

# EXHIBIT K

Declaration of Timothy Oey  
In Support of Plaintiff's Motion for Summary Adjudication  
*FreecycleSunnyvale v. The Freecycle Network*  
Case No. C06-00324 CW (filed Jan. 18, 2006)

Deron Beal, 5/25/04 11:25 AM -0700, [freecyclemodsquad] Re:i thought this site was to sh

1

To: "bugginvw1971" <bugginvw1971@yahoo.com>,  
 <freecyclemodsquad@yahoo.com>  
 From: "Deron Beal" <deron@rise-inc.org>  
 Date: Tue, 25 May 2004 11:25:49 -0700  
 Subject: [freecyclemodsquad] Re:i thought this site was to share ideas/help new moderators/owners

Dear new mod of Mt. Hood,  
 We're all volunteers doing the best we can.

It's easy to assume someone else has answered a question with so many people. But, we are all busy too.  
 I highly recommend you also seek a one-on-one direct mentor with a neighboring group mod who has been active for a while in addition to the great help you will surely also find here.

Please remember that we all took an oath to be nice and there is a nice way to bring an end to a topic and a not so nice way of complaining about it. You can help us set that positive tone in the future. With all the new mods, it takes time for everyone to get a feel for things and avoid overaddressing some issues.

You also didn't reiterate your question in your e-mail below. It cuts down on unproductive excess postings by reiterating clearly what you need help with. If we could all remember to sign our e-mails with our name and group this would also help.

Welcome on board and best of luck to you.

Deron  
 The Freecycle Network and a backseat comoderator of the Tucson Freecycle group.

----- Original Message -----

From: "bugginvw1971" <bugginvw1971@yahoo.com>  
 Subject: [freecyclemodsquad] i thought this site was to share ideas/help new moderators/owners

> i am really disappointed. i asked a question, got not a single  
 > response. but you all have gone over & over & over & over &  
 > over & over the same things so many times. have you heard of the  
 > whiners group? i joined it before i started mt hood freecycle. i  
 > guess this is NOT the site to ask a question that you really need  
 > answered about a legitimate question. but if you want to debate a  
 > subject for ever & ever & ever & ever this is where to go.

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Printed for Tim Oey <oey@post.harvard.edu>

1

# EXHIBIT L

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Case No. C06-00324 CW (filed Jan. 18, 2006)

Kristal Polikoff, 5/25/04 10:53 AM -0700, Re: [freecyclemodsquad] WANTED: leather wri

1

To: "'ennui'" <dark\_ennui@yahoo.com>,  
 "'freecyclemodsquad'" <freecyclemodsquad@yahoogroups.com>  
 From: "Kristal Polikoff" <krasch@pobox.com>  
 Date: Tue, 25 May 2004 12:53:05 -0500  
 Subject: RE: [freecyclemodsquad] WANTED: leather wrist and ankle straps, ball gag and leather mask as a deterrent  
 Reply-To: <krasch@pobox.com>

Not on my list.... absolutely not on my list... there are TONS of lists to get rid of that kind of stuff (I guess....)....

Kristal

From: ennui [mailto:dark\_ennui@yahoo.com]  
 Sent: Tuesday, May 25, 2004 11:29 AM  
 To: freecyclemodsquad  
 Subject: RE: [freecyclemodsquad] WANTED: leather wrist and ankle straps, ball gag and leather mask as a deterrent

> Even though Yahoo allows adult content, I would  
 > guess it would still go  
 > against the "keep it appropriate for all ages" rule.  
 > And I'm not sure  
 > about others, but I don't think I'd feel comfortable  
 > with accepting  
 > freecycled adult toys...especially from  
 > strangers....<shudders>

eeeeewwww! i didn't mean THAT!! that's just...  
 just... well, WRONG!

i mean, and maybe i'm playing devil's advocate just a TEENY bit here, but a lot of people would buy not-new lingerie, adult magazines and videos on ebay or other places - why wouldn't they freecycle them as well?

tethers and restraints and hogties and the like aren't awful, and slappers and riding crops, etc. can be sanitized.

no, i'm not trying to give you a headache, deron (honest!) - i'm just curious and wondering if it's ever been brought up!

-ennui.

