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14 Attorneys for Plaintiffs

15 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 FAITH CENTER CHURCH
 17 EVANGELISTIC MINISTRIES, et al.,

18 Plaintiffs,

19 v.

20 FEDERAL D. GLOVER, et al.,

21 Defendants.
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 23
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 25
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 27
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CASE NO. C-04-3111 JSW

**DECLARATION OF TIMOTHY D.
 CHANDLER IN SUPPORT OF
 PLAINTIFFS' MOTION FOR SUMMARY
 JUDGMENT**

1 I, Timothy D. Chandler, declare as follows:

2 1. I am an attorney for the Plaintiffs in the above-captioned matter. I make this
3 declaration in support of the Plaintiffs' Motion for Summary Judgment. If called as a witness, I
4 could and would testify competently to the truth of the matters set forth in this declaration. I
5 make this declaration based on my personal knowledge and, in my capacity as counsel for
6 Plaintiffs, as custodian of discovery materials produced by the parties in the course of this
7 litigation.

8 2. As part of discovery, I took the deposition of Defendant Anne Cain on July 15,
9 2008. Attached hereto as Exhibit A is a true and correct copy of the transcript of Ms. Cain's
10 deposition, prepared by Certified Reporter Carolyn M. Mann.

11 3. As part of discovery, I took the deposition of Greta Galindo on July 15, 2008.
12 Attached hereto as Exhibit B is a true and correct copy of the transcript of Ms. Galindo's
13 deposition, prepared by Certified Reporter Carolyn M. Mann.

14 4. As part of discovery, I took the deposition of Defendant Laura O'Donoghue on
15 July 16, 2008. Attached hereto as Exhibit C is a true and correct copy of the transcript of Ms.
16 O'Donoghue's deposition, prepared by Certified Reporter Janice M. Smithson.

17 5. As part of discovery, I took the deposition of Lisa Loomis on July 16, 2008.
18 Attached hereto as Exhibit D is a true and correct copy of the transcript of Ms. Loomis's
19 deposition, prepared by Certified Reporter Janice M. Smithson.

20 6. As part of discovery, I took the deposition of Defendant Patty Chan on July 15,
21 2008. Attached hereto as Exhibit E is a true and correct copy of the transcript of Ms. Chan's
22 deposition, prepared by Certified Reporter Carolyn M. Mann.

23 7. As part of discovery, I took the deposition of Jenna Biglow on July 17, 2008.
24 Attached hereto as Exhibit F is a true and correct copy of the transcript of Ms. Biglow's
25 deposition, prepared by Certified Reporter Carolyn M. Mann.

26 8. As part of discovery, I served on Defendants' counsel Plaintiffs' First Set of
27 Interrogatories and Requests for Production of Documents. Plaintiffs' Requests for Production
28 Nos. 5 and 6 asked for every application for use of a Contra Costa County Library meeting room

1 that has been approved or denied since January 1, 2003.

2 9. Defendants served my office with their responses to Plaintiffs' First Set of
3 Interrogatories on March 19, 2008, their responses to Plaintiffs' First Set of Requests for
4 Production of Documents on March 25, 2008, and additional responses to Plaintiff's First Set of
5 Requests for Production of Documents on April 1, 2008.

6 10. In response to the Plaintiffs' Requests for Production Nos. 5 and 6, Defendants
7 provided copies of approximately 1,218 applications to use the Antioch Library meeting room
8 from approximately 121 different organizations.

9 11. Apart from Faith Center Evangelistic Ministries ("Faith Center"), twelve of the
10 1,218 applications to use the Antioch Library meeting room were denied. Eleven of those denials
11 resulted from the meeting room being previously booked or otherwise unavailable. The other
12 denial, for The Mensa Genius Society, does not clearly specify the reason it was not approved.
13 The box labeled "Not Approved" under "Non-Fee Use" is checked, but no reason is given. A
14 note on the application indicates that Mensa charged a \$12 fee to attend the meeting. Attached
15 hereto as a collective Exhibit G are true and correct copies of the twelve rejected applications.

