

## APPENDIX B

Powell's Books, Inc. ("Powell's"): Powell's has several retail locations in Portland at which materials containing sexually explicit material or visual representations or narrative accounts of sexual conduct (as those terms are defined in the Statutes) are offered for sale. Such materials include novels by Judy Blume, romance novels, graphic novels and sex education books for teenagers. Powell's fears that it is and will continue to be exposed to risk of prosecution for violation of the Statutes. Should the Statutes be upheld, Powell's will be forced to self-censor or risk such prosecution. The full impact of the Statutes on Powell's is described in the previously filed Declaration of Michael Powell.

Old Multnomah Book Store, Ltd. d/b/a Annie Bloom's Books ("Annie Bloom's"): Annie Bloom's is a locally owned, full-service neighborhood Portland bookstore offering a broad range of works, including children's materials, contemporary fiction and books on art, current events, parenting and entertainment, some of which materials contain sexually explicit material or visual representations or narrative accounts of sexual conduct (as those terms are defined in the Statutes). Annie Bloom's fears that it is and will continue to be exposed to risk of prosecution for violation of the Statutes. Should the Statutes be upheld, Annie Bloom's will be forced to self-censor or risk such prosecution. The full impact of the Statutes on Annie Bloom's is described in the previously filed Declaration of William Peters.

Dark Horse Comics, Inc. ("Dark Horse"): Dark Horse publishes a wide variety of comics and other materials at retail stores, including its flagship operation, Things From Another World. Some contain material that could be deemed "sexually explicit" or "arousing or satisfying [to] the sexual desires" of its customers. Dark Horse fears prosecution under the Statutes if it continues to publish such material. The full impact of the Statutes on Dark Horse is described in the previously filed Declaration of Ken Lizzi.

Colette's: Good Food + Hungry Minds, LLC ("Colette's"): Colette's sells a wide variety of books and other materials at its store in North Bend, Oregon. It specializes in nonfiction, including photography and art books. It also has established a comprehensive Gay, Lesbian, Bisexual, Transgender, and Questioning section to better serve its patrons. Colette's fears prosecution under the Statutes if it continues to maintain this section or if it carries other material containing sexually explicit material or visual representations or narrative accounts of sexual conduct as those terms are defined in the Statutes. The full impact of the Statutes on Colette's is described in the previously filed Declaration of Jessica Lloyd-Rogers.

Bluejay, Inc. d/b/a Paulina Springs Books ("Paulina's"): Paulina's is a mainstream bookseller with stores in Sisters and Redmond, Oregon. It sells material it fears is Restricted Speech, including, for example, romance novels, such as those by Nan Ryan, Linda Howard and Cheyenne McCray, and books of photography, including material with sexual content, such as *Joy of Sex*. Paulina's fears that it is at risk of criminal prosecution under the Statutes for selling these and other constitutionally protected materials. The full impact of the Statutes on Paulina's is described in the previously filed Declaration of Brad Smith.

St. Johns Booksellers, LLC (“St. Johns”): St. Johns is a mainstream Portland bookstore with over 15,000 titles catering to a wide range of customer interests. It stocks, among other materials, romance novels, including those by Lisa Kleypas and Stephanie Laurens; graphic novels, including those by Neil Gaiman; and books of photography, including those by Jan Saudek. St. Johns fears that it is at risk of criminal prosecution under the Statutes for selling these and other constitutionally protected materials. The full impact of the Statutes on St. Johns is described in the previously filed Declaration of Solena Rawdah.

Twenty-Third Avenue Books (“Twenty-Third Avenue”): Twenty-Third Avenue is a mainstream Portland bookstore that sells material it fears is Restricted Speech, including graphic novels, erotica and books focusing on gay and lesbian studies. It fears that it is at risk of criminal prosecution under the Statutes for selling these and other constitutionally protected materials. The full impact of the Statutes on Twenty-Third Avenue is described in the previously filed Declaration of Stephanie Griffin.

American Booksellers Foundation for Free Expression (“ABFFE”): ABFFE has hundreds of bookseller members coast to coast, including in Oregon. They are located throughout the state, including in Baker City, Enterprise, Eugene, North Bend, Pendleton, Portland and Salem. Those located in Oregon sell and offer for sale books and other materials that contain sexually explicit material or visual representations or explicit verbal descriptions or narrative accounts of sexual conduct, as defined in the Statutes. ABFFE’s members are not “adult bookstores.” ABFFE members’ right to offer and sell in Oregon a full range of mainstream materials, and to learn about, acquire and distribute material containing nudity and sexual conduct, and their patrons’ right to purchase such materials, will be seriously infringed by the Statutes if the State is enjoined from enforcing them, because ABFFE members and the publishers with which they transact business will be forced to self-censor or risk prosecution under the Statute. The full impact of the Statutes on ABFFE is described in the previously filed Declaration of Christopher Finan.