=====

-ennui.

moderating goddess, bakersfield, CA  
 princess of the universe  
<http://groups.yahoo.com/group/freecycle-bakersfield/>

-----  
 I love you as certain dark things are to be loved,  
 in secret, between the shadow and the soul.  
 - Pablo Neruda

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# EXHIBIT M

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Case No. C06-00324 CW (filed Jan. 18, 2006)

Nancy Castleman, 9/14/04 7:45 PM -0700, [freecyclemodsquad] Re: Need Your Opinion Pl

1

To: freecyclemodsquad@yahoogroups.com  
 From: "Nancy Castleman" <MarcEisenson&NancyCastleman@goodadvicepress.com>  
 Date: Wed, 15 Sep 2004 02:45:54 -0000  
 Subject: [freecyclemodsquad] Re: Need Your Opinion Please + Good news for NGAs

It's fascinating what different takes on this (and everything else) we all have. I'd have let it go through, and maybe even volunteered my garden or grandkids as subjects. I focused on the member's interest in sharing, and thank my lucky stars that I wasn't born an artist. (No offense to the artists in our midst! It's just such a rough row to hoe in our culture.)

We had someone who wanted to do free astrology charts for members as a way to say thanks to the group. We thought about it and decided why not?! (She had a new software program she was happy to use, and sent them via email.) One of my co-mods went for it. I'm "too libra" for that I guess.

For the post in question to be advertising, it'd have to tell me when and where. An exhibition in December doesn't tell me enough for me to call it advertising. That doesn't mean deleting it was wrong! Especially since there's a history, you gotta trust your gut!

I've learned to put members on moderation when I have a feeling that they're not getting it. They don't seem to notice or mind it, I have more peace of mind, and my group has less grief. (I'm only talking about maybe 10 out of 1,200 people. But it's sure a troublesome 10!)

I'd never take the time to raise all the good questions Michael Hayes has about the post. I'd be afraid that they'd just end me up in a tangle with someone. Better to think about it, ask other mods, make a decision, and move on, imho. (When I've made bad decisions, I've openly said so, apologized, and been forgiven by our members.)

Y'all new group approvers got nothin' to worry about -- if you're still concerned, read Deron's last post again. ;-)  
 Nancy

"Michael Hughes" <hughesmr@m...> wrote:  
 > On the surface, this may be a good post.  
 > A few questions though;>  
 > 1. Why does she need to find a meet people to practice on when she  
 > has (or should have) a door, or window, or sidewalk, or street,  
 > or ..., that would work as well?  
 > 2. Has anyone responded to her? If yes, what was the result of the  
 > visit. You may need to canvas your group.  
 > 3. As others have pointed out, she opens with a couple of strong  
 > notices about an upcoming exhibition. This adds Suspicion to her  
 > purpose.  
 > 4. Why is she practicing with an art form that is outside of her  
 > normal "style" if she is preparing for an exhibition.  
 > 5. If she has reasonable answers to these questions, the post may be  
 > alright. I would suggest that to post this offer, you require  
 > removal of the part about an exhibition. Assistance with recovery  
 > from an accident, and the chance to meet new friends, should be  
 > motivation enough for people to take her up on her offer. You might  
 > also post a note asking members that use her offered services  
 > provide you with private feed back as to how she presented herself (as  
 > someone recovering from an accident? As a salesperson?).

"vafree" <vtfree@m...> wrote:  
 After seeing the following post on my message board Monday morning.

Printed for Tim Oey <oey@post.harvard.edu>

1

Nancy Castleman, 9/14/04 7:45 PM -0700, [freecyclemodsquad] Re: Need Your Opinion Pl

2

I wrote a polite note to the member telling her that advertising is not allowed on Freecycle ... Was I wrong to delete the following post?

> > vafree FreeCycleGreenwoodSC

> > \_\_\_\_\_

> > Hi, I do a lot of artwork, and my broker set up an exhibition for me this December, but the problem is that a while back I was in an accident and damaged my wrists so I haven't done much work since then and I'm a little rusty. Therefor because I have an art show coming up in December, and I need to brush up on some skills so I can finish what I was working on B4 the accident, it would be an honor if anyone let me do a portrait of the family, the yard, or the family pet. Just anything to practice with. Although my usual style is fantasy, I dabble with all styles and SUBJECT matter. I could do anything you want, I just thought this would be a good way to practice while sharing.

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# EXHIBIT N

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Karla, 5/30/05 4:12 PM -0700, Re: [freecyclemodsquad] I am on the fence with this one

1

To: <freecyclemodsquad@yahoogroups.com>  
From: "Karla" <moonfairy41@comcast.net>  
Date: Mon, 30 May 2005 16:12:10 -0700 (Pacific Daylight Time)  
Subject: Re: [freecyclemodsquad] I am on the fence with this one?

Well, it's not a drug, and it's something a lot of people use. We have many people who are small farmers, or breeders and of course diabetics and these can really add up in cost. I would allow them. Dang where is she located, i could use these myself..LOL

Karla

-----Original Message-----

I have a lady that wants to offer unused syringes - her son used to use them for his medication (diabetes) but now does not use that medication anymore.

What do I do?

