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The Honorable Edward F. Shea

Thomas D. Adams
Celeste Mountain Monroe
KARR TUTTLE CAMPBELL
1201 Third Avenue, Suite 2900
Seattle, Washington 98101-3028
(206) 223-1313
Attorneys for 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,)
) DEFENDANT NORTH CENTRAL
Plaintiffs,) REGIONAL LIBRARY'S WITNESS
) AND EXHIBIT LIST
v.)
)
NORTH CENTRAL REGIONAL)
LIBRARY DISTRICT,)
)
Defendant.)

Defendant North Central Regional Library identifies the following
witnesses and exhibits:

DEFENDANT NORTH CENTRAL
REGIONAL LIBRARY'S WITNESS
AND EXHIBIT LIST - 1

CV-06-327-EFS
#663448 v1 / 42703-001

Law Offices
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A Professional Service Corporation
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Telephone (206) 223-1313, Facsimile (206) 682-7100

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3 I. FACT WITNESSES

4 1. **Dean Marney**

5 Dean Marney is the Director of the North Central Regional Library
6 (“NCRL”) District. Mr. Marney was appointed to his position by the NCRL
7 Board of Trustees in 1990. As Director, Mr. Marney serves as the liaison
8 between the Board and library staff.
9

10
11 Mr. Marney will testify regarding NCRL and its policies, including: its
12 mission, collection development policy and internet usage policy. He will
13 testify regarding NCRL’s need to comply with the Children’s Internet Protection
14 Act (“CIPA”) and the Board’s decision to implement an Internet filter to
15 facilitate compliance with CIPA. Mr. Marney will discuss NCRL’s current
16 internet filtering profile, as well as the procedure for requesting that certain
17 internet content be unblocked by the filter. Mr. Marney will discuss the
18 unblocking requests NCRL has received from patrons and the process that he
19 and Mr. Howard follow in evaluating the requests. Mr. Marney will also discuss
20 the other purposes the Internet filters serve, beyond compliance with CIPA, to
21 include: (1) fulfillment of traditional collection decisions; (2) protection of staff
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28 DEFENDANT NORTH CENTRAL
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1 and patrons from inadvertent exposure to illegal, pornographic, or other
2 disruptive and inappropriate material; and (3) compliance with other state and
3 federal laws.
4

5 **2. Dan Howard**

6
7 Dan Howard is the Public Services Director for NCRL. Mr. Howard
8 administers NCRL's 28 branch libraries and its mail order library. He also
9 coordinates collection development activities and administer grants. With
10 respect to the individual branches, Mr. Howard's responsibilities include, among
11 other things, management of personnel. This includes supervision of all NCRL
12 branch librarians.
13
14

15 Mr. Howard will testify regarding NCRL's policies, to include: its
16 mission statement, collection development policy and internet usage policy. He
17 will discuss the relationship between the filter and collection development. He
18 will testify regarding his district's need to comply with the Children's Internet
19 Protection Act ("CIPA"). Mr. Howard will also discuss NCRL's current
20 internet filtering profile and the procedure for requesting that certain internet
21 content be unblocked. Mr. Howard will discuss the unblocking requests that
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1 NCRL has received from patrons and the process that he and Mr. Marney use in
2 evaluating the requests.
3

4 Mr. Howard will also discuss his experience with certain privacy
5 measures suggested by Plaintiffs, including: (1) privacy screens; (2) recessed
6 desks and (3) a “tap and tell” policy. Mr. Howard discuss his concerns with
7 unfiltered access and the impact on branch staff.
8

9
10 **3. Barbara Walters**

11 Barbara Walters is the Information Technology Manager for the North
12 Central Regional Library District. She has served in this role since 2002.
13 Ms. Walters will testify regarding the structure of NCRL’s computer network, to
14 include technical information and details regarding the configuration of the
15 Internet filter.
16
17

