

John Doe #29

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

<p>19 <b>ProtectMarriage.com, et al.,</b>          20 <i>Plaintiffs,</i>          21 v.          22 <b>Debra Bowen, et al.,</b>          23 <i>Defendants.</i></p>	<p>Case No. 2:09-CV-00058-MCE-DAD          24 <b>DECLARATION OF REDACTED</b>  <b>IN SUPPORT OF</b>  <b>PLAINTIFFS' MOTION FOR SUMMARY</b>  <b>JUDGMENT</b>          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 New York 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 the passage of Proposition 8, I donated **\$X,XXX** to National Organization  
6 for Marriage - Yes on 8.

7 4. Prior to the November 4, 2008 election, my name was published on SFGate.com, the  
8 website of the San Francisco Chronicle, as a supporter of Proposition 8.

9 5. After my name appeared on the SFGate.com website as a supporter of Proposition 8, I  
10 received several harassing emails, which I deleted from my email account.

11 6. At approximately **X:XX** p.m., on February **X**, 2009, I returned to my home to find two  
12 men standing outside the house waiting for me. These men were reporters for the **REDACTED**  
13 **REDACTED**. Although I had been sent an email earlier in the day telling me that these reporters  
14 would be at my house later in the day, I had not received this email by the time I returned home.  
15 After speaking briefly with the reporters, the reporters left my house.

16 7. The presence of these reporters at my house angered me. My husband recently had a  
17 heart attack, and I worry that the stress of people showing up at my house without warning,  
18 because of the publication of my address, could cause aggravation of his heart or other health  
19 problems.

20 8. On February **REL REDACTED**, an article about my donation to Proposition 8 appeared in the  
21 **REDACTED**. A true and correct copy of that article is attached as Exhibit A.

22 9. On February **REL REDACTED**, after the article appeared in the **REDACTED**, I received  
23 approximately 45 emails at my gmail account, and another 10-12 at my personal email account.  
24 True and correct copies of the text of several of the emails that I received are attached as Exhibit  
25 B.

26 10. The emails I received included threats harassment, and reprisals. For example, one  
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28 Declaration of **REDACTED** in  
Support of Plaintiffs' Motion for  
Summary Judgment

1 email states: "Your donation to Yes on prop 8 purchased you a BOYCOTT from gays/lesbians  
2 and our friends." Another states: "you work is garbage and should be defaced!" Still another  
3 states: "[O]therwise you better not ever show your face again at any gay gathering."

4 11. I am an artist, but I also regularly write on art and culture. After publication of the  
5 article in the **REDACTED**, one of my former editors received a letter from a member of  
6 the homosexual community regarding my donation in support of Proposition 8. He forwarded  
7 this letter to me, and I responded. True and correct copies of our communications, including the  
8 letter sent to my former editor, are attached as Exhibit C.

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

11 Executed on: **REDACTED**

**REDACTED**

**REDACTED**

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28 Declaration of **REDACTED** in  
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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 #29 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:

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

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

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