Thanks,

Shelley

[Non-text portions of this message have been removed]

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----->

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Contact your GOA: [http://freecycle.org/faq\\_mod.php](http://freecycle.org/faq_mod.php)

Contact ModSquad Mods: [freecyclemodsquad-owner@yahoogroups.com](mailto:freecyclemodsquad-owner@yahoogroups.com)

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# EXHIBIT O

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Case No. C06-00324 CW (filed Jan. 18, 2006)

somedayhomefree, 5/30/05 9:48 PM -0700, [freecyclemodsquad] Re: Arrows must be consi

1

To: freecyclemodsquad@yahoogroups.com  
 From: "somedayhomefree" <somedayhomefree@yahoo.com>  
 Date: Tue, 31 May 2005 04:48:10 -0000  
 Subject: [freecyclemodsquad] Re: Arrows must be considered weapons, not necessarily the bows, though

Kitchen knives can be used as weapons too. We still allow them.  
 Ultimately its the users that decide what use things go to. Guns, bows  
 & arrows; and knives dont kill people. People kill people.

--- In freecyclemodsquad@yahoogroups.com, "tracidale" <tracidale@y...>  
 wrote:  
 > While \*I\* don't personally consider bow and arrows to be weapons,  
 > here's the official stance on this issue from Deron's post #6380...  
 > pasted below. (There's a whole bunch of good answers to things like  
 > this in the database...called Deron's responses or something like  
 > that.)  
 >  
 > traci-dale in Poquoson, VA  
 > .....  
 >  
 > From: "Deron Beal" <deron@>  
 > Date: Wed Aug 4, 2004 3:52 pm  
 > Subject: Re: [freecyclemodsquad] in reference to posting of firearms  
 > and weapons deronbeal  
 > Offline  
 > Send Email  
 >  
 > The main rule in the freecycle rule was created for just such cases:  
 >  
 > 'Keep it free, legal & appropriate for all ages.'  
 >  
 > This means no alcohol, tobacco, firearms, pornography, drugs, etc.  
 > If your 4-year-old can't play with it (or perhaps worse: your 14  
 > year old),  
 > it shouldn't be posted....  
 >  
 > Dems da rules.  
 > Deron

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 Contact your GOA: [http://freecycle.org/faq\\_mod.php](http://freecycle.org/faq_mod.php)  
 Contact ModSquad Mods: freecyclemodsquad-owner@yahoogroups.com

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somedayhomefree, 5/30/05 9:48 PM -0700, [freecyclemodsquad] Re: Arrows must be consi

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jackie, 5/30/05 10:07 PM -0700, [freecyclemodsquad] Re: Arrows must be considered weap

1

To: freecyclemodsquad@yahoogroups.com  
 From: "jackie" <jackiebreeze@yahoo.com>  
 Date: Tue, 31 May 2005 05:07:17 -0000  
 Subject: [freecyclemodsquad] Re: Arrows must be considered weapons, not necessarily the bows, though

Where I live, hunters use bow and arrows to kill deers, so they are weapons here in my neck of the woods. A bow and arrow is not something I would want my child (or any child) getting off of Freecycle.

```

--- In freecyclemodsquad@yahoogroups.com, "somedayhomefree"
<somedayhomefree@y...> wrote:
> Kitchen knives can be used as weapons too. We still allow them.
> Ultimately its the users that decide what use things go to. Guns,
bows
> & arrows; and knives dont kill people. People kill people.
>
>
> --- In freecyclemodsquad@yahoogroups.com, "tracidale"
<tracidale@y...>
> wrote:
> > While *I* don't personally consider bow and arrows to be weapons,
> > here's the official stance on this issue from Deron's post
#6380...
> > pasted below. (There's a whole bunch of good answers to things
like
> > this in the database...called Deron's responses or something like
> > that.)
> >
> > traci-dale in Poquoson, VA
> > .....
> >
> > From: "Deron Beal" <deron@>
> > Date: Wed Aug 4, 2004 3:52 pm
> > Subject: Re: [freecyclemodsquad] in reference to posting of
firearms
> > and weapons deronbeal
> > Offline
> > Send Email
> >
> > The main rule in the freecycle rule was created for just such
cases:
> >
> > 'Keep it free, legal & appropriate for all ages."
> >
> > This means no alcohol, tobacco, firearms, pornography, drugs, etc.
> > If your 4-year-old can't play with it (or perhaps worse: your 14
> > year old),
> > it shouldn't be posted....
> >
> > Dems da rules.
> > Deron

```

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----->

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jackie, 5/30/05 10:07 PM -0700, [freecyclemodsquad] Re: Arrows must be considered weap

---

2

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Contact ModSquad Mods: freecyclemodsquad-owner@yahoogroups.com

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Jeff, 5/30/05 10:18 PM -0700, Re: [freecyclemodsqad] Arrows must be considered weapo

1

To: <freecyclemodsqad@yahoogroups.com>  
From: "Jeff" <whitelitr@gmail.com>  
Date: Tue, 31 May 2005 01:18:26 -0400  
Subject: RE: [freecyclemodsqad] Arrows must be considered weapons, not necessarily the bows, though

Well....but that strict an interpretation of the rules would eliminate a great many things that we commonly see (such as the car that my roomie and I gave away in Dec) Let's not forget that you see archery equipment at Cub Scout and Brownie functions (Cubs start at 7..I dunno about Brownies). I think this gets back to us acting as Police instead of facilitators. We need to consider that the people that we are dealing with are adults...

