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**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

DOE I, DOE II, Ivy HE, DOE III,
DOE IV, DOE V, DOE VI, ROE
VII, Charles LEE, ROE VIII, and
LIE Guifu,

Plaintiffs,

vs.

CISCO SYSTEMS, INC., John
CHAMBERS, Thomas LAM, Owen
CHAN, and DOES 1-100,

Defendants.

FILED

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CA. - SAN JOSE

E-filing

ADR

CV 11-02449 **PSG**
Case No. _____

**DECLARATION OF TERRI MARSH IN
SUPPORT OF PLAINTIFFS' MOTION
TO COMMENCE AND PROCEED AS
PSEUDONYMOUS PLAINTIFFS**

Action Filed: May 19, 2011

Hearing Date: To Be Determined

1 upon them as a result of their filing this complaint.

2 5. China remains a country where such retaliatory forms of persecution have
3 been carried out against known Falun Gong practitioners in addition to other
4 dissidents perceived to be in opposition to the authority of the Party. Such
5 retaliation has been and continues to be carried out against family members as a
6 means of further terrorizing, retaliating against and suppressing Falun Gong.

7 6. The reality and likelihood of the fact that reprisals would be directed against
8 the Plaintiffs and Plaintiffs' family members is confirmed by extensive
9 documentation provided by the U.S. Department of State in their Country Reports
10 on Human Rights and their Reports on International Religious Freedom, which
11 indicate that the CCP is engaged in a widespread pattern and practice of harsh
12 repression, retaliatory punishment and intimidation that has been targeted against
13 the Falun Gong believers in China including Plaintiffs and their families; and that
14 these practices have included arbitrary arrest and imprisonment, torture, and in
15 some cases, extrajudicial killing while in detention resulting from the infliction of
16 torture. A true and correct copy of excerpts from the State Dept.'s 2009 Human
17 Rights Report on China is attached hereto as Exhibit A.

18 7. Persecutory reprisals carried out against all persons who openly practice the
19 Falun Gong religion in China are ongoing and well reflected in the State Dept.'s
20 2010 Human Rights Report on China. A true and correct copy of excerpts from the
21 State Dept.'s 2010 Human Rights Report is attached hereto as Exhibit B. *See also,*
22 *US Department of State, International Religious Freedom Report 2007, China*
23 *(includes Tibet, Hong Kong, Macau), September 14, 2007; US Department of State,*
24 *2006 Country Reports on Human Rights Practices, China (includes Tibet, Hong*
25 *Kong, and Macau), March 6, 2007.*

26 8. Several other official reports, including a United Nations 2007 Report, report
27 that Falun Gong practitioners who have sought redress for Falun Gong in China
28 have been subjected to detention and ill treatment. *See,*

1 <http://falunhr.org/reports/UN2007/UN-07.pdf>. The official verdicts issued by
2 Chinese Courts in the cases filed against many of those seeking anonymity for
3 themselves or family members similarly make clear that many Falun Gong
4 practitioners in China have been subjected to persecutory reprisals based on their
5 travel to Beijing to seek redress for Falun Gong.

6 9. In addition, DOES I, II, V, and VI, have specifically requested that their
7 names not be used based on the fact that they reside in China and would be
8 subjected to severe retaliatory forms of persecution if their identities were revealed.

9 10. ROES VII and VIII have similarly requested that their names and those of
10 DOE VII and DOE VIII not be used because they reside in China and would be
11 subjected to severe forms of retaliation if the identities of the victims or survivors
12 were revealed. ROE III has additionally requested that the names of DOES III and
13 IV not be revealed to protect them and their families from reprisal and persecution.

14 11. The serious nature of Plaintiffs' allegations of torture and persecution against
15 the Defendants and their collaborators in China similarly demonstrate the parties
16 needs for anonymity. *See*, Compl. at ¶¶ 103-211.

17 12. In a case filed by undersigned counsel in 2001, the plaintiff who did not use
18 an anonymous designation in that case was apprehended and tortured shortly after
19 the case was filed. Upon information and belief, this would not have occurred had
20 the plaintiff filed the case anonymously.

21
22 I declare under penalty of perjury of the laws of the United States that the foregoing
23 is true and correct.

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Executed this sixteenth day of May 2011, at Washington, D.C.

Terri Marsh

Terri Marsh, Esq.