16 12. Of the applications approved by the Antioch Library, twelve were approved as
17 "fee-based use[s]." The other approved applications were for "non-fee use[s]."

18 13. Rather than attach all 1,218 application forms, I have summarized the applications
19 in the paragraphs below.

20 **Political Organizations**

21 14. **Sierra Club:** The Antioch Library approved several applications from the Sierra
22 Club to use its meeting room for purposes of "letter writing," a "conservation discussion," a
23 "travel program," and "general meeting[s]" on "environmental activities and education."

24 15. **Contra Costa County Democrat Control Committee:** The Antioch Library
25 approved the Contra Costa County Democrat Control Committee to use its meeting room to
26 "conduct candidate interviews for elected offices."

27 16. **East Contra Costa County Democratic Club:** The Antioch Library approved
28 several applications from the East Contra Costa County Democratic Club to use its meeting room

1 to “present issues [and] candidates to members,” to “let members and guests learn about
2 Democratic activit[ies],” and to conduct “planning meeting[s].”

3 17. **Delta Greens:** The Antioch Library approved several applications from the Delta
4 Greens, a political organization affiliated with the Green Party, to use its meeting room to
5 conduct “general business” meetings.

6 18. **Fuel Freedom International:** The Antioch Library approved an application from
7 Fuel Freedom International to “educat[e] [the] public about improving gas mileage, auto
8 performance and reducing emissions.”

9 19. **Greenbelt Alliance:** The Antioch Library approved three applications from the
10 Greenbelt Alliance, an organization dedicated to “protect[ing] open space,” to use its meeting
11 rooms. The purpose of these meetings, however, was not provided or is illegible.

12 20. **Homeowners Against “A” Street General Plan:** The Antioch Library approved
13 an application from Homeowners Against “A” Street General Plan to use its meeting room for a
14 meeting to “discuss A St. general plan” and “block city’s plan.”

15 21. **“A” St. Coalition:** The Antioch Library approved an application from the “A”
16 Street Coalition to use the meeting room to “organize to fight/adjust [the] General Plan for
17 Antioch.”

18 22. **Antioch Citizens for Smart Growth:** The Antioch Library approved an
19 application from Antioch Citizens for Smart Growth to use the meeting room to “show a movie
20 on Wal-Mart (documentary).” The application requested use of the meeting room from 6:30 p.m.
21 until 9:15 p.m. on a Wednesday.

22 23. **Gay, Lesbian and Straight Education Network:** The Antioch Library approved
23 two applications from the Gay, Lesbian and Straight Education Network, an organization
24 dedicated “to rais[ing] awareness and decreas[ing] homophobia,” to use its meeting room “to
25 train the Antioch Gay Straight Alliance.”

26 **Religious/Support Groups**

27 24. **Ahmadiyya Muslim Community:** The Antioch Library approved an application
28 on January 18, 2003 from the Ahmadiyya Muslim Community to use its meeting room for a

1 “meeting and exhibition.”

2 25. On August 26, 2008, I downloaded a page from Wikipedia entitled “Ahmadiyya
3 Muslim Community,” available at http://en.wikipedia.org/wiki/Ahmadiyya_Muslim_Community.
4 True and correct copies of that webpage, along with the Ahmadiyya Muslim Community
5 applications, are attached collectively hereto as Exhibit H.

6 26. **Know Thyself as Soul Foundation:** The Antioch Library approved applications
7 on July 11 and October 24, 2003, from the Know Thyself as Soul Foundation to use its meeting
8 room for “meditation seminars.”

9 27. As part of discovery, Defendants produced a copy of a flyer describing the Know
10 Thyself as Soul Foundation event.

11 28. On August 26, 2008, I downloaded a page from the Know Thyself as Soul
12 Foundation, International website, available at <http://ktsi.org/>. I also downloaded a page from the
13 Sant Mat website entitled “What is Sant Mat?” available at <http://santmat.net/>. True and correct
14 copies of the Know Thyself as Soul Foundation meeting room applications, its flyer, and these
15 websites are attached collectively hereto as Exhibit I.

