent:** Friday, November 07, 2008 3:03 PM

**To:** REDACTED

**Subject:** prop 8

I would like to take the time to say you and your discrimination cause disgust me. I hope one day you will find peace in what you have done and all of the lives that you have affected. Proposition 8 was nothing but pure discrimination and homophobia under the guises of "marriage protection" and "looking after children". People like you are so filled with hate, please take the time to discuss with your god if hate and fear really is the answer. If you find that it is, I am sorry. I will be praying for you.

Respectfully yours,  
Robert Furler  
Los Angeles, CA

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From: Bryan Miyamoto [mailto:goyuchan@sbcglobal.net]  
Sent: Friday, November 07, 2008 4:34 PM  
To: REDACTED  
Subject: Thank you for all your hate

Dear REDACTED

Thank you very much for putting all your hate out there in the world.

You really made a difference being a REDACTED for yes on prop 8. Maybe you rather than teaching hate, you should focus your energy for something positive. I just got an e-mail from my friend regarding your hate towards gay community, and your name is all over the gay community. What goes around comes around comes around REDACTED.

Bryan Miyamoto

**From:** Austen Faggen [mailto:austen.faggen@gmail.com]  
**Sent:** Monday, February 09, 2009 5:18 PM  
**To:** REDACTED  
**Subject:** Re: Hey REDACTED!

There is the basic freedom granted to us by the First Amendment allowing everyone the right to express themselves openly. Same-sex marriage is a form of expression just as traditional marriage. It is a statement of love (or at least commitment) before the state that two people plan to function as one family unit.

Marriage is a right. I have heard this argument that it is a privilege before. They say it is like driving, they are both regulated and, therefore, are not rights but privileges. However, voting has always been referred to as a right and it has also always been regulated. You can't vote until age 18, you must be a legal citizen and you can even lose your right to vote. Yet we don't call voting a right. I would argue that marriage is a right and that we are privileged to have that right.

I guarantee you that if you were not allowed to marry your partner because he was black or Jewish or whatever, **you would be livid also**. Put yourselves in our shoes. And tell that gay friend of yours to look deep down and start loving himself more. Any self-respecting gay man or woman should not be for Prop 8.

You should be proud of yourself for standing up for your gay stepson. Go the next step. When this issue rolls around the next time-- and we both know that it will-- help *us*. I know you will be proud to one day say that you were on the side of civil rights.

On Mon, Feb 9, 2009 at 5:00 PM, REDACTED REDACTED > wrote:

Prop 8 maintains the definition of marriage as between a man and a woman—which is what it has always been. By the way, Marriage is not a right—it is a privilege. You and your partner, have the same right to choose to live in a domestic partnership and the same rights to legal protection. But you don't have the right to redefine marriage. Actually, before I decided to work on this campaign, I had a long talk about prop 8 with a very dear gay friend who has been in a long term relationship with his life partner. He agrees 100% with my position.

I don't hate anyone, certainly not you or any other gay person. My stepson is gay, and his father (my ex) wanted to disown him when he and his partner moved in together. We had huge issue over this as I could not fathom how he could turn his back on his son. He eventually reconciled his son before he died, and I thank God he did. If my own children were gay, I would feel the same way about marriage – but I would love them, and support them if they were lucky enough to find a life partner, and if their union produced children either by birth or by adoption. And I would love those grand children just as much as any other grandmother.

However, the hate and vindictiveness leveled at me and others by the gay community has been truly appalling.

I truly wish you well

**From:** Austen Faggen [mailto:[austen.faggen@gmail.com](mailto:austen.faggen@gmail.com)]

**Sent:** Monday, February 09, 2009 4:43 PM

**To:** REDACTED

**Subject:** REDACTED!

REDACTED,

I've been with my partner for eight years. In November, I lost my right to marry. Now I understand your position completely! You believe that that right never should have been given to us in the first place. And I understand that belief.