Just my \$0.005 (after taxes)

Jeff  
LynchburgFreeCycle  
Lynchburg, VA

-----Original Message-----

From: freecyclemodsqad@yahoogroups.com  
[mailto:freecyclemodsqad@yahoogroups.com] On Behalf Of tracidale  
Sent: Tuesday, 31 May, 2005 00:07  
To: freecyclemodsqad@yahoogroups.com  
Subject: [freecyclemodsqad] Arrows must be considered weapons, not necessarily the bows, though

While \*I\* don't personally consider bow and arrows to be weapons, here's the official stance on this issue from Deron's post #6380...  
pasted below. (There's a whole bunch of good answers to things like this in the database...called Deron's responses or something like that.)

traci-dale in Poquoson, VA  
.....

From: "Deron Beal" <deron@...>  
Date: Wed Aug 4, 2004 3:52 pm  
Subject: Re: [freecyclemodsqad] in reference to posting of firearms and weapons deronbeal Offline Send Email

The main rule in the freecycle rule was created for just such cases:

'Keep it free, legal & appropriate for all ages.'

This means no alcohol, tobacco, firearms, pornography, drugs, etc.  
If your 4-year-old can't play with it (or perhaps worse: your 14 year old), it shouldn't be posted....

Dems da rules.  
Deron

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FS115084

Jeff, 5/30/05 10:18 PM -0700, Re: [freecyclemodsquad] Arrows must be considered weapo

2

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Tim Oey, 5/30/05 10:25 PM -0700, Re: [freecyclemodsquad] Arrows, etc.

1

To: freecyclemodsquad@yahoogroups.com  
From: Tim Oey <timoe@yaho.com>  
Date: Mon, 30 May 2005 22:25:37 -0700  
Subject: Re: [freecyclemodsquad] Arrows, etc.

Free & Legal are clear and straight forward to follow.

The "appropriate for all ages" must be used with adult discretion because if followed strictly, we should shut down Freecycle.

For instance all of the following are forbidden if we really follow "appropriate for all ages" as a hard and fast rule:

- computers
- ladders
- all tools (power and hand tools including scissors)
- all small items that could be swallowed
- base ball bats
- all solvents, paints, insecticides, soaps, chemicals, etc
- cars and other motor vehicles
- boats
- most things that use batteries or electricity
- firewood
- sewing supplies
- pens
- pencils
- pets
- most toys
- most books (the chewable ones for babies would be ok)
- even pillows (dangerous for babies)
- etc

I personally stick to prohibiting alcohol, tobacco, firearms, pornography, prescription drugs, and other things that have legal implications that cannot be readily handled within Freecycle. (Motor vehicles are an area where I am more lenient).

For the record, I'd allow the archery stuff as well as kitchen knives.

Cheers,  
Tim  
Sunnyvale, CA

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Does he tell you he loves you when he's hitting you?  
Abuse. Narrated by Halle Berry.  
[http://us.click.yahoo.com/aFQ\\_rC/isnJAA/E2hLAA/rcTolB/TM](http://us.click.yahoo.com/aFQ_rC/isnJAA/E2hLAA/rcTolB/TM)  
----->

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**Tim Oey, 5/30/05 10:25 PM -0700, Re: [freecyclemodsquad] Arrows, etc.**

---

**2**

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# EXHIBIT P

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Case No. C06-00324 CW (filed Jan. 18, 2006)

**freecyclederon, 5/31/05 9:12 AM -0700, [freecyclemodsquad] Re: Archery Equipment**

**1**

To: freecyclemodsquad@yahoogroups.com  
From: "freecyclederon" <deron@freecycle.org>  
Date: Tue, 31 May 2005 16:12:45 -0000  
Subject: [freecyclemodsquad] Re: Archery Equipment

Charmaine,

Thanks for asking. As you can probably guess, we will have to quickly nip this conversation in the bud. As you know, everyone will have a different opinion as to what are nice sports vs. weapons vs. evil vs. good, etc. So, everyone, please all resist the urge to post on this as we'll just delete further posts.

