

John Doe #17

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

<p>19 ProtectMarriage.com, et al., 20 21 <i>Plaintiffs,</i> 22 v. 23 Debra Bowen, et al., 24 <i>Defendants.</i></p>	<p>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</p>
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 28 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 in August 2008 of \$X,XXX to
6 ProtectMarriage.com - Yes on 8, a Project of California Renewal. My wife also donated \$X,XXX
7 to ProtectMarriage.com in late October.

8 4. Because of my donation in support of Proposition 8, my name was listed on the “List
9 of Shame” at the Californians Against Hate website.

10 5. After my name appeared on the Californians Against Hate website, I was contacted by
11 our local [REDACTED] television affiliate to do a television interview on the “List of Shame.” On
12 September [REDACTED], [REDACTED], this interview appeared on television here in [REDACTED]. The interview
13 appeared as part of a larger piece on Proposition 8 on the evening news.

14 6. On the evening of September [REDACTED], [REDACTED], after the interview appeared, I received a hate
15 call. My family was not home at the time, and a female caller left a message on our answering
16 machine. Using sarcasm, , she told us we must be proud of our decision to donate to Proposition
17 8.

18 7. Prior to doing the interview, I had let two other partners in my accounting business
19 know about my decision to participate in the interview; both of them were supportive of my
20 decision to appear on television as a supporter of Proposition 8.

21 8. Someone at my workplace saw my name and donation posted online, and told the
22 human resources department where I work about my donation to Proposition 8.

23 9. Several days after the November 2008 election, the partner who oversees the human
24 resources department and the human resources director let me know that someone had pointed
25 out that my name appeared online as part of the blacklists of people who had supported
26 Proposition 8 circulating on the internet. I do not believe that we received any complaints from
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28 Declaration of [REDACTED] in
Support of Plaintiffs’ Motion for
Summary Judgment

1 clients about my donation.

2 10. I also received a postcard, at work, from an anonymous gay couple opposed to our
3 donation. I still have the postcard, which states:

4 I'm a bank executive and my partner is an IT manager. We are gay, and we both served in
5 the military during the Vietnam War. We got married recently, after being together for 30
6 years, but that's in limbo now thanks to the Great Religious War of 2008 in which the
7 sanctity of marriage was preserved. What is important, in addition to marriage being
8 saved, is that folks like us are relegated to permanent second class citizenship, so that we
9 don't have the same hospital visitation rights as you, or the ability to file a joint tax return,
or the pleasure and security that comes with knowing your committed relationship is
recognized by the state. We deserve to be adrift without rights for the rest of our lives.
Meanwhile, we will continue to pay our taxes to support your school systems for your
children.

10 We just hope you are proud of your participation in this Great Crusade. Just think of how
11 you have contributed to the economy with the money you donated! It doesn't matter that
12 there are thousands of worthwhile charities that could have used those funds to feed
13 starving people, clothe the homeless, and find cures for cancer and other life-threatening
14 diseases. You must be so proud!

15 11. My name and address are listed on the eightmaps.com website.

16 12. Although I would donate to a cause similar to Proposition 8 in the future, I believe
17 that there are people who would be afraid to donate because of the harassment of supporters of
18 Proposition 8..

19 13. Personally, I am most upset about the desecration of locations that we deem sacred,
20 and the vilifying of our church online and in the press. It seems shameful that the hateful and
21 personal nature of these actions have been justified in any measure in a country with a long
22 history of freedom of religion.

23 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE

24 AND CORR **REDACTED** **REDACTED**
Executed on: **REDACTED**
25 **REDACTED**

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

1 **CERTIFICATE OF SERVICE**

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

4 On June 3, 2009, I electronically filed the foregoing document described as Declaration of
5 John Doe #17 in Support of Plaintiffs’ Motion for Summary Judgment, with the Clerk of Court
6 using the CM/ECF system which will send notification of such filing to:

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15 Department of Elections - City and Count of San Francisco*

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Practices Commission*

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

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21
22 /s/ Scott F. Bieniek
23 Scott F. Bieniek (Ill. State Bar No. 6295901)
24 Counsel for All Plaintiffs
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