But some Christian and Jewish sects do allow for gay marriage. And separation of church and state should have allowed for those churches to act independently of the government. Mormons, after all, who helped in a large part to finance your involvement, can do tons irrespective of the government and law.

But because you and others felt it was necessary to inflict your specific religious believes onto others, I can no longer call the man I love, my husband. Although I will keep his last name. All definitions are subjective, REDACTED. That's why you'll find different definitions in different dictionaries (the Canadian Oxford Dictionary, for example, defines marriage as "the legal or religious union of two people" and says nothing of a man or a woman).

I am sure we both believe in the American government. That's why we both live here. I believe in the right of a majority to dictate laws, which is what happened in November, just like you do. So even though it hurts me, I understand that the majority of people in California decided gay marriages should not be performed by all churches and synagogues regardless of their independent doctrines.

But what you forget is that the Constitution was created to protect minority groups from the will of the majority. That's why in the sixties, blacks were able to win rights in the courts even without wide popular support for their causes. Sure you personally don't believe that gays should have the rights to marry. But that is just your own religious and/or moral view. Many people once thought blacks shouldn't have the right to marry whites. You shouldn't have acted so strongly to help the Yes on 8 campaign. You inflicted your personal views on others. Your words were hurtful and often inaccurate.

And even though my marriage had no effect on yours, your words and support helped hatred and bigotry win out. I know that in twenty years, your grandchildren will google your name and ask you with amazement why you stood against gay marriage. Just like my friend looks down on his grandfather for his bigoted support of the KKK, your descendants will look down on you. You might not have understood this at the time, but what you did was a form of disguised hatred. Remember, KKK members never saw their disapproval of interracial marriages as hatred. They also thought they had a moral obligation to protect society from the evils of whatever bullshit they believed would bring down society at the time.

I am ashamed of you, REDACTED. I hope that you will reconsider your support of such hateful legislation in the future.

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"Do to others whatever you would like to do to you. This is the essence of all that is taught in the law and the prophets." Matthew 7:12

Please reconsider your public statements.

Best,

Austen

John Doe #53

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James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 101 Parkshore Drive, Suite 100  
 Folsom, CA 95630  
 Telephone: (916) 932-2850  
 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED]  
 IN SUPPORT OF PLAINTIFFS' MOTION  
 FOR SUMMARY JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment



1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, on approximately four occasions, I donated to the  
6 campaign in support of Proposition 8. Because of the timing of these donations, my personal  
7 information was not released to the public until February 2009.

8 4. In support of Proposition 8, I also walked door-to-door, and made phone calls. I also  
9 put our "Yes on 8" signs.

10 5. Once my personal information was released to the public in February, I began to  
11 receive harassing phone calls at work.

12 6. One man who called me at work told me that my company would be boycotted because  
13 of my support of Proposition 8.

14 7. After speaking to this man, I wished him a good day. In reply, he told me in a very  
15 disturbing voice to "Have a good life!"

16 8. My co-workers have also received similar phone calls at work about my support of  
17 Proposition 8.

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

1 9. Although I would support a cause similar to Proposition 8 in the future, the experience  
2 I have had supporting Proposition 8 will make me think about how I donate to any similar  
3 campaign in the future. I will look for alternative ways to contribute my money without putting  
4 my family or profession in jeopardy. These alternative methods might involve figuring out a way  
5 to donate anonymously, or through an organization that will allow me to keep my personal  
6 information and support from becoming public.

7 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
8 AND CORRECT.

9  
10 Executed on **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #53 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
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*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

John Doe #54

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James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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\* *Admitted Pro Hac Vice*  
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**United States District Court  
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**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF REDACTED  
 IN SUPPORT OF  
 PLAINTIFFS' MOTION FOR SUMMARY  
 JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of REDACTED in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, [REDACTED], make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I am a professor at the law school of the University of [REDACTED]  
5 [REDACTED]. I have been a member of the law school faculty since [REDACTED], with tenure since [REDACTED].  
6 Prior to becoming an academic I served as a staff attorney at [REDACTED]  
7 [REDACTED]; [REDACTED] under then [REDACTED]  
8 [REDACTED]; and the [REDACTED] of the Fair Political Practices Commission [REDACTED].