It doesn't matter what you think of archery or of guns or of Boy Scout knives or pointy-tipped scissors. We are a tiny little nonprofit which simply can't afford the liability risk in any of these cases. Round tipped scissors? Maybe...

Help us keep local groups "free, legal & appropriate for all ages." This goes well beyond "legal" and gives the local moderator the mandate to not allow posts of items which may be legal, but not appropriate for a two-year old, or for some teens for that matter, etc.

The Freecycle Network has absolutely no stance on hunting, weapons, porn or pointy-tipped scissors. Just shouldn't risk it on The Freecycle Network.

Thanks for asking...  
Deron

--- In freecyclemodsquad@yahoogroups.com, "Charmaine Jensen" <charmainejensen@s...> wrote:  
> Good Evening Mods,  
>  
> Are any mods in this group familiar with Archery as a sport and with Archery Clubs... if you are, then you are familiar with Archery Bow and Arrows....  
>

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In low income neighborhoods, 84% do not own computers.  
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Report news articles: newswire@freecycle.org  
Contact your GOA: [http://freecycle.org/faq\\_mod.php](http://freecycle.org/faq_mod.php)  
Contact ModSquad Mods: freecyclemodsquad-owner@yahoogroups.com

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# EXHIBIT Q

Declaration of Timothy Oey  
In Support of Plaintiff's Motion for Summary Adjudication  
*FreecycleSunnyvale v. The Freecycle Network*  
Case No. C06-00324 CW (filed Jan. 18, 2006)

deronbeal, 5/31/04 4:19 PM -0700, [freecyclemodsquad] IDEA: new group only with a me

1

To: freecyclemodsquad@yahoogroups.com  
 From: "deronbeal" <deron1@worldlinkisp.com>  
 Date: Mon, 31 May 2004 23:19:46 -0000  
 Subject: [freecyclemodsquad] IDEA: new group only with a mentor mod's help

Hey all,

I'd like your input on an idea. I'd like to suggest that there be a new limitation on new groups being set up that they must first find a mod in the same state willing to mentor them. This would remove a lot of the simple questions from the modsquad and would distribute them over all the mods pretty much geographically equally.

This in combo with a FAQ's blog & the file section of the mod squad should remove a lot of extemporaneous stuff from the modsquad board.

Current problems it addresses:

- 1) Lots of repeat simple questions to all of us on modsquad
- 2) One new mod currently can still start up several new groups at once and it ends up a mess.
- 3) A new mod is pretty much on their own now.
- 4) The new mod seeking out a neighboring mod, puts the onus on the new mod to find someone rather than on experienced mods all to respond to new mod questions.
- 5) It will require a teensie bit extra work and commitment from new mods before "just setting a group up for the heck of it" and then leaving town or something.
- 6) It assures that a new mod has a helping guiding hand early on.
- 7) Geographic overlap problem: a neighboring mod will know best if there is overlap and nip this in the bud.
- 8) It would save me a world of grief with new maverick groups popping up all over the place and getting mad and confused with each other and me.

How it would work:

Interested person goes to freecycle.org and clicks on "Set up your own group." There it would still have detailed instructions including to look and make sure your area doesn't have a group. Then it would say "all new mods must have a sponsor mod or mentor mod from an existing group who actually gets them the link from Deron to their group." To find a mentor please find the closest group to your own under this link (link takes them to the group link list). To get the mentor mod e-mail address, take the nearest group's name, for example, "freecyclespringfield" and turn it into an e-mail address by adding

-owner@freecycle.org to make the complete e-mail freecyclespringfield-owner@yahoogroups.com. Then e-mail your neighbor mod and ask if they will mentor you. If they say yes, they can help out with the little stuff and \*the experienced mod\* let's Deron know about the new link.

This is the basic idea. I've had some real problem cases set up groups lately. Often it's a kid or someone who doesn't care much about the whole thing and it leads to much trouble and work for me and whoever is helping me add new links.

What do you think?

Deron

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# EXHIBIT R

Declaration of Timothy Oey  
In Support of Plaintiff's Motion for Summary Adjudication  
*FreecycleSunnyvale v. The Freecycle Network*  
Case No. C06-00324 CW (filed Jan. 18, 2006)