16 29. **Glorious Communication Network:** The Antioch Library approved many
17 applications from the Glorious Communication Network to use its meeting room for a “Bible
18 study” and to “build people of integrity.”

19 30. **Alcoholics Anonymous:** The Antioch Library approved several applications from
20 Alcoholics Anonymous, a “support group” that “help[s] people with drinking problem[s].” to use
21 its meeting room for its “support group” meetings.

22 31. On September 5, 2008, I downloaded a webpage from the Alcoholics Anonymous
23 website entitled “The Twelve Steps of Alcoholics Anonymous,” available at
24 http://www.aa.org/lang/en/en_pdfs/smf-121_en.pdf. A true and correct copy of the pamphlet is
25 attached hereto as Exhibit J.

26 32. **Narcotics Anonymous:** The Antioch Library approved many applications from
27 Narcotics Anonymous, a “12 step recovery” group, to use its meeting room for meetings that
28 involve a “speaker [and] open discussion.”

1 33. On September 5, 2008, I downloaded a pamphlet from the Narcotics Anonymous
2 website entitled “For the Newcomer,” available at www.na.org/pdf/litfiles/us_english/IP/EN3116.pdf.
3 A true and correct copy of the pamphlet is attached hereto as Exhibit K.

4 **Educational Groups**

5 34. **Mini Math Camp:** The Antioch Library approved several applications from the
6 Mini Math Camp to use its meeting room to help teach kids math skills.

7 35. **A+ Educational Center:** The Antioch Library approved an application from the
8 A+ Educational Center to use its meeting room for “tutoring kids.”

9 36. **Center for Human Development:** The Antioch Library approved several
10 applications from the Center for Human Development to use its meeting room for the Antioch
11 High School and Antioch Middle School chapters to meet. Center for Human Development is
12 dedicated to “youth development” and “alcohol and other drug prevention.”

13 37. **Antioch High School Key Club:** The Antioch Library approved an application
14 from the Antioch High School Key Club, a “community service” organization, to use its meeting
15 room for a “meeting of officers to discuss future meetings.”

16 38. **Antioch High School Class of 1958:** The Antioch Library approved several
17 applications from the Antioch High School Class of 1958 to use its meeting room to plan its
18 reunion.

19 39. **College Consultant Service:** The Antioch Library approved an application from
20 College Consultant Service, a student tutoring organization, to use its meeting room for
21 “preparation for tests.”

22 40. **Deer Valley High School:** The Antioch Library approved two applications from
23 Deer Valley High School to use its meeting room for informational meetings for parents about a
24 trip to Boston and New York.

25 41. **Delta Council of PTAs:** The Antioch Library approved two applications from the
26 Delta Council of PTAs, a “child advocacy” organization, to hold a “meeting for all the PTAs in
27 the Delta Council area” and a “general meeting” in its meeting room.

28 42. **Adventure Kids:** The Antioch Library approved an application from Adventure

1 Kids, a group of “home educators,” to use its meeting room for a “Thanksgiving craft.”

2 43. **Delta Kappa Gamma/Alpha Delta Kappa:** The Antioch Library approved an
3 application from Delta Kappa Gamma/Alpha Delta Kappa, a “teacher group – service
4 organization,” to hold an “informational” meeting in its meeting room.

5 44. **East County Providers Network:** The Antioch Library approved several
6 applications from the East County Providers Network to use its meeting room for graduation
7 ceremonies.

8 45. **People to People Student Ambassador:** The Antioch Library approved an
9 application from People to People Student Ambassador to use its meeting room for an
10 “informational” meeting.

11 46. **Lady Jaguars Softball Club:** The Antioch Library approved an application from
12 the Lady Jaguars Softball Club, an organization dedicated to sending “kids to college,” to use its
13 meeting room for a “group study meeting.”

14 47. **The Princeton Review:** The Antioch Library approved an application from The
15 Princeton Review, a “test preparation” organization, to use its meeting room for a “SAT
16 information” meeting.

