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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 ProtectMarriage.com, et al.,</p> <p>23 <i>Plaintiffs,</i></p> <p>24 v.</p> <p>25 Debra Bowen, et al.,</p> <p>26 <i>Defendants .</i></p>	<p>27 Case No. 2:09-CV-00058-MCE-DAD</p> <p>28 DECLARATION OF DAVID BAUER IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION</p> <p>Date: TBD Time: TBD Judge England</p>
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1 I, David Bauer, 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 am the treasurer for ProtectMarriage.com - Yes on 8, a Project of California Renewal
5 (“ProtectMarriage.com”).

6 3. I am also the treasurer for National Organization for Marriage California - Yes on 8,
7 Sponsored by National Organization for Marriage (“NOM-California”).

8 4. The total number of donors, reported and to be reported, to ProtectMarriage.com is 33,839.

9 5. The total number of donors, reported and to be reported, to NOM-California is 592.

10 6. The total number of major donors, i.e. donors of \$10,000 or more, to ProtectMarriage.com is
11 377.

12 7. The total number of major donors, i.e. donors of \$10,000 or more, to NOM-California is 89.

13 8. The total number of donors, reported and to be reported, of \$100 to \$999.99 to
14 ProtectMarriage.com is 27,505.

15 9. The total number of donors, reported and to be reported, of \$100 to \$999.99 to NOM-
16 California is 503.

17 10. The total number of first-time donors not yet identified on any campaign finance report, but
18 who must be reported on the February 2, 2009 campaign finance report is 1,470 for ProtectMarriage.
19 com and 127 for NOM-California.

20 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
21 CORRECT.

22 Executed on: January 15, 2009

23 
24 _____
25 David Bauer

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 David Bauer 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 David Bauer 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:

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

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

20 Jan Scully
21 Office of the District Attorney
22 901 G Street
23 Sacramento, California 95814

23 Eileen Teichert
24 Office of the City Attorney
25 New City Hall Building
26 915 I Street, 4th Floor
27 Sacramento, California 95814

27 Ross Johnson
28 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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