**Deron Beal, 9/6/04 9:33 PM -0700, Volunteer approval folk worldwide****1**

From: "Deron Beal" <deron@freecycle.org>  
 To: "Rob Skelton (Melbourne, Australia)" <searchfreak@hotmail.com>,  
 <leilasha@yahoo.com>,  
 "Nicolas Auwillain(Lueven Belgium)" <nauwillain@spss.com>,  
 <ayrtonleite2004@yahoo.com>, <synergy@canada.com>, <egs@tcm.com>,  
 <freecycle@christianboutin.com>, <mmouse@sasktel.net>,  
 "Ruhi Zandra(Xian China)" <livesinchina@yahoo.com>,  
 <mcifrova@telus.net>, <palnatoke@gmail.com>,  
 <moniquewil62@yahoo.com>,  
 "Thomas Pradel" <Thomas.Pradel@t-online.de>,  
 "Priyanka (India)" <indiafreecycle@yahoo.com>,  
 "Assaf Harel(Tel Aviv Israel)" <AssafH@metalinkBB.com>,  
 "Thomas Amundrud (Osaka Japan)" <tamundrud@yahoo.com>,  
 <kellyyoungberg@earthlink.net>,  
 "Jason Tanner(Kuala Lumpur Malaysia)" <bluekiss\_wwjd@yahoo.com>,  
 "Richard-Winchester (Christchurch New Zealand)" <richard-winchester@ihug.co.nz>,  
 <themarketingconsultant022992@yahoo.com>, <dorutrip@rdslink.ro>,  
 <peteronax@mail.ru>, <laura.thomson@gmail.com>,  
 "Diane Chang" <artp9293@nus.edu.sg>, <kangmi@sbcglobal.net>,  
 "Clive Read(Javea Spain)" <cliver@mercuryin.es>,  
 <freecyclelegeneve@yahoo.fr>, <coldplayer\_number1@yahoo.com>,  
 <asankar@fans.uwi.tt>, "Ashley Hooper" <ash\_hooper@yahoo.com>,  
 <SthrnTami@AOL.com>, <shana@aidensigloo.com>,  
 <sagemoonspirit@yahoo.com>, <jeff@freecycle.org>,  
 "Tim Oey (Sunnyvale, CA)" <timoey@yahoo.com>, <bogidu@yahoo.com>,  
 "Deanna (Manchester CT)" <smileydee38@sbcglobal.net>,  
 <fcdcm01@yahoo.com>, <amuller@dca.net>,  
 "Michele (Miami FL)" <FreecycleMiami@aol.com>, <cyn@technomom.com>,  
 "Madhu Lundquist (Honolulu)" <madhu@madhuprem.com>,  
 "Diane Waters (Boise, ID)" <imahappywoman@aol.com>,  
 <Freecycle60914@yahoo.com>,  
 "Shadow Graphics(Lafayette IN)" <ruzich@iquest.net>,  
 <robync0870@yahoo.com>, "Elva (Wichita, KS)" <dne2321@cox.net>,  
 <stacyleewheeler@yahoo.com>,  
 "Rachel Nicolosi (New Orleans, LA)" <singlywhispering@yahoo.com>,  
 <gowriterotica@yahoo.com>, <proudfirefighter@yahoo.com>,  
 <zachsmom@iname.com>, <recyclemi@yahoo.com>,  
 "Dean Cummings" <deancummings@usa.net>, <freecycle@bitparts.org>,  
 <themagicattic@comcast.net>, <tbarrett5@nc.rr.com>,  
 <talya45@yahoo.com>, <Phyllis@SteveBrownSellsHomes.com>,  
 <macbeth@cybernex.net>, <terrilnd@yahoo.com>,  
 "Deborah (Las Vegas NV)" <freecyclevegas@aol.com>,  
 <PastorBelieversUnited@yahoo.com>,  
 "Daphne Harris(MountVernon OH)" <daffknee\_2000@yahoo.com>,  
 <surfer2@cinci.rr.com>, <emiliz@sbcglobal.net>,  
 <johnbartley3@yahoo.com>, <meenal@markis.com>,  
 <freecycleprovidence@yahoo.com>, <eb@2323.us>,  
 <breez@shadewescompany.com>, <timsolady@yahoo.com>,  
 <dbneeley@yahoo.com>, <spiritualpathways@yahoo.com>,  
 "Susan Reynolds (Dulles Corridor)" <studio@susanreynolds.com>,  
 "Lee Butler (Burlington VT)" <leebutlerphoto@msn.com>,  
 "Martha P. Blake" <freecycle@gorgeweb.com>, <DorothyK@Charter.net>,  
 <globalimpact@lazerage.com>, <SylviaRN@canada.com>

Cc: "Jeff Davis" <jeff@greenbicycle.net>  
 Subject: Volunteer approval folk worldwide  
 Date: Mon, 6 Sep 2004 21:33:35 -0700

Hi Guys,

Most of you stuck your name on the volunteer list for approving new groups in your state. We are going live with this as of midnight on Friday, believe it or not. Thanks to all of you. You will be changing my life and the lives of 3 or 4 mods like yourself who are currently doing everything for all new

Printed for Tim Oey <oey@post.harvard.edu>

**1**



**Deron Beal, 9/6/04 9:33 PM -0700, Volunteer approval folk worldwide**

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**2**

group links and we are quite tired, I assure you. Split up by state or country though this will be pretty easy stuff.

