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The Pacifica Foundation, *et al.*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

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

Plaintiffs,

vs.

THE PACIFICA FOUNDATION, *et al.*

Defendants.

Case No. C 00 3815 MJJ

**AFFIDAVIT OF JOHN M. MURDOCK IN
SUPPORT OF FOUNDATION
DEFENDANTS' REPLY TO PLAINTIFFS'
MOTION TO DISQUALIFY
DEFENDANTS' COUNSEL**

I, John M. Murdock, state:

1. I am an attorney admitted to the practice of law in the District of Columbia, Connecticut and Virginia. I was admitted to the bar of the District of Columbia on October 5, 1988, to the bar of Connecticut on April 13, 1992, and to the bar of Virginia on September 25, 1986. I am also admitted to the following courts: the U.S. Court of Appeals for the District of Columbia Circuit; the U.S. District Court for the District of Columbia; the U.S. Court of Appeals

for the Fourth Circuit; the U.S. District Court for the Eastern District of Virginia; and the U.S. Bankruptcy Court for the Eastern District of Virginia.

2. I am a member in good standing of the bars to which I have been admitted to practice. I have never been the subject of any investigative or disciplinary action by any committee of any bar or by any court. To my knowledge, I have not been the subject of any complaint to any bar or judicial body or committee.

3. I am an income partner with the firm of Epstein Becker & Green, P.C. ("EBG") in its Washington, D.C. office. My income does not vary with the billings I generate by client matters because I am not an equity shareholder. Only equity shareholders in the firm receive credit for client matters. Consequently, I have not and will not derive any economic benefit from EBG's activities in connection with this litigation.

4. I have not billed the Foundation for any of my time spent on Foundation matters. Consequently, not only do I not receive any economic or financial credit for the Foundation matters, I also do not receive any credit towards the annual billable hours targets that all attorneys in the firm, including income partners and equity shareholders, are obligated to meet.

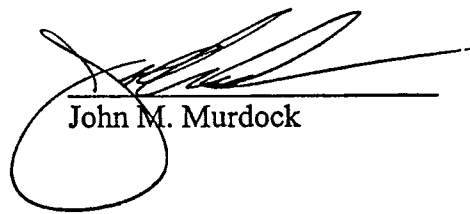
5. I first became a Director on the Board of the Pacifica Foundation on February 27, 2000.

6. When the Board voted on September 17, 2000 to ratify the Executive Director's decision to hire EBG as counsel, I did not participate in that vote.

7. When the Foundation requested John Crigler, Esq. and his firm to provide an opinion with respect to the propriety of that retention, I responded fully and candidly to the questions that were posed to me.

I swear under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct to the best of my knowledge.

Dated: November 17, 2000.



John M. Murdock

Sworn to before me this 17th day of November, 2000,
Before me, a Notary Public in the District of Columbia.

Shalia M. Bowen
Notary Public

My commission expires: August 14, 2005