18 **4. Connie Kuhlman**

19 Connie Kuhlman is the Grant County Regional Manager and head of
20 Moses Lake Branch. Ms. Kuhlman ran the Grand Coulee Branch before Moses
21 Lake.
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1 Ms. Kuhlman will discuss her personal experience with the internet filter,
2 including instances where individuals have circumvented the filter to obtain
3 illicit material. She will also discuss her concerns with unfiltered access.
4

5 **5. Sharon Reddick**

6 Sharon Reddick is the Okanogan/Ferry County Regional Manager &
7 Head of Omak Branch.
8

9 Ms. Reddick will discuss her personal experience with the internet filter,
10 including instances where individuals have circumvented the filter to obtain
11 illicit material. She will also discuss her concerns with unfiltered access.
12

13 **6. Katy Sessions**

14 Katy Sessions is the Chelan/Douglas County Regional Manager & Head
15 of Wenatchee Branch.
16

17 Ms. Sessions will discuss her personal experience with the internet filter,
18 including instances where individuals have circumvented the filter to obtain
19 illicit material.
20

21 **7. Deborah Moore**

22 Deborah Moore is a NCRL Board Trustee from Grant County. She has
23 served in this capacity since January 2007. Ms. Moore will testify regarding the
24

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AND EXHIBIT LIST - 5
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1 current Internet Filtering Policy.

2
3 **II. EXPERT WITNESS**

4 **1. Paul Resnick**

5 Paul Resnick is a professor at the University of Michigan School of
6 Information. Mr. Resnick was retained by NCRL to serve as an expert in the
7 current litigation.
8

9 Mr. Resnick was asked to explain how the NCRL filtering software
10 works. He was also asked to assess the methods used in studying the error rates
11 in the filtering software NCRL uses as reported by Plaintiffs' expert,
12 Mr. Bennett Haselton. Mr. Resnick will testify regarding all of these topics. In
13 addition, Mr. Resnick will testify regarding his own study of NCRL's filter.
14
15

16 **III. EXHIBITS**

17

NO.	AUTHOR/MAKER	DESCRIPTION
500	NCRL	Branch Library Map
501 - 528	NCRL	Branch Photos
529	NCRL	Resolution adopting Internet Usage Policy
530	NCRL	Board Minutes adopting Internet Usage Policy
531	NCRL	Internet Usage Policy
532	NCRL	Current Fortiguard Filtering Profile
533 - 536	NCRL	Incident Reports

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1	537	NCRL	Internal memo discussing decision to unblock "Plagerism"
2	538	NCRL	Internal memo discussing decision to unblock " Personal Relationships"
3	539	NCRL	Internal memo discussing decision to unblock YouTube, with accompanying Terms of Use
4	540	NCRL	Internal memo discussing decision to unblock Myspace, with accompanying Terms of Use
5	541	NCRL	Internal memo discussing decision to unblock Craigslist, excepting personals
6	542-645	NCRL/Patrons	Patron requests to unblock specific internet content and NCRL response
7	646	NCRL	Collection Development Policy
8	647	NCRL	Mission Statement
9	648	Paul Resnick	Paul Resnick's Expert Report/Data
10	649	FortiGuard	Diagrams re: how FortiGuard filter work (simply demonstrative?)
11	650	NCRL	March 11, 1999 Director's Report
12	651	NCRL	March 11, 1999 Board Meeting Minutes
13	652	NCRL	April 15, 1999 Board Meeting Minutes
14	653	NCRL	June 10, 1999 Board Meeting Minutes
15	654	NCRL	July 15, 1999 Board Meeting Minutes
16	655	NCRL	September 16, 1999 Board Meeting Minutes
17	656	NCRL	August 12, 1999 Director's Report
18	657	NCRL	October 14, 1999 Director's Report
19	658	NCRL	December 16, 1999 Director's Report
20	659	NCRL	February 10, 2000 Director's Report
21	660	NCRL	January 13, 2000 Director's Report
22	661	NCRL	November 17, 1999 Director's Report
23	662	NCRL	December 16, 1999 Board Meeting Minutes

