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7 Attorneys for Plaintiff, David Coppedge

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES  
DEC 27 2011  
John A. Clark, Clerk  
By *[Signature]* Deputy  
GLORIFETTA ROBINSON

8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

11 **DAVID COPPEDGE**, an individual;  
12  
13 Plaintiff,

14 vs.

15 **JET PROPULSION LABORATORY**, form  
16 unknown; **CALIFORNIA INSTITUTE OF**  
17 **TECHNOLOGY**, form unknown;  
18 **GREGORY CHIN**, an Individual; **CLARK**  
19 **A. BURGESS**, an Individual; **KEVIN**  
20 **KLENK**, an Individual; and **Does 1** through  
21 **25**, inclusive,

22 Defendants.

Case No. BC435600

**DECLARATION OF WILLIAM J.**  
**BECKER, JR. RE: PLAINTIFF'S REPLY**  
**TO OPPOSITION TO MOTION IN**  
**LIMINE #1 RE: DVDS; EXHIBITS**

FSC: February 24, 2012  
HEARING TIME: 9:00 a.m.  
DEPT: 54

Trial Date: March 7, 2011

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**BY FAX**

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I, William J. Becker, Jr., declare as follows:

1. I am an attorney admitted to practice before all the courts in the State of California and counsel of record for David Coppedge, Plaintiff herein ("Plaintiff"). The following facts and circumstances are personally known to me, and if called upon to do so, I could and would competently testify as to them.

2. This declaration is made in support of Plaintiff David Coppedge's ("Coppedge") Reply to the Opposition of Defendant California Institute of Technology/Jet Propulsion Laboratory ("JPL") to Coppedge's Motion in Limine #1 for an order permit the showing of two intelligent design DVDs to the jury.

3. Attached hereto and incorporated herein as Exhibit 1 is a true and correct copy of the Written Warning issued to Plaintiff by JPL on 4/13/2009.

4. Attached hereto and incorporated herein as Exhibit 2 is a true and correct copy of a 3/3/2009 e-mail from G.Chin to various recipients.

5. Attached hereto and incorporated herein as Exhibit 3 is a true and correct copy of an e-mail sent by D.Coppedge to G.Chin on 3/3/2009.

6. Attached hereto and incorporated herein as Exhibit 4 is a true and correct copy of a excerpts from the deposition of M.Weisenfelder taken on 3/21/2011.

7. Attached hereto and incorporated herein as Exhibit 5 is a true and correct copy of interview notes taken from the interview of Margaret Weisenfelder by HR's investigator, Jhertaune Huntley.

8. Attached hereto and incorporated herein as Exhibit 6 is a true and correct copy of excerpts from the deposition of S.Edgington taken on 2/22/2011.

1 9. Attached hereto and incorporated herein as Exhibit 7 is a true and correct copy of in-  
2 terview notes taken from the interview of Greg Chin by HR's investigator, Jhertaune Huntley.

3 I declare under penalty of perjury, under the laws of the State of California, that the fore-  
4 going is true and correct.

5 Executed this 27th day of December, 2011, at Los Angeles, California.

6  
7 William J  
8 Becker Jr, Esq

Digitally signed by William J  
Becker Jr, Esq  
DN: cn=William J Becker Jr, Esq,  
o=THE BECKER LAW FIRM, ou,  
email=bbeckerlaw@gmail.com,  
c=US  
Date: 2011.12.27 08:37:02 -08'00'

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William J. Becker, Jr., Declarant

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**TABLE OF CONTENTS**  
**EXHIBITS ATTACHED TO THE DECLARATION OF WILLIAM J. BECKER, JR.**

Deposition Exh. No.	Description
1	Written Warning issued 4/13/2009.
2	3/3/2009 e-mail from G.Chin to various recipients.
3	3/3/2009 e-mail from D.Coppedge to G.Chin.
4	Excerpts from the deposition of M.Weisenfelder taken on 3/21/2011.
5	Interview notes taken from the interview of Margaret Weisenfelder by HR's investigator, Jhertaune Huntley.
6	Excerpts from the deposition of S.Edgington taken on 2/22/2011.
7	Chin interview notes from HR investigation.