17 48. **South University:** The Antioch Library approved an application from South
18 University to use its meeting room for “testing – math/English.”

19 49. **Antioch High School Teacher:** The Antioch Library approved several
20 applications from an Antioch High School teacher to use its meeting room for the high school’s
21 Academic Decathlon and Mock Trial teams to prepare for competitions.

22 50. **Individual Students:** The Antioch Library approved several applications from
23 individual students (not affiliated with any organization) to use its meeting room to “study” and
24 for a “study group.”

25 **Financial/Legal Groups**

26 51. **Alpha Omega:** The Antioch Library approved several applications, as fee-based
27 uses, from Alpha Omega to use its meeting room to conduct free “estate planning seminar[s].”

28 52. **Merrill Lynch:** The Antioch Library approved an application, as a non-fee use,

1 from a Merrill Lynch financial advisor to use its meeting room to conduct a free “investor
2 training” meeting.

3 53. **Senior Wealth Management:** The Antioch Library approved, as a fee-based use,
4 an application from Senior Wealth Management to use its meeting room to conduct a “free
5 senior financial planning seminar.”

6 54. **Windsor Mortgage Capital Corp.:** The Antioch Library approved applications,
7 as non-fee uses, from the Windsor Mortgage Capital Corp. to use its meeting room to conduct a
8 “free first-time homebuyers’ seminar” and an “investment seminar.”

9 55. **Emerynet – Contra Costa:** The Antioch Library approved several applications,
10 as non-fee uses, from Emerynet – Contra Costa to use its meeting room for a meeting to “allow
11 investors to network and learn various aspects of investing in real estate.”

12 56. **AARP Tax-Aide:** The Antioch Library approved an application from AARP Tax-
13 Aide to use its meeting room to conduct a “taxpayer assistance” meeting.

14 57. **Contra Costa County Tax-Aide:** The Antioch Library approved an application
15 from Contra Costa County Tax-Aide to use its meeting room to “do tax preparation for Antioch
16 residents with low and middle incomes.” The application approved the meeting to take place for
17 8.5 hours, from 8:30 a.m. to 5:00 p.m.

18 58. **American Family Legal Center:** The Antioch Library approved applications
19 from the American Family Legal Center to use its meeting room for “living trust seminar[s].”

20 59. **Contra Costa County Bar Association:** The Antioch Library approved an
21 application from the Contra Costa County Bar Association to use its meeting room for free
22 immigration legal services.

23 60. **American Civil Liberties Union:** The Antioch Library approved two
24 applications from American Civil Liberties Union chapters to use the meeting room for a “board
25 meeting” as well as a “forum on video surveillance in the area.”

26 61. **Hanna & Brophy:** The Antioch Library approved two applications, as fee-based
27 uses, from Hanna & Brophy, a law firm, to take “deposition[s].”

28 62. **Sildorf, Shinnick & Ryan:** The Antioch Library approved an application, as a

1 fee-based use, from Sildorf, Shinnick & Ryan, a law firm, to use its meeting room for a
2 “neighborhood meeting to discuss class action lawsuit.”

3 **Community Improvement**

4 63. **Citizens for a Better Antioch:** The Antioch Library approved many applications
5 from Citizens for a Better Antioch to use its meeting room for “planning meeting[s]” and for
6 meetings to promote “citizens awareness.”

7 64. **Give Always to Others Co.:** The Antioch Library approved an application from
8 Give Always to Others, Co. to use its meeting room for a “community meeting.”

9 65. **Neighborhood Watch:** The Antioch Library approved several applications from
10 Neighborhood Watch, an organization dedicated to “community improvement.” to use its
11 meeting room for meetings with the police department and for a “mixer.”

12 66. **Building Communities:** The Antioch Library approved an application from
13 Building Communities to use its meeting room for the “formation of [a] group to work on the
14 Implementation Plan.”

15 67. **ARC Inroads:** The Antioch Library approved many applications from ARC
16 Inroads, a “community based program for adults with disabilities,” to use the meeting room for
17 its “monthly inservice[s].”

