

1 Daniel Rapaport (Bar No. 67217)
Thiele R. Dunaway (Bar No. 130953)
2 **WENDEL, ROSEN, BLACK & DEAN, LLP**
1111 Broadway, 24th Floor
3 Oakland, California 94607-4036
Telephone: (510) 834-6600
4 Fax: (510) 834-1928

5 Daly D.E. Temchine (Pro Hac Vice) (District of Columbia Bar No. 237057)
James F. Peterson (Pro Hac Vice) (District of Columbia Bar No. 450171)
6 **EPSTEIN BECKER & GREEN, P.C.**
1227 25th Street, NW
7 Washington, DC 20037
8 Telephone: (202) 861-0900
Fax: (202) 296-2882

9 Attorneys for Defendants
10 The Pacifica Foundation, *et al.*

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 THE PEOPLE OF THE STATE OF
14 CALIFORNIA, *ex rel.* CAROL
15 SPOONER, *et al.*,
16 Plaintiffs,
vs.
17 THE PACIFICA FOUNDATION, *et al.*,
18 Defendants.

Case No. 00 3815 MJJ

**DECLARATION OF DALY D.E.
TEMCHINE IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION TO DISQUALIFY
DEFENDANTS' COUNSEL**

Date:
Time:
Courtroom:
Judge: Martin J. Jenkins

1 I, Daly D.E. Temchine, declare:

2 1. I am an attorney at law duly licensed to practice law in New Jersey, Maryland,
3 and the District of Columbia, and I am admitted pro hac vice to practice before the United States
4 District Court for the Northern District of California. I am a member of the law firm of Epstein
5 Becker & Green, P.C., one of the law firms of record of defendants Pacifica Foundation, David
6 Acosta, Mary Frances Berry, Valrie Chambers, Lynn Chadwick, Andrea Cisco, Robert Farrell,
7 Ken Ford, Wendell Johns, Bertram Lee, Beth Lyons, June Makela, Frank Millspaugh, John
8 Murdock, Michael Palmer, and Karolyn Van Putten.

9 2. My firm represents defendant Pacifica Foundation in the matter of *Spooner, et al.*
10 *v. Pacifica Foundation, et al.*, United States District Court for the Northern District of California
11 Court Case No.C-00-3815-MJJ.

12 3. Attached hereto as Exhibit A is a true and correct copy of an e-mail that I sent to
13 the Foundation Directors on October 5, 2000.

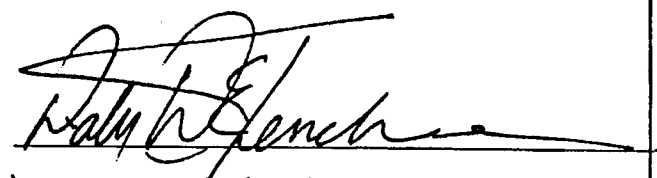
14 4. Attached hereto as Exhibit B is a true and correct copy of a letter that I sent to
15 Leslie Cagen on October 10, 2000.

16 4. Attached hereto as Exhibit C is a true and correct copy of an affidavit from John
17 M. Murdock.

18 5. Attached hereto as Exhibit D is a true and correct copy of the original transcript of
19 the Pacifica Foundation Board of Directors Meeting, held on Sunday, September 17, 2000,
20 transcribed by Elaine A. Merchant, a registered professional court reporter and notary republic of
21 the Commonwealth of Virginia.

22 6. Attached hereto as Exhibit E is a true and correct copy of a letter to the Pacifica
23 Foundation's Executive Director Ms. Bessie Wash from Mr. John Crigler, dated September 13,
24 2000.

1 I declare under penalty of perjury under the laws of the State of California and of the
2 United States of America that the foregoing is true and correct and that this declaration was
3 executed on this 20th day of November, 2000 in Washington, D.C.

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7 Daly D.E. Temchine
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