1 **PROOF OF SERVICE BY EMAIL**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18  
3 and not a party to the within action; my business address is: 11500 Olympic Blvd., Suite 400,  
4 Los Angeles, California 90064. On December 27, 2011, I served the foregoing documents:

5 **PLAINTIFF DAVID COPPEDGE'S REPLY TO DEFENDANT JPL'S**  
6 **OPPOSITION TO MOTION IN LIMINE NO. 1 TO PERMIT THE SHOWING OF**  
7 **TWO INTELLIGENT DESIGN DVDS TO THE JURY; MEMORANDUM OF**  
8 **POINTS AND AUTHORITIES IN SUPPORT THEREOF**

9 The above-referenced document was served on:

10 James A. Zapp, Esq  
11 Melinda Gordon, Esq..  
12 Cameron W. Fox, Esq.  
13 PAUL, HASTINGS, JANOFSKY &  
14 WALKER, LLP  
15 515 South Flower Street  
16 Los Angeles, CA 90071  
17 Tel: (213) 683-6294  
18 JamesZapp@paulhastings.com  
19 MelindaGordon@paulhastings.com  
20 CameronFox@paulhastings.com

Attorneys for Defendants, **California Insti-  
tute of Technology, Gregory Chin, Clark  
A. Burgess and Kevin Klenk**

21  **BY E-MAIL:** Pursuant to the agreement of counsel, I e-mailed the aforementioned docu-  
22 ments to the addressees shown above.

23  (State) I declare under penalty of perjury under the laws of the State of California that  
24 the above is true and correct.

25 Executed on December 27, 2011, at Los Angeles, California.

26 William J  
27 Becker Jr,  
28 Esq

Digitally signed by William J  
Becker Jr, Esq  
DN: cn=William J Becker Jr, Esq,  
o=THE BECKER LAW FIRM, ou,  
email=bbeckerlaw@gmail.com  
c=US  
Date: 2011.12.27 08:37:24  
-0800

William J. Becker, Jr.

# **EXHIBIT 1**

**DATE:** April 13, 2009  
**TO:** David Coppedge  
**FROM:** Clark Burgess  
**SUBJECT:** Written Warning

The Employee Relations Office has completed an investigation concerning allegations that you approached various co-workers during JPL business hours to discuss your religious and political beliefs. Your actions were reported as harassing in nature. As part of this investigation, you met with Jhertaune Huntley from Employee Relations and were given the opportunity to discuss the allegations and explain your perspective and answer questions.

I have received the results of this investigation and after careful review of all the issues and information obtained, I am in agreement with the following findings:

- You acknowledged that you approached various coworkers during work hours to inquire if they were interested in watching your DVDs which clearly express your personal views and you engaged various co-workers in conversations about your personal views. You failed to stop these activities when you were told they were unwelcome and disruptive.
- You violated the Unlawful Harassment policy which states:
  - Harassment is the creation of a hostile or intimidating environment in which verbal or physical conduct, because of its severity and/or persistence, is likely to interfere significantly with an individual's work. Harassment in any form, based on sex, race, color, age, national origin, disability, religion, gender identity, sexual orientation, or any other characteristic protected by state or federal laws, is prohibited, as are all forms of sexual intimidation and exploitation.
- You created disruption in the workplace by approaching a co-worker during work hours to engage in a political debate about a recent controversial issue. When you discovered your co-worker did not share your political views, you became upset and argumentative. Your co-worker had to request that you leave his office in order to cease the conversation.
- You violated JPL's Ethics and Business Conduct Policy which states:
  - JPL employee behaviors shall be consistent with the JPL and NASA Values and the Caltech's JPL honor codes. Specifically, "I will treat my fellow employees fairly, with dignity and respect."

12/27/11

EX 1

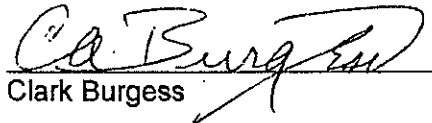
D000000220

Based on the results of the investigation, it has become apparent that your behavior in the workplace is perceived as unwelcome and unprofessional. This type of behavior is inconsistent with a professional business environment and will not be tolerated in the future.

Due to the seriousness of violating the Unlawful Harassment policy, you are being given a Written Warning. Should another incident of this nature occur, you will be subject to further disciplinary action up to and including termination.

