

**John Doe #1**

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18 \* *Pro Hac Vice Application Pending*  
 19 \*\* *Designated Counsel for Service*

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

<p>22 <b>ProtectMarriage.com, et al.,</b></p> <p>23 <i>Plaintiffs,</i></p> <p>24 <b>v.</b></p> <p>25 <b>Debra Bowen, et al.,</b></p> <p>26 <i>Defendants.</i></p>	<p>27 Case No. 2:09-CV-00058-MCE-DAD</p> <p>28 <b>DECLARATION OF REDACTED</b>  <b>IN SUPPORT OF PLAINTIFFS'</b>  <b>MOTION FOR PRELIMINARY</b>  <b>INJUNCTION</b></p> <p>Date: TBD  Time: TBD  Judge England</p>
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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 \$XX,XXX to ProtectMarriage.com – Yes  
6 on 8.

7 4. I own [REDACTED], a local [REDACTED] store [REDACTED] in the Counties of [REDACTED],  
8 [REDACTED], and [REDACTED]. I have a total of [REDACTED] stores in this area.

9 5. My donation to ProtectMarriage.com – Yes on 8 was a personal one, but because one has to  
10 list an employer, I had to list the name of my business since I am self-employed.

11 6. In support of the passage of Proposition 8, I placed a yard sign in the front yard of my home.

12 7. In support of the passage of Proposition 8, I also made phone calls on behalf of the  
13 Proposition 8 campaign with a group of people from my church.

14 8. In October 2008, someone put flyers on all the cars in the parking lot of my [REDACTED] store.  
15 These fliers referenced my support of Proposition 8 and my financial contribution.

16 9. I believe that, because I was required to provide the name of my business when I made my  
17 personal donation to ProtectMarriage.com – Yes on 8, and because this information was made available  
18 to the public, my stores have been targeted for various forms of harassment.

19 10. On the social networking website of Facebook, at least three “groups” have been formed  
20 urging boycotts of [REDACTED] (Boycott [REDACTED], Boycott [REDACTED], and Boycott [REDACTED] –  
21 Equality for All!!!). As of January 9, 2009, one of these groups had over 160 members.

22 11. Someone started [REDACTED] and for a portion of November 2008, paid for it to  
23 be a sponsored link on Google. What this means is that, when one searches for my company on  
24 websites that show Google’s sponsored links, [REDACTED] is the first website that appears  
25 on the list of sponsored links.

26 12. The website [REDACTED] makes reference to my personal donation in support  
27 of Proposition 8 and urges people to boycott my stores on the basis of my support  
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1 13. On Yelp.com, a website featuring reviews of local businesses and restaurants, several  
2 negative reviews of my stores have been posted. None of the reviews have anything to do with my  
3 business, but instead reference my donation to ProtectMarriage.com – Yes on 8.

4 14. Various other websites have published negative reviews of my stores based solely on my  
5 donation to ProtectMarriage.com – Yes on 8.

6 15. Since the passage of Proposition 8, my [REDACTED] store has been picketed twice.

7 16. On November [XX], 2008, there was a march in opposition to Proposition 8 in downtown  
8 [REDACTED]. The [REDACTED] Police Department called and informed me that they had received information  
9 that the protestors planned to march to my [REDACTED] store and picket there.

10 17. Several of the protestors who came to the [REDACTED] store on November [XX], 2008 were fairly  
11 aggressive. They stood in front of the entrance to the store and attempted to give flyers to my customers  
12 stating that they should not shop at my stores because of my donation to Proposition 8. A true and  
13 correct copy of the flyer distributed by the picketers is attached to this Declaration as Exhibit A.

14 18. Several people arrived and were fairly aggressive. They stood in front of the entrance to the  
15 store and attempted to give flyers to my customers stating that they should not shop at my stores  
16 because of my donation to Proposition 8.

17 19. The second time that my [REDACTED] store was picketed, several people assembled in front of  
18 the entrance to the store and tried to get my customers to sign some sort of petition.

19 20. The manager of the store told the protestors they could not block the entrances and exits of  
20 the store. The protestors refused to leave.

21 20. We called the [REDACTED] Police Department and asked them to ask the protestors to move to  
22 the sidewalk, since they were standing in front of the entrances and we believed they were trespassing,  
23 because the store is located on private property.