A couple of you, particularly in non-North American countries got randomly selected by me because we didn't have someone knowledgeable volunteer in your country. We need your expertise to click on the ok button so that we don't have duplicate groups. If this ok by you just wait until you get an approval e-mail and if there is no overlap, then approve it.

Actual detailed instructions will be in the approval e-mail which you receive.

Basically you will have three links to choose from: approve, don't approve or edit first.

You'll need to make sure the new group actually exists, doesn't overlap with a current group, that their data was input correctly and the ersatzfriend@freecycle.org is a co-owner of the group.

That's it in a nutshell. Starting this weekend you'll be getting your first e-mail or two....

Please do not respond to this e-mail unless you absolutely have to...

Thanks oodles,

Deron  
The Freecycle Network

# EXHIBIT S

Declaration of Timothy Oey  
In Support of Plaintiff's Motion for Summary Adjudication  
*FreecycleSunnyvale v. The Freecycle Network*  
Case No. C06-00324 CW (filed Jan. 18, 2006)

**FreecycleSNGA Moderator, 9/17/04 8:34 AM -0700, Welcome to FreecycleSNGA**

---

1

Date: 17 Sep 2004 15:34:14 -0000  
From: FreecycleSNGA Moderator <FreecycleSNGA-owner@yahoogroups.com>  
To: timoey@yahoo.com  
Subject: Welcome to FreecycleSNGA

Hello,

Welcome to the FreecycleSNGA group at Yahoo! Groups, a free, easy-to-use email group service. Please take a moment to review this message.

To learn more about the FreecycleSNGA group, please visit <http://groups.yahoo.com/group/FreecycleSNGA>

To start sending messages to members of this group, simply send email to [FreecycleSNGA@yahoogroups.com](mailto:FreecycleSNGA@yahoogroups.com)

If you do not wish to belong to FreecycleSNGA, you may unsubscribe by sending an email to [FreecycleSNGA-unsubscribe@yahoogroups.com](mailto:FreecycleSNGA-unsubscribe@yahoogroups.com)

To see and modify all of your groups, go to <http://groups.yahoo.com/mygroups>

Regards,

Moderator, FreecycleSNGA

Your use of Yahoo! Groups is subject to <http://docs.yahoo.com/info/terms/>

# EXHIBIT T

Declaration of Timothy Oey  
In Support of Plaintiff's Motion for Summary Adjudication  
*FreecycleSunnyvale v. The Freecycle Network*  
Case No. C06-00324 CW (filed Jan. 18, 2006)

**newgroup@freecycle.org, 9/25/04 6:21 PM -0700, Please confirm new Freecycle Group: Oa**

**1**

To: timcafc@oeyweb.com  
 Subject: Please confirm new Freecycle Group: OakhurstFreecycle  
 From: newgroup@freecycle.org  
 Date: Sat, 25 Sep 2004 18:21:14 -0700 (PDT)

Dear Volunteer State Approver Moderator,

How's that for a long title? Thank you for volunteering to make sure the new groups desired in your state are OK before approving the actual link on freecycle.org. In general, we want to make sure a couple of things are in order before linking to them. Here's some stuff to check out.

Do their existing neighbor groups feel that there is no overlap or that any overlap is nominal and ok? The existing groups, of course, have priority. This may not always be a cut and dry issue. An existing group may be way too big, say covering an entire region (no longer allowed) and may need to start splitting their group up. However, even if they do, it's their prerogative whether they set up their own smaller groups or whether they accept the new group as one of these new smaller groups

More size stuff to consider. Any new group larger than one county should automatically be denied as too large. Some counties also have 2 million people and are too large for one group too. Ask yourself, or an existing neighbor moderator: Are there at least two geographically separated cities in the county with at least 30,000 people each in population? Then there may need to be two groups for that county. That's kind of the lower size limit for county vs. city groups.

Talk to the neighbor mod: a) to get his/her ok, b) to ask if they'd like to offer their help as an outside mentor for a while just to help the new group get going. By all means give the neighbor mod the new mod's e-mail address and name in order to get in touch if they agree to help.

Contact the state moderator group: If you are uncertain about a group, you may want to contact your state moderator group as well. These groups are all listed on the freecyclemodsqad yahoo group under databases and is called something like "State/Province/Country moderator groups."

