

John Doe #42

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15 * *Admitted Pro Hac Vice*
 16 ** *Designated Counsel for Service*

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

<p>19 ProtectMarriage.com, et al., 20 21 <i>Plaintiffs,</i> 22 <i>v.</i> 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 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**
25 **REDACTED**
26 **REDACTED**

27
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 #42 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
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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
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*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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