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Attorneys for Defendants
PACIFICA FOUNDATION,
DAVID ACOSTA, MARY FRANCES BERRY,
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WENDELL JOHNS, BERTRAM LEE, WILLIAM LUCY,
BETH LYONS, JUNE MAKELA, FRANK MILLSPAUGH,
JOHN MURDOCK, MICHEAL PALMER, and
KAROLYN VAN PUTTEN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THE PEOPLE OF THE STATE OF
CALIFORNIA, ex rel. CAROL SPOONER,
et al.,

Plaintiffs,

vs.

PACIFICA FOUNDATION, a California
non-profit public benefit corporation and
charitable trust, et al.,

Defendants.

Case No. C 00 3815 MJJ

**DECLARATION OF DANIEL
RAPAPORT IN SUPPORT OF
DEFENDANTS' EXPEDITED
MOTION TO BEGIN LIMITED
DISCOVERY**

Department: Ctrm.: 11 Hon.
Martin J. Jenkins

I, Daniel Rapaport, declare:

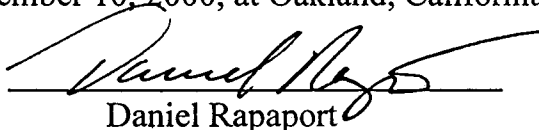
1. I am an attorney at law duly licensed to practice before all of the courts of the
State of California, and I am admitted to practice before the United States District Court
for the Northern District of California. I am a partner in the law firm of Wendel, Rosen,

1 Black & Dean, LLP, one of the attorneys of record of defendants Pacifica Foundation,
2 Mary Frances Berry, June Makela, Frank Millspaugh, Andrea Cisco, Ken Ford, David
3 Acosta, Micheal Palmer, Robert Farrell, Karolyn Van Putten, Wendell Jones, Valrie
4 Chambers, Bertram Lee, Beth Lyons, John Murdock and Lynn Chadwick.

5 2. I have personal knowledge of the matters set forth herein, except as to those set
6 forth on information and belief, and as to those matters I believe them to be true, and if
7 called as a witness, I could and would competently testify thereto.

8 3. I certify compliance with Civil L.R. 7-10(b) in the preparation of the Moving
9 Parties' Expedited Motion to Begin Limited Discovery. On November 7, 2000, I wrote a
10 letter, a true and correct copy of which is attached, which I had transmitted by facsimile
11 to Mr. Frucht and Mr. Bartley, seeking their agreement to limited discovery and, in the
12 alternative, advising them of this Motion. Mr. Bartley acknowledged receipt of the letter.

13 I declare under penalty of perjury under the laws of the State of California
14 and of the United States of America, that the foregoing is true and correct and that this
15 Declaration was executed on November 10, 2000, at Oakland, California.

16 
17 Daniel Rapaport