18 68. **Sons of Italy:** The Antioch Library approved many applications from the Sons of
19 Italy, a social and charitable group, to use its meeting room for “business meeting[s],” “executive
20 board meeting[s],” and “planning meeting[s].”

21 **Theater/Music Groups**

22 69. **K/P Entertainment:** The Antioch Library approved an application from K/P
23 Entertainment, an organization dedicated to “music,” to use its meeting room “for American Idol
24 auditioning.” The application requested use of the meeting room from 4:00 p.m. to 8:00 p.m. on
25 a Friday.

26 70. **Larkay Production:** The Antioch Library approved several applications from
27 Larkay Production to use its meeting room to conduct “acting classes.”

28 71. **Order My Life Productions:** The Antioch Library approved several applications

1 from Order My Life Productions, an organization that “produce[s] gospel stage plays, to use its
2 meeting room to conduct “auditions for gospel plays” and for “rehearsals.” Those “auditioning
3 for a singing role” were instructed to “be prepared to sing a song selection.” A CD and tape
4 player were provided by Order My Life. True and correct copies of these applications are
5 collectively attached hereto as Exhibit L.

6 **Youth Sports Groups**

7 72. **Little Leagues:** The Antioch Library approved several applications from the
8 Antioch Little League and the Antioch East Little League to use its meeting room for “baseball
9 sign-ups,” “board meeting[s],” “management interviews,” scorekeepers clinic[s],” and a “team
10 mom” meeting.

11 73. **Antioch Youth Football:** The Antioch Library approved several applications
12 from Antioch Youth Football to use its meeting room to conduct “CPR [and] first aid training.”

13 74. **Deer Valley Youth Sports:** The Antioch Library approved many applications
14 from Deer Valley Youth Sports (football and cheer) to use its meeting room for “sign-ups,” “first
15 aid [and] CPR training,” “cheer uniform fitting,” “parent meeting[s],” and “board meeting[s].”

16 75. **Delta Youth Soccer League:** The Antioch Library approved many applications
17 from Delta Youth Soccer League to use its meeting room for “coaches’ clinics” and coaching
18 course[s].”

19 **Youth Development**

20 76. **Boy Scouts:** The Antioch Library approved many applications from Boy Scout
21 Troop 153 for “patrol leaders meeting[s],” “planning meeting[s],” “parents meeting[s],” and for
22 the “Eagle Mock Board of Review.” The Library has also approved applications from the Black
23 Diamond District Boy Scouts to use its meeting rooms for “Order of the Arrow meeting[s].”
24 Both Boy Scout organizations state on their applications that the organizations’ purpose is youth
25 “character building.”

26 77. **Cub Scouts:** The Antioch Library approved several applications from the Cub
27 Scouts to use its meeting room for a “den meeting” and to conduct “cub scout business” and get
28 “library information.” The application states that the purpose of Cub Scouts is to “promote

1 citizenship and growth for boys.”

2 78. **Brownie Troop:** The Antioch Library approved an application from Brownie
3 Troop 313 to use its meeting room for a meeting to “learn how to use [the] library and
4 computers.”

5 79. **Girl Scouts:** The Antioch Library approved many applications from various Girl
6 Scout groups to use its meeting room for “awards ceremony[ies],” “CPR/first aid training,”
7 “orientation for new members,” “train[ing] leaders,” and “general meeting[s].” Additionally, the
8 Girl Scouts of San Francisco Bay Area-East Contra Costa Association stated its organizational
9 purpose is the “empowerment of girls,” and the Library approved its application to conduct a
10 meeting on “multiculturalism and empowerment.”

11 80. **4-H Groups:** The Antioch Library approved several applications from the UC-
12 Regents and Delta-Diablo 4-H to use its meeting rooms for “business/group discussion for
13 county 4-H and Delta-Diablo 4-H Club,” and for “community meeting[s].”

