

# ATTACHMENT 11

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

|                                |   |                          |
|--------------------------------|---|--------------------------|
| BIG HAT BOOKS, <i>et al.</i> , | ) |                          |
|                                | ) |                          |
| Plaintiffs,                    | ) |                          |
|                                | ) |                          |
| v.                             | ) | No. 1:08-CV-0596 SEB-TAB |
|                                | ) |                          |
| PROSECUTORS, <i>et al.</i> ,   | ) |                          |
|                                | ) |                          |
| Defendants.                    | ) |                          |

**Affidavit of William O. Harrington**

Comes now William O. Harrington, being duly sworn upon his oath, and says that:

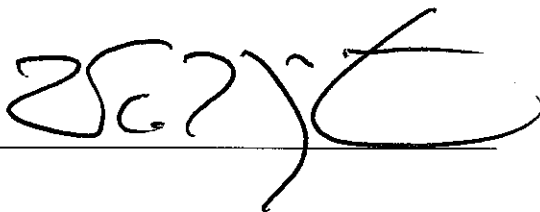
1. I am an adult resident of Indiana.
2. I am an attorney admitted to practice law in Indiana and my office is located in Danville, Indiana.
3. I am a member of the American Civil Liberties Union of Indiana (ACLU-IN) which is run by two Boards of Directors. One is the American Civil Liberties Union of Indiana, Inc. Board of Directors and the other is the American Civil Liberties Union Foundation of Indiana Board of Directors.
4. I am a member of the Board of Directors of the American Civil Liberties Union of Indiana, Inc. and I have been authorized to speak for both boards and to act for the ACLU-IN in this litigation.
5. The ACLU-IN is the Indiana affiliate of the American Civil Liberties Union and is dedicated to protecting the constitutional rights and liberties of its members and Hoosiers in general.

6. At the current time the ACLU-IN has 5,500 members throughout the State of Indiana.
7. I have personally visited Big Hat Books on many occasions.
8. I read extensively and have purchased at bookstores some of the world's great literature which has a sexual content.
9. I enjoy going to bookstores and perusing the range of literature available for purchase.
10. I wish to be able to go to Big Hat Books, and other bookstores, and have available for review and purchase a full range of literature, including literature having a non-obscene sexual content that may be inappropriate for children.
11. I wish to be able to continue to purchase this literature at Big Hat Books and other bookstores in Indiana.
12. I have reviewed e-mails from many members of the ACLU-IN's board of directors, who are also members of the ACLU-IN, who indicate a similar interest in being able to purchase a full range of literature from bookstores and an objection to any law that restricts their ability to obtain this information.
13. HEA 1042, if it is allowed to go into effect, will restrict the literature available for me and other ACLU-IN members to purchase in Indiana.

#### Verification

I verify, under the penalty of perjury, that the foregoing is true and correct.

Executed on May 17, 2008  
DATE

A handwritten signature in black ink, appearing to be "J. C. [unclear]", written over a horizontal line.

NAME

Prepared by:

Kenneth J. Falk  
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