

The Honorable Edward F. Shea

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 Attorneys for Defendant North Central Regional Library District

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF WASHINGTON  
 AT SPOKANE

SARAH BRADBURN, PEARL	)	
CHERRINGTON, CHARLES	)	
HEINLEN, and THE SECOND	)	NO. CV-06-327-EFS
AMENDMENT FOUNDATION,	)	
	)	DECLARATION OF DEAN
Plaintiffs,	)	MARNEY IN SUPPORT OF
	)	DEFENDANT NORTH CENTRAL
v.	)	LIBRARY DISTRICT'S REPLY TO
	)	ITS MOTION FOR SUMMARY
NORTH CENTRAL REGIONAL	)	JUDGMENT
LIBRARY DISTRICT,	)	
	)	
Defendant.	)	
	)	

DECLARATION OF DEAN MARNEY  
 IN SUPPORT OF DEFENDANT  
 NORTH CENTRAL LIBRARY  
 DISTRICT'S REPLY TO ITS MOTION  
 FOR SUMMARY JUDGMENT - 1

CV-06-327-EFS  
 #661598 v1 / 42703-001

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1 I, Dean Marney, declare as follows:

2 1. I am over the age of 18 and competent to testify to the matters set  
3  
4 forth herein.

5 2. I am the Director of NCRL.

6 3. The first NCRL branch with Internet access was our Omak branch,  
7  
8 which went online in November 1999.

9 4. The second NCRL branch was NCRL's Wenatchee branch, which  
10  
11 went online in January 2000.

12 5. NCRL used a Surfwatch brand filter at both the Wenatchee and  
13  
14 Omak locations. The Surfwatch filter often caused the public use computers to  
15  
16 freeze.

17 6. NCRL implemented its first system-wide Internet filter, BESS, in  
18  
19 December 2000. At this time, most branches did not have public internet  
20  
21 computers.

22 7. Internet access was not available at all 28 branches until November  
23  
24 2002.

25  
26 DECLARATION OF DEAN MARNEY  
27 IN SUPPORT OF DEFENDANT  
28 NORTH CENTRAL LIBRARY  
DISTRICT'S REPLY TO ITS MOTION  
FOR SUMMARY JUDGMENT - 2

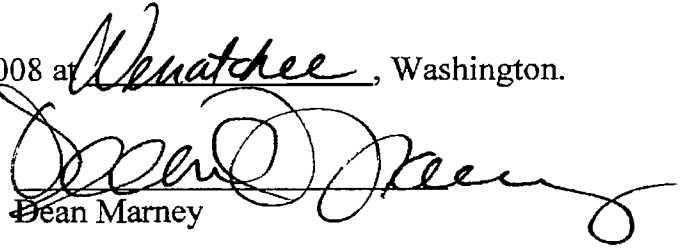
CV-06-327-EFS  
#661509 v.1 / 12702 001

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1 8. NCRL has adduced evidence that allowing unfiltered access would  
2 create a risk to patrons or staff and create an unacceptable risk or hostile  
3 atmosphere, not only due to incidents in our library district, but based on my  
4 personal knowledge of other districts' and communities' concerns with the  
5 dangers presented by unfiltered access. (Attached as **Ex. A** are true and correct  
6 copies of numerous newspaper articles that I have collected discussing this  
7 topic).

11 I declare under penalty of perjury under the laws of the United States of  
12 America that the foregoing is true and correct.

14 Dated this 3rd day of March, 2008 at Wenatchee, Washington.

15  
16   
17 Dean Marney

26 DECLARATION OF DEAN MARNEY  
27 IN SUPPORT OF DEFENDANT  
28 NORTH CENTRAL LIBRARY  
DISTRICT'S REPLY TO ITS MOTION  
FOR SUMMARY JUDGMENT - 3  
CV-06-327-EFS  
4661509 v.1 / 47702 001

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**CERTIFICATE OF SERVICE**


I hereby certify that on March 3, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the persons listed below:

Duncan Manville  
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KARR TUTTLE CAMPBELL

By:   
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DECLARATION OF DEAN MARNEY  
IN SUPPORT OF DEFENDANT  
NORTH CENTRAL LIBRARY  
DISTRICT'S REPLY TO ITS MOTION  
FOR SUMMARY JUDGMENT - 4  
CV-06-327-EFS  
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