14 81. On September 5, 2008, I downloaded a page from the National 4-H Headquarters
15 website entitled “Essential Elements of 4-H,” available at
16 www.national4-hheadquarters.gov/about/4h_elements.htm. A true and correct copy of that
17 webpage is attached hereto as Exhibit M.

18 **Government Groups**

19 82. **California Department of Rehabilitation:** The Antioch Library approved an
20 application from the California Department of Rehabilitation to use its meeting room for a
21 meeting for “team building, resource sharing, [and] goal setting.”

22 83. **Contra Costa County Children and Family Resources:** The Antioch Library
23 approved applications from the Contra Costa County Children and Family Resources, which is
24 dedicated to the “recruitment of families for foster care,” to use its meeting room for
25 “informational meeting[s] for the community.”

26 84. **Coast Guard:** The Antioch Library approved an application from the Coast
27 Guard to use its meeting room for a meeting for “teaching public boating laws and safety.” The
28 application approved the Coast Guard’s use of the meeting room for 10 hours, from 7:15 a.m.

1 until 5:15 p.m.

2 85. **Contra Costa County:** The Antioch Library approved an application from Contra
3 Costa County to use its meeting room for an “election.” The application approved the County’s
4 use of the meeting room for 14.5 hours, from 6:30 a.m. until 9:00 p.m.

5 86. **Contra Costa County Public Works Department:** The Antioch Library
6 approved an application from the Contra Costa County Public Works Department to use its
7 meeting room for a “free workshop for the public” to “educate volunteers to talk to Delta boaters
8 about clean and safe boating.”

9 87. **IHSS – Public Authority:** The Antioch Library approved several applications
10 from the IHSS – Public Authority Contra Costa County to use its meeting room for “CPR
11 training.”

12 88. **U.S. Postal Service:** The Antioch Library approved several applications from the
13 U.S. Postal Service to use its meeting room for “outreach to prepare community for entry-level
14 exam for postal employment.”

15 **Union Groups**

16 89. **SEIU UHW-West:** The Antioch Library approved many applications from the
17 SEIU UHW-West, a “labor union,” to use its meeting room for “membership meeting[s].”

18 90. **United Health Care Workers:** The Antioch Library approved applications from
19 the United Health Care Workers, a health care union, to use its meeting room for “membership
20 meeting[s].”

21 **Book-Related Groups**

22 91. The Antioch Library approved many applications from clubs that promote
23 reading, writing, and poetry to use its meeting rooms. These groups include Amelia’s (a reading
24 group), Antioch First 5 (children’s reading group), Delta Wordweavers (storytelling group), the
25 Diablo Valley Literacy Council (teach English as a second language), East County Poetry
26 (poetry reading and discussion), East/Central County Book Club (a reading group), First 5
27 Contra Costa (children’s reading group), Kidz Book Exchange (exchange books), Marsh
28 Boosters (a reading club), Per Se Writing Group (encourage teen writers), Poetry Group, and

1 Power for Living Ministries (a book discussion group).

2 **Social /Civil Groups**

3 92. **Antioch Bocce Federation:** The Antioch Library approved an application from
4 the Antioch Bocce Federation, dedicated to “bocce ball,” to use its meeting room for its “annual
5 meeting.”

6 93. **Antioch Lions Club:** The Antioch Library approved several applications from the
7 Antioch Lions Club, a “service” organization, to use its meeting room for “high school student
8 speaker contest[s].”

9 94. **Riverview Garden Club:** The Antioch Library approved many applications from
10 the Riverview Garden Club to use its meeting room to “educate [its] membership on gardening.”

11 95. **Senior Outreach Service:** The Antioch Library approved two applications from
12 Senior Outreach Service to use its meeting room for “workshop training for senior care
13 workers.”

14 96. **American Association of University Women:** The Antioch Library approved an
15 application from the American Association of University Women, a “civic” organization, to use
16 its meeting room for an “interbranch meeting.”

17 **Family Groups**

18 97. **A Better Way Foster Family and Adoption Program:** The Antioch Library
19 approved an application from A Better Way Foster Family and Adoption Program to use its
20 meeting room for an “informational orientation to foster-care and adoption process and possibly
21 [to] show part of a video.”