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1	664	NCRL	February 10, 2000 Board Meeting Minutes
2			
3	663	NCRL	March 16, 2000 Board Meeting Minutes
4	664	NCRL	May 11, 2000 Board Meeting Minutes
5	665	NCRL	June 15, 2000 Board Meeting Minutes
6	666	NCRL	August 10, 2000 Board Meeting Minutes
7	667	NCRL	September 14, 2000 Board Meeting Minutes
8	668	NCRL	August 10, 2000 Director's Report
9	669	NCRL	October 12, 2000 Director's Report
10	670	NCRL	October 12, 2000 Board Meeting Minutes
11	671	NCRL	December 14, 2000 Board Meeting Minutes
12	672	NCRL	December 14, 2000 Director's Report
13	673	NCRL	January 11, 2001 Board Meeting Minutes
14	674	NCRL	January 11, 2001 Director's Report
15	675	NCRL	February 15, 2001 Director's Report
16	676	NCRL	February 15, 2001 Board Meeting Minutes
17	677	NCRL	March 15, 2001 Board Meeting Minutes
18	678	NCRL	June 14, 2001 Director's Report
19	679	NCRL	October 11, 2001 Board Meeting Minutes
20	680	NCRL	October 11, 2001 Director's Report
21	681	NCRL	November 15, 2001 Board Meeting Minutes
22	682	NCRL	January 17, 2002 Board Meeting Minutes
23	683	NCRL	February 14, 2002 Board Meeting Minutes
24	684	NCRL	February 14, 2002 Director's Report
25	685	NCRL	May 16, 2002 Director's Report

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686	NCRL	May 16, 2002 Board Meeting Minutes
687	NCRL	October 10, 2002 Board Meeting Minutes
688	NCRL	December 12, 2002 Director's Report
689	NCRL	January 15, 2004 Board Meeting Minutes
690	NCRL	April 15, 2004 Director's Report
691	NCRL	May 13, 2004 Board Meeting Minutes
692	NCRL	May 13, 2004 Director's Report
693	NCRL	April 14, 2005 Board Meeting Minutes
694	NCRL	December 15, 2005 Board Meeting Minutes
695	NCRL	March 16, 2006 Board Meeting Minutes
696	NCRL	July 20, 2006 Board Meeting Minutes
697	NCRL	November 16, 2006 Director's Report
698	NCRL	January 18, 2007 Director's Report
699	ACLU	Correspondence from ACLU to NCRL patrons soliciting a lawsuit
700 - 703	NCRL/Heinlen	Correspondence between NCRL and Charles Heinlen
704	NCRL	NCRL Bylaws

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DEFENDANT NORTH CENTRAL
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1
2
3 NCRL reserves the right to amend its exhibit list, both to withdraw or
4 add certain exhibits, based on Plaintiff's disclosure. NCRL reserves the right
5 to use any exhibit proposed by Plaintiffs and admitted into evidence.
6

7 DATED this 24th day of March, 2008.

8 KARR TUTTLE CAMPBELL

9
10 By: /s/ Thomas D. Adams

11 Thomas D. Adams, WSBA #18470

12 E-mail – tadams@karrtuttle.com

13 Celeste Mountain Monroe, WSBA #35843

14 E-mail – cmonroe@karrtuttle.com

15 Attorneys for Defendant North Central

16 Regional Library District

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1 **CERTIFICATE OF SERVICE**

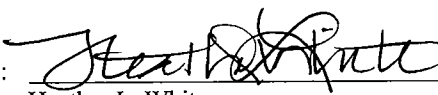
2 I hereby certify that on March 24, 2008, I electronically filed the foregoing with the Clerk of the Court
3 using the CM/ECF system which will send notification of such filing to the persons listed below:

4 Duncan Manville
5 1629 2nd Ave. W
6 Seattle, WA 98119

Aaron Caplan
ACLU of Washington
705 Second Ave., Ste. 300
Seattle, WA 98103

6 Catherine Crump
7 American Civil Liberties Union
8 Foundation
9 125 Broad Street, 17th Floor
10 New York, NY 10004

11 KARR TUTTLE CAMPBELL

12 By: 
13 Heather L. White
14 hwhite@karrtuttle.com

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