9 As an academic I have specialized in Election Law. I have also taught courses in Constitutional  
10 Law, Legislation, American Political Thought, and Law and Literature. I have been an active  
11 participant in various organizations, including service on the governing boards of Common  
12 Cause, Americans for Nonsmokers Rights, and the Interact Theatre Company of North  
13 Hollywood.

14 3. I am not a member of any church, synagogue, or other organized religion. Throughout  
15 my adult lifetime I have been opposed to laws criminalizing sodomy between consenting adults.  
16 Since first thinking about the subject I have supported the legal recognition of civil unions for  
17 gay couples. I have enjoyed warm relationships with colleagues and other friends and relations  
18 who are gay. I believe that marriage, by human nature, is a union between one man and one  
19 woman. Marriage, in my belief, is grounded in the biology of human beings as it relates to the  
20 creation and nurturing of children.

21 4. For that reason I supported Proposition 8 in the 2008 General Election. I contributed  
22 money to the campaign in favor of Proposition 8, including \$XXX in the period reportable in the  
23 post-election campaign statement.

24 5. On February 2, 2009, I received an e-mail entitled "To Prof. [REDACTED]" from the e-  
25 mail address "julia.wells2007@gmail.com". A true and correct copy of the text of that e-mail,  
26 together with the response that I sent the same day, is attached hereto as Exhibit A and  
27

28 Declaration of [REDACTED] in  
Support of Plaintiffs' Motion for  
Summary Judgment

1 incorporated herein by reference. Later that day I sent a copy of this correspondence to Brian  
2 Brown of National Organization for Marriage. The following day he asked me if I would consent  
3 to the correspondence being introduced in the present litigation, with a declaration from me. I  
4 agreed.

5 6. On February 7, 2008, I received a handwritten letter at my home address. In its  
6 entirety, the letter reads: "STUPID MOTHER FUCKER. MAKE A DONATION Like that AND  
7 YOU ARE LISTED." My wife opened the letter, and was concerned; she asked me if we are  
8 likely to be the targets of violence.

9 7. At the age of 65 I am a veteran of many political and other controversies and have been  
10 subject to considerable personal criticism, some of it quite uncivil in nature. I regard myself as  
11 pretty thick-skinned against all forms of political attack. I have contributed money to many  
12 candidates' campaigns and to many campaigns supporting or opposing ballot propositions. Until  
13 this incident I had never been personally criticized simply because I voted in a particular way or  
14 contributed money to a particular candidate or for or against a particular proposition. The e-mail  
15 from Ms. Wells gave me a feeling of sadness and distress that lasted for a few hours, but that did  
16 not debilitate me from engaging in other activities.

17 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
18 AND CORRECT.

19  
20 Executed on: REDACTED

REDACTED

REDACTED

21  
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28 Declaration of REDACTED in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #54 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

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*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
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Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

Case 2:09-cv-00058-MCE-DAD Document 157-2 Filed 06/03/09 Page 1 of 3

# Exhibit A



Case 2:09-cv-00058-MCE-DAD Document 157-2 Filed 06/03/2009 Page 2 of 3

From: J W [mailto:[julia.wells2007@gmail.com](mailto:julia.wells2007@gmail.com)]  
Sent: Mon 2/2/2009 2:43 PM  
To: [REDACTED]  
Subject: To [REDACTED]

The judge released the names today of the donors who supported Prop 8, and your name is on the list as having donated \$XXX to keep same-sex couples from marrying.

Someday you will have to account for the fact that you refused to love thy neighbor, but in the meantime I hope your hateful little life is full of oppression and injustice as this is the kind of life you wish for others.

You're a queer-hating douchebag. Fuck you.

