

1 Daniel Robert Bartley, SBN 79586
2 Bartley Law Offices
3 Post Office Box 686
4 Novato, CA 94948-0686
5 Tel 415 898 4741 · Fax 415898 4841
6 E-mail DanielBartleyLaw@aol.com

7 Harold J. Engel, *Pro Hac Vice*
8 Kristine Dunne, *Pro Hac Vice*
9 J. Marcus Meeks, *Pro Hac Vice*
10 Arent Fox Kintner Plotkin & Kahn, PLLC
11 1050 Connecticut Avenue, N.W.
12 Washington, DC 20036 5339
13 Tel 202 857 6388 · Fax 202 857 6395
14 E-mail EngelH@arentfox.com
15 E-mail DunneK@arentfox.com
16 E-mail MeeksM@arentfox.com

17 Attorneys for Plaintiffs

18 SUPERIOR COURT OF THE STATE OF CALIFORNIA

19 COUNTY OF ALAMEDA

20 GENERAL JURISDICTION (UNLIMITED)

21 THE PEOPLE OF THE STATE OF
22 CALIFORNIA, *ex rel.* CAROL
23 SPOONER, et al.,
24 Plaintiffs,
25 vs.
26 PACIFICA FOUNDATION, a
27 California non-profit public benefit
28 corporation and charitable trust, et al.,

Defendants.

Case No. 831252-3

DECLARATION OF DAVID ADELSON
IN SUPPORT OF EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND ORDER TO
SHOW CAUSE RE PRELIMINARY
INJUNCTION

Hearing Date: Monday, February 26, 2001

Hearing Time: 1:45 p.m.

Judge: Hon. Judith D. Ford

Department: 31

Location: U.S. Post Office Building
201 13th Street
Oakland, CA 94607
Tel 510 208 3949

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DECLARATION OF DAVID ADELSON

I, David Adelson, declare as follows:

1. I make this declaration in support of the Application for a Temporary Restraining Order and Order to Show Cause re Preliminary Injunction submitted by Plaintiffs The People of the State of California *ex rel.* Carol Spooner et al. I have personal knowledge of all of the facts contained in this declaration unless stated to be on information and belief. As to those statements alleged to be on information and belief, I believe them to be true. If called to testify, I would and could completely and truthfully testify as to the statements contained herein.

2. I am the Chair of the Local Advisory Board for Pacifica radio station KPFK in Los Angeles, California, and I have been the Chair at all times since December 1999. I have been a member of the KPFK Local Advisory at all times since at least September 1996.

3. At a meeting of the KPFK Local Advisory Board on May 4, 2000, the board by majority vote, 5 yes, 2 no, and 1 abstention, with the chair (myself) not casting a vote, voted to remove Robert Farrell from the office of Director of the Pacifica Foundation. Robert Farrell was originally elected to the office of Director for a three year term commencing February 1999 by a nomination and vote of a majority of the KPFK Local Advisory Board on October 29, 1998.

4. I personally notified via certified mail sent to the Pacifica Foundation (on May 19, 2000) and by email (on May 8, 2000) the Chair of the Pacifica Board, Mary Frances Berry, the vice-chair, Mr. David Acosta, the Executive Director, Ms. Bessie Wash, and Mr. Farrell of the KPFK board vote to remove Mr. Farrell from office, however he has refused to vacate the office and continues to act as a director of the Pacifica Foundation.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on February 16, 2001, at Venice, California.

DAVID ADELSON

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DECLARATION OF PROOF OF SERVICE

The undersigned declares he/she is employed in the county of Marin, State of California, by Daniel Robert Bartley Law Offices, P.O. Box 686, Novato, CA, 94948-0686. I am over the age of 18 and not a party to this action. On today's date, I served, true and correct copies of "DECLARATION OF DAVID ADELSON IN SUPPORT OF EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION" by placing such in a sealed envelopes addressed as follows:

Daniel Rapaport, Esq.
Wendel, Rosen, Black & Dean, LLP
1111 Broadway, 24th Floor
Oakland, CA 94607
[Tel 510 834 6600 Fax 510 834 1928]
[E-mail drapaport@wendel.com]

I then this day caused such documents to be personally served upon Defendants' local counsel Daniel Rapaport.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct and that this Decl. was executed on this 23rd day of February, 2001, at Novato, California.

Daniel Robert Bartley