Association of American Publishers, Inc. (“AAP”): AAP sues on behalf of its members that are providers of mainstream books and other materials to retailers in Oregon. Some of the content provided by AAP’s members contains sexually explicit material or visual representations or explicit verbal descriptions or narrative accounts of sexual conduct, as defined in the Statutes. Many of the efforts to ban books in various communities have been directed at books published by AAP’s members. If the Statutes are not enjoined, AAP members will be forced to limit access by Oregon residents to many important books. The full impact of the Statutes on AAP is described in the concurrently filed Declaration of Allan R. Adler.

Freedom to Read Foundation Inc. (“FTRF”): FTRF and its library and librarian members serve as both access and content providers at public, private and academic libraries in Oregon. Some of the materials provided or made available by public, private and academic libraries in Oregon, or made available to FTRF members in bookstores in the State, are Restricted Speech. For example, FTRF member libraries include materials such as *Forever* by Judy Blume; *Women on Top* by Nancy Friday; *Changing Bodies, Changing Lives* by Ruth Bell; *Our Bodies, Ourselves* by the Boston Women’s Health Collective; and *It’s Perfectly Normal* by Robie Harris. These materials also are available for purchase in Oregon to individual members of FTRF.

Because the exemption for employees of public libraries does not apply to every provision of the Statutes and does not apply to all libraries, Oregon libraries will be forced to limit Oregon residents' access to many important books and other materials if the Statutes are not enjoined or risk prosecution. Additionally, FTRF members will not have access to constitutionally protected materials that would otherwise be available for purchase in the state. The full impact of the Statutes on FTRF is described in the previously filed Declaration of Judith Krug.

Comic Book Legal Defense Fund (“CBLDF”): CBLDF includes publishers and retailers in Oregon. Some of the materials published or distributed by such members are Restricted Speech under the Statutes but, at the same time, are constitutionally protected, for example, *Watchmen*, a seminal graphic novel by Alan Moore and Dave Gibbons. If the Statutes are not enjoined, CBLDF members will be forced to limit Oregon residents' access to some of its materials or risk prosecution. The full impact of the Statutes on CBLDF is described in the previously filed Declaration of Charles Brownstein.

Candace Morgan: Candace Morgan is a resident of Multnomah County. She teaches current and future librarians enrolled in the Oregon distance-learning cohort of the Emporia State University School of Library and Information Science. Morgan is also a grandparent who visits the library and the bookstore with her seven-year-old grandson. The Statutes restrict the materials she can provide her grandson and threatens prosecution should she provide materials that violate the Statutes, including books by Robie Harris. The full impact of the Statutes on Morgan is described in the previously filed Declaration of Candace Morgan.

Planned Parenthood of the Columbia/Willamette (“PPCW”): PPCW provides comprehensive sex education to a diverse age range, including education targeted at minors as young as 10 years old. As part of that education, PPCW distributes educational pamphlets and other materials depicting or describing sexual behavior—materials that may constitute Restricted Speech under the Statutes. PPCW also distributes to the public at large materials that may violate the Statutes, and such materials may be distributed to minors. If the Statutes are not enjoined, PPCW will be forced to limit the distribution of those constitutionally protected materials, severely impairing its mission to provide sex education. The full impact of the Statutes on PPCW is described in the previously filed Declaration of David Greenberg.

Cascade AIDS Project (“CAP”): CAP provides comprehensive sex education to a diverse age range, including education targeted at minors. As part of that education, CAP distributes educational pamphlets and other materials depicting or describing sexual behavior—materials that may constitute Restricted Speech under the Statutes. CAP also distributes to the public at large materials that may violate the Statutes, and such materials may be distributed to minors. If the Statutes are not enjoined, CAP will be forced to limit the distribution of those constitutionally protected materials, severely impairing its mission to provide sex education. The full impact of the Statutes on CAP is described in the previously filed Declaration of Becky Harmon.

American Civil Liberties Union of Oregon, Inc. (the “ACLU of Oregon”): The ACLU of Oregon is an Oregon nonprofit advocacy corporation organized for public benefit, with a membership of over 17,000 people, all of whom live or work in Oregon. Since 1955, it has been dedicated to the preservation and enhancement of civil liberties and civil rights. It believes that

the freedoms of press, speech, assembly and religion, and the rights to due process, equal protection and privacy, are fundamental to a free people. The ACLU of Oregon lobbies to prevent the passage of laws that would undermine civil liberties and civil rights, and to encourage passage of laws that would enhance civil liberties and civil rights. The ACLU of Oregon also supports educational outreach designed to influence public opinion on civil liberties and civil rights issues. If the Statutes are not enjoined, then members of the ACLU of Oregon will be forced to either risk criminal liability or restrict their constitutionally protected expressive and associational activities. The full impact of the Statutes on the ACLU of Oregon and its members is described in the previously filed Declaration of David Fidanque.