Best,  
Julia

Case 2:09-cv-00058-MCE-DAD Document 157-2 Filed 06/03/2009 Page 3 of 3

From: REDACTED  
Sent: Mon 2/2/2009 4:08 PM  
To: J W  
Subject: RE: To REDACTED

Perhaps with the passage of time I shall learn to love my neighbor in the spirit manifested in your e-mail message. In the meantime, I'll do it the old-fashioned way and wish you well.

Best,

REDACTED  
REDACTED  
REDACTED  
REDACTED  
REDACTED

John Doe #55

Case 2:09-cv-00058-MCE-DAD Document 158 Filed 06/03/2009 Page 1 of 3

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
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**Case No. 2:09-CV-00058-MCE-DAD**

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 IN SUPPORT OF  
 PLAINTIFFS' MOTION FOR SUMMARY  
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 Judge England

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3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, in mid-October, I placed a "Yes on 8" yard sign in front of  
6 our house.

7 4. Within hours of placing the "Yes on 8" sign in front of our house, someone removed it.  
8 I replaced it with a homemade sign that I thought would be less likely to be removed, because it  
9 was less obvious that it was a "Yes on 8" sign. This second sign was not removed.

10 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
11 AND CORRECT.

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13 Executed on: [REDACTED]

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28 Declaration of [REDACTED] in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #55 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

John Doe #56

Case 2:09-cv-00058-MCE-DAD Document 159 Filed 06/03/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Telephone: (812) 232-2434  
 Facsimile: (812) 235-3685  
 Counsel for All Plaintiffs

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 ALLIANCE DEFENSE FUND  
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 Facsimile: (480) 444-0028  
 Counsel for All Plaintiffs

Timothy D. Chandler (Cal. State Bar No. 234325)\*\*  
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 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED]  
 IN SUPPORT OF PLAINTIFFS' MOTION  
 FOR SUMMARY JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I made a donation of \$X,XXX to ProtectMarriage.com - Yes  
6 on 8, a Project of California Renewal in the name of my business.

7 4. After this donation, a man called my office and left me a voice mail message in which  
8 he called me a "bigot" and told me I should be "ashamed." After listening to this message, I had  
9 the impression that the man who called me had a list of people he was calling and saying similar  
10 things to.

11 5. In support of Proposition 8, I also participated in "wave parties" where I stood on a  
12 sidewalk and waved to passing motorists. While waving, people would regularly make obscene  
13 gestures to and yell at those of us waving.

14 6. In support of Proposition 8, I also placed a sign supporting Proposition 8 in my yard.  
15 Someone took down this sign and ripped it down the middle during the day.

16 7. In support of Proposition 8, I also had a bumper sticker taped to the front window of  
17 my car, canvassed my neighborhood to find supporters of Proposition 8, worked the telephones  
18 on election day, worked with ProtectMarriage.com and spoke at churches to encourage the  
19 support of Proposition 8, and produced a video to support Proposition 8.

20 8. After these incidents, I took the address of my business - which is also my home  
21 address - off of my business's website, leaving only my name and telephone number on the  
22 website as my contact information.

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
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1 9. Although these incidents would not prevent me from supporting a cause similar to  
2 Proposition 8 in the future, I find these incidents very upsetting.

3 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
4 AND CORRECT.

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6 Executed on REDACTED

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28 Declaration of REDACTED in  
Support of Plaintiffs' Motion for  
Summary Judgment



**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #56 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
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*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

John Doe #57

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James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED] IN  
 SUPPORT OF PLAINTIFFS' MOTION  
 FOR SUMMARY JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated several hundred dollars to several groups who  
6 supported Proposition 8, including National Organization for Marriage California - Yes on 8,  
7 Sponsored by National Organization for Marriage, Focus on the Family, Alliance Defense Fund,  
8 and several other less familiar organizations.

9 4. In support of Proposition 8, I placed bumper stickers on my cars and sent emails  
10 supporting Proposition 8.

11 5. In support of Proposition 8, I also placed yard signs in my front yard, which is on a  
12 residential street. I usually had two or three signs in the yard at a time.

