

John Doe #44

1 James Bopp, Jr. (Ind. State Bar No. 2838-84)*
 Richard E. Coleson (Ind. State Bar No. 11527-70)*
 2 Barry A. Bostrom (Ind. State Bar No.11912-84)*
 Sarah E. Troupis (Wis. State Bar No. 1061515)*
 3 Scott F. Bieniek (Ill. State Bar No. 6295901)*
 BOPP, COLESON & BOSTROM
 4 1 South Sixth Street
 Terre Haute, IN 47807-3510
 5 Telephone: (812) 232-2434
 Facsimile: (812) 235-3685
 6 Counsel for All Plaintiffs

7 Benjamin W. Bull (Ariz. State Bar No. 009940)*
 ALLIANCE DEFENSE FUND
 8 15100 North 90th Street
 Scottsdale, Arizona 85260
 9 Telephone: (480) 444-0020
 Facsimile: (480) 444-0028
 10 Counsel for All Plaintiffs

11 Timothy D. Chandler (Cal. State Bar No. 234325)**
 ALLIANCE DEFENSE FUND
 12 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 13 Telephone: (916) 932-2850
 Facsimile: (916) 932-2851
 14 Counsel for All Plaintiffs

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 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>
---	--

27
 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. 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
22
23
24
25
26
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 #44 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.

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

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

13 Mollie M. Lee
14 mollie.lee@sfgov.org
*Attorney for Defendants Dennis J. Herrera and
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.

20
21
22 /s/ Scott F. Bieniek
23 Scott F. Bieniek (Ill. State Bar No. 6295901)
24 Counsel for All Plaintiffs
25
26
27
28