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Attorneys for Plaintiffs/Relators
CAROL SPOONER, et al.

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA
UNLIMITED JURISDICTION**

DAVID ADELSON, et al., Plaintiffs,		PACIFICA FOUNDATION, et al., Cross-Defendants.)
v.)
PACIFICA FOUNDATION, et al., Defendants.		<hr/>)
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PEOPLE OF THE STATE OF CALIFORNIA, ex rel. CAROL SPOONER, et al., Plaintiffs,)
v.)
PACIFICA FOUNDATION, et al., Defendants.)
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ROBERT ROBINSON, et al., Plaintiffs,)
v.)
PACIFICA FOUNDATION, et al., Defendants.)
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TOMAS MORAN, et al., Cross-Complainants,)
v.)

)
1 Consolidated Case No.: 814461-0
[Consolidated with No. 831252-3
and No. 831286-0]
2

3 **DECLARATION OF PHIL OSEGUEDA**
4 **IN SUPPORT OF EX PARTE**
5 **APPLICATION TO ENFORCE**
6 **STIPULATION**

7 Date: August 22, 2001
8 Time: 3:30 p.m.
9 Dept.: 22
10 Judge: Hon. Ronald M. Sabraw
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1 PHIL OSEGUEDA hereby declares under penalty of perjury under the laws of the State of
2 California that the following is true and correct:

3 1. I am the Assistant General Manager at KPFA. I submit this declaration in support
4 of Plaintiffs' and Cross-Complainants' Ex Parte Application to Enforce Stipulation, Plaintiffs' and
5 Cross-Complainants' Motion For Appointment of Receiver, and Plaintiffs' Motion for Preliminary
6 Injunction Prohibiting Election of Directors. I have personal knowledge of the facts stated herein
7 and, if sworn to testify, would competently testify thereto.

8 2. This morning, August 22, 2001, Bessie Wash, the Executive Director of the Pacifica
9 Foundation, called me and instructed me not to make Democracy Now! available to the NPR satellite
10 for broadcast to Pacifica affiliate stations throughout the country who have the ability to download
11 programming directly from the NPR satellite.

12 3. I then received a call from Kay Guinn, an accountant person at NPR who books time
13 on the satellite at NPR, who stated to me that someone representing Pacifica's Washington D.C.
14 office had called NPR and told NPR that KPFA's request for time on the NPR satellite for
15 Democracy Now! was not authorized by Pacifica, and that NPR could not provide satellite time for
16 Democracy Now!.

17 I declare under penalty of perjury under the laws of the State of California that the foregoing
18 is true and correct.

19 Executed on August 22, 2001, in Berkeley, California.

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PHIL OSEGUEDA

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