13 6. In the days leading up to the election, these signs were removed or destroyed three or  
14 four times. Sometimes, the signs were taken or destroyed during the day; other times, the signs  
15 were taken or destroyed at night.

16 7. On one occasion when my signs were taken, my neighbor (an off-duty police officer)  
17 got in his car and began to follow the car that had taken the signs. While following the car, he  
18 called 911 and alerted the local police department about the situation. When he caught up with  
19 them, the mother and teenagers who were in the car had dozens of "Yes on 8" signs in the car.

20 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
21 AND CORRECT.

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23 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #57 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
mollie.lee@sfgov.org  
*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

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 Telephone: (916) 932-2850  
 Facsimile: (916) 932-2851  
 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*

\*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

**ProtectMarriage.com, et al.,**

***Plaintiffs,***

**v.**

**Debra Bowen, et al.,**

***Defendants.***

**Case No. 2:09-CV-00058-MCE-DAD**

**DECLARATION OF [REDACTED]  
 [REDACTED] IN SUPPORT OF  
 PLAINTIFFS' MOTION FOR SUMMARY  
 JUDGMENT**

Date: TBD  
 Time: TBD.  
 Judge England

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment

1 I, **REDACTED** make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, I donated approximately \$XX to ProtectMarriage.com - Yes  
6 on 8, a Project of California Renewal.

7 4. In support of Proposition 8, I spent approximately 12-14 hours knocking on doors and  
8 making phone calls to help gain support for Proposition 8.

9 5. In support of Proposition 8, I also placed a "Yes on 8" yard sign in my front yard.

10 6. Approximately two weeks before the November 2008 election, someone stole my "Yes  
11 on 8" yard sign in the late afternoon, while it was still light out.

12 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
13 AND CORRECT.

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15 Executed on: **REDACTED** **REDACTED**  
16 **REDACTED**

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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

## CERTIFICATE OF SERVICE

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 3, 2009, I electronically filed the foregoing document described as Declaration of John Doe #58 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

Mollie M. Lee  
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*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 3rd day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

**John Doe #43**

Case 2:09-cv-00058-MCE-DAD Document 162 Filed 06/04/2009 Page 1 of 4

James Bopp, Jr. (Ind. State Bar No. 2838-84)\*  
 Richard E. Coleson (Ind. State Bar No. 11527-70)\*  
 Barry A. Bostrom (Ind. State Bar No. 11912-84)\*  
 Sarah E. Troupis (Wis. State Bar No. 1061515)\*  
 Scott F. Bieniek (Ill. State Bar No. 6295901)\*  
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 Counsel for All Plaintiffs

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 Counsel for All Plaintiffs

\* *Admitted Pro Hac Vice*  
 \*\* *Designated Counsel for Service*

**United States District Court  
 Eastern District of California  
 Sacramento Division**

<p><b>ProtectMarriage.com, et al.,</b></p> <p><i>Plaintiffs,</i></p> <p><b>v.</b></p> <p><b>Debra Bowen, et al.,</b></p> <p><i>Defendants.</i></p>	<p><b>Case No. 2:09-CV-00058-MCE-DAD</b></p> <p><b>DECLARATION OF [REDACTED]</b>  <b>IN SUPPORT OF PLAINTIFFS' MOTION</b>  <b>FOR SUMMARY JUDGMENT</b></p> <p>Date: TBD              Time: TBD.              Judge England</p>
--	--

Declaration of [REDACTED] in  
 Support of Plaintiffs' Motion for  
 Summary Judgment



1 I, **REDACTED**, make the following declaration pursuant to 28 U.S.C. § 1746:

2 1. I am a resident of the state of California over 18 years of age, and my statements herein  
3 are based on personal knowledge.

4 2. I supported the passage of Proposition 8.

5 3. In support of Proposition 8, my family donated a total of approximately \$**XXXX** to  
6 groups supporting Proposition 8.