Effective immediately, you must refrain from discussions which are argumentative, disruptive and/or harassing to your co-workers. Today we have talked about what type of conduct is unwelcome or offensive. If you have questions about such conduct, please talk with me immediately. For example, co-workers found your requests to watch your DVDs that express your personal views to be unwelcome.

It is important that you understand that JPL policy prohibits retaliation against any employee who may have participated in this investigation. JPL is committed to a harassment and retaliation free workplace, to investigating complaints promptly, and to taking appropriate corrective action. All participants in this investigation have a right to expect appropriate treatment as a result of bringing this complaint forward. Should you take any actions which JPL believes are retaliatory against any of these individuals, you will be subject to further disciplinary action up to and including termination.

  
Clark Burgess

4/13/09  
Date

This warning has been discussed with me, and I have received a copy. I have read it and understand the consequences of future violations of policy.

\_\_\_\_\_  
David Coppedge

\_\_\_\_\_  
Date

Attachments: Ethics and Business Conduct Policy ( DocID# 58572), Unlawful Harassment Policy (DocID# 72112)



# **EXHIBIT 2**

From: "Chin, Greg E (3140)" <gregory.e.chin@jpl.nasa.gov>  
Subject: **Coppedge Incident - 3/2/09**  
Date: March 3, 2009 9:10:53 AM PST  
To: "Burgess, Clark A (173E)" <clark.a.burgess@jpl.nasa.gov>, "Vetter, Carmen D (4500)" <carmen.d.vetter@jpl.nasa.gov>, "Mora, Mario L (3140)" <mario.l.mora@jpl.nasa.gov>, "Haggins, Whitney L (1702)" <whitney.l.haggins@jpl.nasa.gov>

Cab/Carmen/Mario/Whitney --

Here's my description of yesterday's interactions:

Approx 8 AM, employee MW came to my office to express a concern about being "harassed" by David -- his belief in Intelligent Design and Support for Prop. 8. I advised employee to tell Dave that they're not interested in hearing about his belief and leave it at that. However, if he continued, I would need to know...so that I can talk to him. The employee also said that Dave had a "list" of individuals with whom he desired to "talk" to...or follow-up with....

Approx 3:30 PM, I talked to Dave about his personal beliefs and advised him that he should be careful. He should not attempt to advocate his beliefs or question the beliefs of others. He responded that he felt that he was being singled out...and requested that I tell him the names of his "accusers." I refused...but told him that he needs to be careful and that this type of discussion is appropriate in certain setting (i.e., a JPL Bible Study group or where an individuals requests an opinion).

I informed him that Intelligent Design (ID) is a personal belief that should be kept to himself unless invited by other to discuss. Dave also wanted to know why he was being singled out...and that another employee (VB) happens to have a Muslim quote on their e-mail...and why I did not discuss with them...about not pursuing their personal beliefs. I said that if you're offend...and complaining to me about the phrase, then I would go talk to the individual. I informed him that he was not being singled out...as I have a complaint alleging that he is harrassing people with his ideology.

He then want to know..."what is science?" And...what is SETI? He then felt that we were protecting "evolution" as a "protected religion" and cited that our press releases promoted evolution. I said that evolution is currently viewed as the scientific basis of how things evolve...he then insisted that ID is consistent with that thought. I reminded him not to discuss this issue any further. He then challenged me to a debate on Intelligent Design off Lab. I told him no. I told him...this topic is not for further discussion. He objected. I then told him...that if pursues this line of thought (wanting to discuss ID with individuals...who have already said that they're not interesting in hearing), that his employment options here would be severely limited (my thinking...he's bordering insubordination). He then told me that he felt that I was threatening him...and creating a "hostile work environment". I informed him that if he felt that, please go ahead and file a complaint with his supervisor.

12/27/11

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D000000192

I then went to disclose this interaction with his current supervisor (Clark Burgess) and the Cassini Program's AA (Carmen Vetter). I have also left a phone message on the Employee Relations (x4-7506) phone line...requesting assistance and to document this exchange. I have also called (and left a message describing the above) with Whitney Haggins, Section 17x AA. I have since talked directly with Whitney who says that she is informing Kevin Klenk (Section 173 Manager) and her HR representative. I've also called my Line Management organization (Marlo Mora) and left a message about the situation.

