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The Pacifica Foundation, *et al.*

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14 THE PEOPLE OF THE STATE OF)	Case No. 00 3814 MJJ
CALIFORNIA, <i>ex rel.</i> CAROL)	
15 SPOONER, <i>et al.</i>)	
)	
16 Vs.)	DECLARATION OF THIELE R.
)	DUNAWAY IN SUPPORT OF
17)	DEFENDANTS' OPPOSITION TO
18 THE PACIFICA FOUNDATION, <i>et al.</i> ,)	PLAINTIFFS' MOTION TO REMAND
Defendants.)	

19 Date: January 9, 2001
20 Time: 9:30 a.m.
21 Courtroom: Nine
Judge: Martin J. Jenkins

22
23 I, Thiele R. Dunaway, declare:

24
25 1. I am an attorney at law duly licensed to practice before all of the courts of the
26 State of California, and I am admitted to practice before the United States District Court for
27 the Northern District of California. I am senior counsel with the law firm of Wendel, Rosen,
28 Black & Dean, LLP, one of the attorneys of record of defendants the Pacifica Foundation,

Case No. 00 3815 MJJ
DECLARATION OF DANIEL RAPAPORT
IN SUPPORT OF DS' OPPTS' TO PS' MOTION TO REMAND

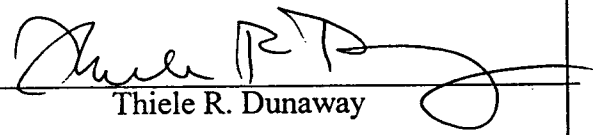
1 David Acosta, Mary Frances Berry, Lynn Chadwick, Valrie Chambers, Andrea Cisco, Robert
2 Farrell, Ken Ford, Wendell Johns, Bertram Lee, Beth Lyons, June Makela, Frank Millsbaugh,
3 John Murdock, Micheal Palmer, and Karolyn Van Putten.

4
5 3. My firm represents defendant Pacifica Foundation in the matter *Spooner, et al.*
6 *v. Pacifica Foundation, et al.*, United States District Court for the Northern District of
7 California Court Case No. 00-3814-MJJ.

8 4. Attached hereto as Exhibit A is a true and correct copy of the Pacifica
9 Foundation's Articles of Incorporation.

10 5. Attached hereto as Exhibit B is a true and correct copy of an e-mail sent by
11 Carol Spooner on October 20, 2000. This document is authenticated under Rule 901(a) of the
12 Federal Rules of Evidence. *See United States v. Tank*, 200 F.3d 627, 631 (9th Cir. Jan. 4,
13 2000) (recognizing prima facie showing of authenticity where chat room log printouts from
14 the Internet identified defendant).

15 I declare under penalty of perjury under the laws of the State of California and of the
16 United States of America that the foregoing is true and correct and that this declaration was
17 executed on this 21st day of November, 2000 at Oakland, California.

18
19 
20 Thiele R. Dunaway