22 98. **Aspira Foster and Family Services:** The Antioch Library approved an
23 application from Aspira Foster and Family Services to use its meeting room for “training for
24 prospective foster parents.” The application approved use of the meeting room for nine hours,
25 from 8:00 a.m. through 5:00 p.m.

26 99. **Chinese Mother Group:** The Antioch Library approved an application from the
27 Chinese Mother Group to use its meeting room to “share information recently learned with
28 families.”

1 100. **East County Mothers Club:** The Antioch Library approved two applications
2 from the East County Mothers Club to use its meeting room for a “pre-school fair” and for a
3 “vendor night.”

4 101. **Families First:** The Antioch Library approved an application from Families First,
5 a “foster family agency,” to use its meeting room “to provide information to prospective foster
6 families.”

7 102. **Northern California Family Center:** The Antioch Library approved two
8 applications from the Northern California Family Center, a “crisis shelter,” to use its meeting
9 room for “foster parent orientation[s].”

10 103. **Professional Association for Childhood Education Alternative Payment**
11 **Program (PACEAPP):** The Antioch Library approved many applications from PACEAPP, an
12 organization dedicated to “subsidiz[ing] childcare services,” to use its meeting room for
13 meetings to “renew eligibility of services.”

14 104. **Peace Creations:** The Antioch Library approved several applications from Peace
15 Creations to use its meeting room for meetings addressing “domestic violence.”

16 105. **Welcome Home Baby:** The Antioch Library approved two applications from
17 Welcome Home Baby, a “home visiting program,” to use its meeting room for meetings to
18 “introduce families to [the] library” and for “socialization.”

19 **Property Owners Associations**

20 106. The Antioch Library approved applications from four different property owners
21 associations to use its meeting room for board meetings and for homeowner meetings. Those
22 associations include: the Lake Alhambra Property Owners Association, the Lone Tree Glen
23 Homeowners Association, the Springwood East Homeowners Association, and the Summit View
24 Homeowners Association.

25 **Animal Rescue Organizations**

26 107. **H.A.R.P.:** The Antioch Library approved two applications from H.A.R.P., an
27 “animal rescue” organization, to use its meeting room for an “orientation” meeting and a
28 “volunteer meeting.”

1 108. **Homeless Animals Lifeline Organization (HALO):** The Antioch Library
2 approved several applications from HALO, an organization dedicated to “rescu[ing] dogs and
3 cats,” to use its meeting room for “training” meetings, “planning” meetings, “board” meetings,
4 “volunteer orientation,” and a meeting for “processing, for mailing, 2,000 constellation
5 newsletters.”

6 **Health-related Groups**

7 109. **Animas Insulin Pump:** The Antioch Library approved an application from the
8 Animas Insulin Pump, an organization that “instruct[s] patients on pump therapy,” to use its
9 meeting room for a “follow-up” meeting.

10 110. **Kidney Patient Support Group:** The Antioch Library approved several
11 applications from the Kidney Patient Support Group to use its meeting room for an “education
12 and support” meeting.

13 111. **San Francisco Bay Area Breast Cancer 3-Day:** The Antioch Library approved
14 an application from the San Francisco Bay Area Breast Cancer 3-Day, an organization that
15 “raise[s] money and awareness for breast cancer prevention and elimination,” to use its meeting
16 room for an “informational and motivational” meeting.

17 **Miscellaneous Groups**

18 112. **All City Management Services:** The Antioch Library approved an application
19 from All City Management Services to use its meeting room, as a non-fee use, for “written
20 certification testing” of school crossing guards.

21 113. **BWMR&M Mutual Water Co.:** The Antioch Library approved an application
22 from BWMR&M Mutual Water Co. to use its meeting room for an “annual members meeting.”

23 114. **EF Travel Group:** The Antioch Library approved an application from the EF
24 Travel Group to use its meeting room for “sign-ups for [a] tour.”

