

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 ALICE CHAN 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

1 I, ALICE CHAN, do declare as follows:

2 1. I make this declaration of my own personal knowledge, and I am willing and
3 competent to testify to these facts if called upon to do so.

4 2. I attended the Pacifica Foundation Board of Directors' meeting in Houston,
5 Texas, on October 30, 1999.

6
7 At this meeting Tomas Moran, Karolyn van Putten, and Wendell Johns were nominated for
8 positions as Pacifica Directors. Director Peter Bramson requested that the board vote separately
9 on each nominee. However, the board decided to vote on all three nominees together, up or
10 down, as a slate. The vote was conducted by voice vote and all three directors were elected
11 together. I did not hear any "NO" votes.

12 3. I know director Peter Bramson personally, as I have met him on several
13 occasions.

14
15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct of my own personal knowledge.

17
18 Executed at SANTA ROSA, California, this 29th day of January, 2001.

19
20

21

22

23

ALICE CHAN

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 ALICE 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