Check for typos. You are the final approver of all groups for your state. If there is a typo in their application, your clicking on "approve" will add a false link to the webpage or it will be added under AZ instead of under the state Arizona. Here are things to look out for:

- 1) Make sure their state is spelled out and is correctly spelled.
- 2) Make sure their group link is correct and that the group actually is up and running according to Freecycle standards. Help them get the logo up and some decent text perhaps. By all means contact them directly with questions.
- 4) Make sure that they have made ersatzfriend@freecycle.org a member. Make sure that they know how to do this. They need to go to Members section, then click on Invite new members, then at the bottom of that page click on "Add a member". Make really, really sure that they don't try to invite this address to join as no one reads this e-mail. Once they have added this backup member, then can send an e-mail to ruzich@iquest.net and I'll add in the Yahoo ID / profile for this address and then they can promote it to co-owner. Having a backup co-owner saves us volunteers at "freecycle central" a lot of work when an owner is locked out of their own group by yahoo or when an owner simply disappears or leaves town. Otherwise we are left to set up a whole new parallel group and notify all members (talk about a time-consuming pain in the rumpus?).

So, now you've basically done all your homework and may click on the razzle dazzle button below. Once you have, they will receive an approved e-mail and invitation to join the freecyclemodsqad. They will also be advised that there are state moderator groups for more informal forums to discuss issues, exchange press releases, etc.

Thanks for doing this special part of freecycling. I can't tell you how much I appreciate it?

Deron

PS: Got a question? I recommend you first ask Amanda, aka DustyDeviate, at newgroup@freecycle.org. If you still are unclear a week later, then ask me at deron@freecycle.org. Thanks again!

Printed for Tim Oey <oey@post.harvard.edu>

1

FS155695

**newgroup@freecycle.org, 9/25/04 6:21 PM -0700, Please confirm new Freecycle Group: Oa**

**2**

Use this link to modify, approve or reject this group:  
<http://freecycle.org/approve.php?code=hohqqsgetdyr>

Information about this new group:  
<http://groups.yahoo.com/group/OakhurstFreecycle>  
City or County: Oakhurst  
State or Province: California  
Country: US  
Region: US West Coast  
Moderator: Cheryce  
Moderator email : cheryce32@sti.net

# EXHIBIT U

Declaration of Timothy Oey  
In Support of Plaintiff's Motion for Summary Adjudication  
*FreecycleSunnyvale v. The Freecycle Network*  
Case No. C06-00324 CW (filed Jan. 18, 2006)

**Tim Oey, 10/14/04 12:02 AM -0700, Fwd: Please confirm new Freecycle Group: OakhurstF**

1

Date: Thu, 14 Oct 2004 00:02:29 -0700  
To: cheryce32@sti.net, OakhurstFreecycle-owner@yahooogroups.com  
From: Tim Oey <timcafc@oeyweb.com>  
Subject: Fwd: Please confirm new Freecycle Group: OakhurstFreecycle

Hi,

Thanks for your interest in establishing a new Freecycle group! Freecycle counts on enthusiastic yet gentle moderators to help their communities.

To get your new Freecycle Group approved, please update your group as follows:

- Pick ONE city/town/zip code to center your Freecycle Group on (your group is not limited to just that one city, it serves everyone who is near enough that they want to join your group -- which could be one or more counties even)
- Put a link to <http://freecycle.org/> on your group's home page
- Specify your group's center most zip code, city/town, county, state, and country on your group's home page
- Disallow email attachments
- Set message moderation to "Posts from new members require approval" (or alternatively "Unmoderated")
- Have a \*plain text\* welcome message and file that discusses Freecycle Etiquette
- Make the member list viewable by members so that they can see who the moderators are
- Directly add "ersatzfriend@freecycle.org" to your member list (Go to Invite and click the "Add" link near the bottom) and make that ersatzfriend a moderator with full privileges. Also set this member to no email and no moderator notices.
- Directly add "timcafc@oeyweb.com" to your member list as a normal member so I can check on your group (do NOT make me a moderator).

Please let me know when your group has done all of the above and I'll come and check it out. Thanks!

See:

<http://groups.yahoo.com/group/freecyclesunnyvale/files/Notices/>  
<http://groups.yahoo.com/group/freecyclesunnyvale/files/Moderators/>  
for more helpful info.

Cheers,

Tim

Freecycle New Group Approver for California

-----  
To: timcafc@oeyweb.com  
Subject: Please confirm new Freecycle Group: OakhurstFreecycle  
From: newgroup@freecycle.org  
Date: Sat, 25 Sep 2004 18:21:14 -0700 (PDT)

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1

FS155713



**Tim Oey, 10/14/04 12:02 AM -0700, Fwd: Please confirm new Freecycle Group: OakhurstF**

**2**

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Information about this new group:

<http://groups.yahoo.com/group/OakhurstFreecycle>

City or County: Oakhurst

State or Province: California

Country: US

Region: US West Coast

Moderator: Cheryce

Moderator email : cheryce32@sti.net