25 115. **NF Rusteen Company:** The Antioch Library approved an application from the
26 NF Rusteen Company, a private investigation firm, to use its meeting room for a meeting about
27 “Contra Costa risk management.”

28 116. **Warm Spirit:** The Antioch Library approved an application from Warm Spirit to

1 use its meeting room for a business networking meeting.

2 117. **42 Club:** The Antioch Library approved an application, as a non-fee use, from 42
3 Club to use its meeting room to “discuss fundraising ideas” for OES.

4 118. **AASIP:** The Antioch Library approved an application, as a non-fee use, from
5 AASIP to use the meeting room for an “educational/informative” meeting. The application states
6 that the purpose of the organization is “AA Parent Workshop.”

7 119. Among the applications the Defendants produced in discovery, there are at least
8 ten instances where the Antioch Library approved applications from an organization to use its
9 meeting room more than one time per week. For example, Mini Math Camp was permitted to use
10 the Antioch Library meeting room eight times in a ten-day period, and the Delta Youth Soccer
11 League was permitted to use the meeting room six times in a nine-day period. True and correct
12 copies of these approved applications are collectively attached hereto as Exhibit N.

13 120. Among the applications the Defendants produced in discovery, there are several
14 instances where the Antioch Library approved applications from organizations seeking to use its
15 meeting room for more than eight hours. True and correct copies of some of these approved
16 applications are attached collectively hereto as Exhibit O.

17 121. Among the applications the Defendants produced in discovery, there are several
18 instances where the Antioch Library approved applications that were not completely filled out.
19 True and correct copies of some of these approved applications are attached collectively hereto
20 as Exhibit P.

21 122. Among the applications the Defendants produced in discovery, there are several
22 instances where the Antioch Library approved applications from organizations seeking to use its
23 meeting room for classroom-related activities. True and correct copies of some of these approved
24 applications are attached collectively hereto as Exhibit Q.

25 123. As part of discovery, Defendants produced a map of the Antioch Library building
26 and parking area, bates number 4952. A true and correct copy of this map is attached hereto as
27 Exhibit R.

28 124. As part of discovery, Defendants produced emails dated February 9, 2007 and

1 October 10, 2007, written by Defendant Anne Cain, bates number 226 and 726. True and correct
2 copies of these emails are collectively attached hereto as Exhibit S.

3 125. On January 6, 2005, Defendants filed the Declaration of Anne Cain in Support of
4 Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction. Attached hereto as
5 Exhibit T is a true and correct copy of Exhibit A to the Cain Declaration.

6 126. On September 5, 2008, I downloaded a webpage from the Contra Costa County
7 Library website entitled "Location and Hours," available at www.contra-costa.lib.ca.us/locations/.
8 A true and correct copy of the webpage is attached hereto as Exhibit U.

9 127. On July 12, 2008, I downloaded a webpage from the Contra Costa County Library
10 website entitled "Hot Dogs and Ice Cream for Teens and Tweens," available at
11 <http://nt-evanced.ccclib.org/evanced/lib/print.asp?ID=7719&LangType=0>. The webpage is
12 linked on the calendar of events for the Antioch Library. A true and correct copy of that webpage
13 is attached hereto as Exhibit V.

14 128. On July 12, 2008, I downloaded a webpage from the Contra Costa County Library
15 website entitled "Rules for the Use of Library Meeting Rooms," available at
16 <http://www.contra-costa.lib.ca.us/policies/rules%20for%20meeting%20rooms.pdf>. A true and
17 correct copy of that webpage is attached hereto as Exhibit W.

18 129. On September 5, 2008, I downloaded a webpage from the Diablo Magazine
19 website entitled "Beyond Books," available at
20 www.diablogmag.com/Diablo-Magazine/June-2008/Beyond-Books/. A true and correct copy of
21 the webpage is attached hereto as Exhibit X.

22
23 I declare under the penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is
24 true and correct.

25
26 Executed this 8th day of September, 2008 in Folsom, California.

27
28 By: /s/ Timothy D. Chandler
TIMOTHY D. CHANDLER