Thanks

--Greg

P.S. I have not responded to Dave's previous e-mail and will not do so until I have received advise from HR or line management.

---

Greg Chin  
Manager, Mission Support and Services Office  
Cassini Program  
818-393-5856 (office) 818-635-6739 (cell)

12/27/11

D000000193

# **EXHIBIT 3**

**Coppedge, David F**

**From:** Coppedge, David F  
**Sent:** Tuesday, March 03, 2009 8:47 AM  
**To:** 'Greg.Chin@jpl.nasa.gov'  
**Subject:** Request for documentation

Greg,

I want to repeat my commitment to you, that I respect your authority, and will abide by your directives in this office, as I always have, to the extent that they do not violate the laws of the United States or my conscience.

Given the sensitive nature of yesterday's interchange, I feel a mutually-agreed on record of the conversation is important for our mutual protection. Here are my recollections. The purpose is to record what was actually said, not what might have been the intent, nor to comment on the merit of any points made. You can correct any errors or omissions, or simply reply to this email to acknowledge whether this summary is basically accurate.

You told me that it had been reported to you that I was pushing my religious views at work and that some found this offensive. You told me this must stop. You ordered me not to discuss politics or religion with anyone in this office.

When I asked for specifics about who complained, you said you did not have to provide me names. When I offered to provide examples of conversations I knew of, you did not wish to hear them.

When I asked what constituted the religious views, you said I was giving out DVDs about intelligent design.

When I asked why that constituted pushing religious views, you said emphatically, "intelligent design is religion" at least twice.

When I asked if SETI is religion, since it also uses scientific methods to infer intelligence, you said that was different, and SETI has been decided by NASA to be a scientific activity.

When I asked if evolution is religious, you said that that evolution by scientific consensus was science.

When I asked if science is determined by consensus or by evidence, you did not wish to discuss that subject.

Throughout this interchange, you repeated the order several times to cease all discussion of religion with anyone in this office, to the point where I remarked I heard you and did not need the repetition.

You said that if what I was doing continued, it would be difficult for me to maintain employment in this organization.

When I said this order gets into issues of freedom of speech and religion, you did not wish to discuss that subject, and got up to leave.

When I said this could be construed as creating a hostile work environment, you said "Go ahead a file a complaint," and walked out.

No complaints about my job performance were stated.

Nothing was said whether my alleged religious activities were interfering with work.

The conversation lasted about 5-10 minutes on Monday, March 2, 2009, about 3:30 p.m.

Toward a mutual understanding and constructive work relationship,  
David F. Coppedge

12/27/11

3/5/2009

EX-3

**EXHIBIT 1014**  
**COPPEDGE**  
**10-1-10**  
Page 1 of / pgs.  
DEBORAH R. MEYERS, CSR 8569

COPP0000323

# EXHIBIT 4

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

DAVID COPPEDGE, AN INDIVIDUAL, )  
 )  
 ) PLAINTIFF, )  
 )  
 )  
 )  
 ) VS. ) CASE NO.  
 ) BC 435600  
 )  
 ) JET PROPULSION LABORATORY, FORM )  
 ) UNKNOWN; CALIFORNIA INSTITUTE )  
 ) OF TECHNOLOGY, FORM UNKNOWN; )  
 ) GREGORY CHIN, AN INDIVIDUAL; )  
 ) CLARK A. BURGESS, AN INDIVIDUAL; )  
 ) KEVIN KLENK, AN INDIVIDUAL; AND )  
 ) DOES 1 THROUGH 25, INCLUSIVE, )  
 )  
 ) DEFENDANTS. )  
 )

DEPOSITION OF MARGARET WEISENFELDER,  
TAKEN ON MONDAY, FEBRUARY 28, 2011

REPORTED BY:  
HEIDI SULLIVAN  
CSR NO. 6600  
FILE NO.: 11-120

11/22/11

EX 4

1           A.    I DID NOT INTERPRET SOMETHING I HAD NOT  
2 YET SEEN.

3           Q.    NO.  I'M ASKING YOU.  
4                    YOU INTERPRETED THE NOTE.  YOU  
5 INTERPRETED THE WORDS "TRY AGAIN" --

6           A.    WHEN I SAW IT.

7           Q.    OKAY.

8           A.    YOU SAID "BEFORE" --

9           Q.    MY QUESTION IS:  WHEN DID YOU FORM THAT  
10 INTERPRETATION, BEFORE YOU VIEWED THE FILM OR AFTER  
11 YOU VIEWED THE FILM?

