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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF ALAMEDA

10
11 THE PEOPLE OF THE STATE OF
12 CALIFORNIA, ex rel. CAROL SPOONER,
13 et al.,

14 Plaintiffs,

15 vs.

16 PACIFICA FOUNDATION, et al.,

17 Defendants

CASE NO. 821252-3

DECLARATION OF GARY D. EVANS IN
SUPPORT OF RELATORS' MOTION TO
DISQUALIFY COUNSEL FOR
DEFENDANT PACIFICA FOUNDATION

DATE:

TIME:

DEPT:

JUDGE:

1 I, GARY D. EVANS, do declare that:

2 1. I make this declaration of my own personal knowledge, and if called as a witness to
3 testify as to the matters stated herein I could competently do so.

4 2. I was personally present at the Pacifica Foundation Board of Directors meeting at the
5 DoubleTree Hotel in Arlington, Virginia, on September 17, 2000. I personally recorded the entire
6 board meeting on that date with my personal tape recorder.

7 3. Attached as "**Exhibit A**" is a transcript of a portion of my tape recording, consisting
8 of the report to the board by board Chair, Mary Frances Berry, of an Executive Committee meeting,
9 and discussions among the board members that followed the report. I, personally transcribed the
10 tape recording, beginning on September 28, 2000 and completed October 1, 2000. I have remained
11 in sole control of the tape recorder and tapes from the recording through and including the
12 transcription process. To the best of my ability, this is a true and accurate transcript of what was said
13 at this portion of the board meeting.

14 4. There were twelve board members present at this meeting: Chair Mary Frances Berry,
15 Leslie Cagan, Valrie Chambers, Ken Ford, Bertram Lee, Beth Lyons, Frank Millspaugh, Tomas
16 Moran, John Murdock, Micheal Palmer, Rob Robinson, and Karolyn van Putten. The Pacifica
17 Foundation Executive Director, Bessie Wash, was also present.

18 I declare under penalty of perjury under the laws of the State of California that the foregoing
19 is true and correct. Executed at _____, California, on October _____, 2000.

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21 _____
22 GARY D. EVANS
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