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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 ANDREW NORRIS
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

DECLARATION OF ANDREW NORRIS

I, Andrew Norris, 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 a member of the Local Advisory Board for Pacifica radio station WBAI in New York, New York, and I have been a member at all times since January 1998.

3. At a meeting of the WBAI Local Advisory Board on or about May, 2000, the board by majority vote, voted to remove Andrea Cisco and Frank Millspaugh from the office of Director of the Pacifica Foundation. Andrea Cisco and Frank Millspaugh were originally elected to their offices as Directors by nomination and vote of a majority of the WBAI Local Advisory Board for three-year terms commencing March 1998.

4. On information and belief the Chair of the WBAI Local Advisory Board Joanne Bobb notified the then Chair of the Pacifica Board of Directors, Mary Frances Berry, and Ms. Cisco and Mr. Millspaugh of the vote to remove Ms. Cisco and Mr. Millspaugh from office, however they have refused to vacate the office and continue to act as a directors 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 Piscataway, New Jersey.

ANDREW NORRIS

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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 ANDREW NORRIS 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