7 4. My wife and I were very involved in supporting Proposition 8. We called people on  
8 the phone to discuss the vote for Proposition 8, we passed out voting reminders shortly before the  
9 election, we went door-to-door talking to people about the vote and passing out literature, we  
10 joined online groups, discussed Proposition 8 with people on Facebook, blogs, and chat rooms,  
11 my wife started a blog (which she still maintains), we called people on the day of the election to  
12 remind them to vote, and I went to a local precinct to see which people who had earlier indicated  
13 that they were going to vote had already voted.

14 5. In support of Proposition 8, we also placed a large, 4 x 8 hand-painted sign on our  
15 fence. On Halloween night, someone vandalized the sign. A true and correct copy of a picture I  
16 took of the vandalized sign is attached as Exhibit A. I filed a police report with the local police  
17 after this incident.

18 6. Prior to the vandalism of the large sign, we had smaller "Yes on 8" signs stolen and  
19 defaced. One of these yard signs was stolen from our front yard, and another was ripped in half  
20 with some anti-Proposition 8 literature placed beside it. I also filed police reports after these  
21 incidents.

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Support of Plaintiffs' Motion for  
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1 7. In the future, if I was asked to support a cause similar to Proposition 8, I would be  
2 more careful about any donation made by my family, so that we would not be identified.

3 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
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28 Declaration of REDACTED in  
Support of Plaintiffs' Motion for  
Summary Judgment

**CERTIFICATE OF SERVICE**

I, Scott F. Bieniek, am over the age of 18 years and not a party to the within action. My business address is 1 South Sixth Street, Terre Haute, Indiana 47807.

On June 4, 2009, I electronically filed the foregoing document described as Declaration of John Doe #43 in Support of Plaintiffs' Motion for Summary Judgment, with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

Zackery P. Morazzini  
zackery.morazzini@doj.ca.gov  
*Attorney for Defendants Debra Bowen and Edmund G. Brown, Jr.*

Judy W. Whitehurst  
jwhitehurst@counsel.lacounty.gov  
*Attorney for Defendant Dean C. Logan*

Terence J. Cassidy  
tcassidy@porterscott.com  
*Attorney for Defendant Jan Scully*

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*Attorney for Defendants Dennis J. Herrera and  
Department of Elections - City and Count of San Francisco*

Lawrence T. Woodlock  
lwoodlock@fppc.ca.gov  
*Attorney for Defendant Members of the Fair Political  
Practices Commission*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this 4th day of June, 2009.

/s/ Scott F. Bieniek  
Scott F. Bieniek (Ill. State Bar No. 6295901)  
Counsel for All Plaintiffs

Case 2:09-cv-00058-MCE-DAD Document 162-2 Filed 06/04/2009 Page 1 of 2

**John Doe #43**

# Exhibit A



# Exhibit 9-15

Evidence of Record Previously Submitted  
—Re-filed for the Court’s Convenience—

## Dkt. 4-15

(Exhibit 14 to Declaration of Scott F. Bieniek in Support  
of Plaintiffs’ Motion for a TRO and Preliminary  
Injunction)

Exhibit in Support of Pls.’ Response to  
Def’s Motion for Summ. J.  
(Case No. 3:09-cv-05456-BHS)

BOPP, COLESON & BOSTROM  
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(812) 232-2434

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### SEARCH AGAIN

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e.g. networksolutions.com

Search by:

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**Server Type:** Indeterminate  
**DMOZ:** no listings  
**Y! Directory:** [see listings](#)  
**Secure:** No  
**E-commerce:** No  
**Traffic Ranking:** Not available  
**Data as of:** 22-Apr-2008

When you register a domain name, current policies require that the contact information for your domain name registration be included in a public database known as WHOIS. To learn about actions you can take to protect your WHOIS information visit [www.internetprivacyadvocate.org](http://www.internetprivacyadvocate.org).

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**SOLUTIONS FOR ONLINE SECURITY**  
**LEGAL & POLICY INFO**

**CORPORATE INFORMATION**  
**PROMOTIONS & OFFERS**

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#### CUSTOMER SUPPORT

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 J.D. Power and Associates



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