24 21. The [REDACTED] Police Department told me that the store is a public place and that the protestors  
25 were not trespassing. The Police Department refused to ask the protestors to relocate to the sidewalk.

26 22. After the passage of Proposition 8, an individual came into my [REDACTED] store, filled a  
27 shopping cart with groceries, and took it to the check-out line. Once the cashier had scanned in all of  
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1 the items in the shopping cart, the individual announced that he was not going to buy anything because I  
2 supported Proposition 8, and left without paying for the items.

3 23. I have retained many but not all of the letters and hundreds of e-mails that my stores or I  
4 received because of my support of Proposition 8.

5 24. My stores received numerous harassing phone calls that referenced my support of  
6 Proposition 8.

7 25. Around 30-40 people have walked into my stores since the passage of Proposition 8 and  
8 expressed their displeasure about my support of Proposition 8.

9 26. Because of my concerns about product tampering in light of my support of Proposition 8, I  
10 have been forced to install an additional sixteen security cameras in my stores to protect the integrity  
11 and safety of our products.

12 27. These experiences will hinder me from donating to a cause similar to Proposition 8 in the  
13 future. I feel very strongly about the issue of same-sex marriage, but in the future I would support a  
14 measure like Proposition 8 more discretely and would not donate like this again. I feel it is very unfair  
15 that I could not make my donation a personal matter only and leave the name of my business out. As a  
16 result of my personal donation, my stores and my employees have been subject to harassment, and I feel  
17 this is not right.

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

20 Executed on **REDACTED** **REDACTED**  
21 **REDACTED**

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1 **PROOF OF SERVICE**

2 I, Timothy D. Chandler, am over the age of 18 years and not a party to the within action. My  
3 business address is 101 Parkshore Drive, Suite 100; Folsom, California 95630.

4 On January 15, 2009, I electronically filed the foregoing document described as Declaration of  
5 John Doe #1 in Support of Plaintiffs' Motion for Preliminary Injunction, with the Clerk of Court using  
6 the CM/ECF system which will send notification of such filing to:

7 Zackery Paul Morazzini  
8 Zackery.Morazzini@doj.ca.gov  
9 *Attorney for Defendants Debra Bowen and Edmund C. Brown, Jr.*

10 And, pursuant to Rule 5-135(f), on January 15, 2009, I served the foregoing document  
11 described as Declaration of John Doe #1 in Support of Plaintiffs' Motion for Preliminary Injunction by  
12 placing true and correct copies of the documents in sealed envelopes with postage thereon fully  
13 prepaid, in the United States mail at Folsom, California, addressed to the following non-CM/ECF  
14 participants:

15 Dean C. Logan  
16 Office of the Registrar-Recorder  
17 12400 Imperial Highway  
18 Norwalk, California 90650

19 Department of Elections, City and County of San Francisco  
20 c/o Office of the Mayor Gavin Newsom  
21 1 Dr. Carlton B. Goodlett Place  
22 San Francisco, California 94102

23 Jan Scully  
24 Office of the District Attorney  
25 901 G Street  
26 Sacramento, California 95814

27 Eileen Teichert  
28 Office of the City Attorney  
New City Hall Building  
915 I Street, 4th Floor  
Sacramento, California 95814

Ross Johnson  
California Fair Political Practices Commission  
428 J. Street, Suite 620  
Sacramento, California 95814

1 Timothy Hodson  
2 California Fair Political Practices Commission  
3 428 J. Street, Suite 620  
4 Sacramento, California 95814

5 Eugene Huguenin, Jr.  
6 California Fair Political Practices Commission  
7 428 J. Street, Suite 620  
8 Sacramento, California 95814

9 Robert Leidigh  
10 California Fair Political Practices Commission  
11 428 J. Street, Suite 620  
12 Sacramento, California 95814

13 and

14 Ray Remy  
15 California Fair Political Practices Commission  
16 428 J. Street, Suite 620  
17 Sacramento, California 95814

18 *Defendants*

19 I declare under penalty of perjury under the laws of the State of California that the above is true  
20 and correct. Executed on January 15, 2009 at Folsom, California.

21 s/Timothy D. Chandler  
22 Timothy D. Chandler (CA Bar No. 234325)  
23 Attorney for Plaintiff  
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