12          A.    IT WAS --

13          MS. FOX:  OBJECTION.  ASKED AND ANSWERED.

14                    THE WITNESS CAN ANSWER AGAIN.

15          THE WITNESS:  IT WAS AFTER I HAD VIEWED THE  
16 FILM.

17 BY MR. BECKER:

18          Q.    WHAT WAS THE FILM ABOUT?

19          MS. FOX:  OBJECTION.  VAGUE.

20                    THE WITNESS CAN ANSWER TO THE BEST OF  
21 HER KNOWLEDGE.

22          THE WITNESS:  THE GENERAL SUBJECT WAS  
23 INTELLIGENT DESIGN.  IT WAS A RATHER HEAVY-HANDED  
24 TREATMENT OF THE SUBJECT WITH A SMALL AMOUNT OF  
25 SCIENCE, GENETICS, AS I RECALL.



1 BY MR. BECKER:

2 Q. WHAT MADE IT HEAVY HANDED IN YOUR VIEW?

3 A. I DON'T REMEMBER IT VERBATIM, BUT IT WAS  
4 EXTREMELY REPETITIVE, AND IT SEEMED TO MAKE THE SAME  
5 POINTS OVER AND OVER AGAIN.

6 I JUST REMEMBER MY REACTION TO IT WAS  
7 "OKAY."

8 Q. THAT WAS IT?

9 A. AND THEN I PUT IT BACK IN THE DVD CASE,  
10 AND THAT'S WHEN I SAW THE NOTE.

11 Q. SO IT WAS EXTREMELY REPETITIVE, AND THAT  
12 MADE IT HEAVY HANDED?

13 A. THE CONTENT OF IT FELT HEAVY HANDED TO  
14 ME. I DON'T REMEMBER EVERY DETAIL ABOUT IT BECAUSE I  
15 HAVEN'T SEEN IT FOR TWO YEARS. I ONLY SAW IT THE ONE  
16 TIME.

17 Q. DID YOU KNOW ANYTHING ABOUT INTELLIGENT  
18 DESIGN AT THE TIME HE LOANED THE DVD TO YOU?

19 A. I HAD HEARD THE TERM BEFORE, BUT I  
20 HADN'T GIVEN IT MUCH THOUGHT.

21 Q. DID DAVID EVER DISCUSS INTELLIGENT  
22 DESIGN WITH YOU AT ANY TIME?

23 A. NO.

24 Q. WHEN HE LOANED THE DVD TO YOU, DID HE  
25 TELL YOU WHAT IT WAS ABOUT?

1 DVD.

2 Q. WAS THERE SOMETHING ABOUT THE CONTENT  
3 THAT MADE YOU FEEL THAT YOU WERE BEING TARGETED TO  
4 CHANGE AN OPINION YOU MIGHT HOLD?

5 A. IT WAS NOT THE CONTENT OF THE DVD THAT  
6 MADE ME FEEL TARGETED; IT WAS THE STICKY NOTE ON THE  
7 BACK OF THE COVER.

8 Q. OKAY. DO YOU HAVE A VIEW ABOUT  
9 INTELLIGENT DESIGN?

10 MS. FOX: I'LL OBJECT THAT IT'S VAGUE.

11 THE WITNESS: AS FAR AS THE IDEA THAT THERE  
12 IS A DIVINE BEING BEHIND THE CREATION OF EVERYTHING,  
13 I HAVE NO PROBLEM WITH THAT. AND THAT'S WHAT I  
14 UNDERSTAND INTELLIGENT DESIGN, THAT THERE'S AN  
15 INTELLIGENCE BEHIND THE DESIGN OF CREATION  
16 EFFECTIVELY.

17 BY MR. BECKER:

18 Q. DO YOU RECALL ANYTHING WITHIN THE  
19 DOCUMENTARY THAT MENTIONED THAT THE INTELLIGENT AGENT  
20 BEHIND THE DESIGN OF ANYTHING -- THE DESIGN OF LIFE,  
21 FOR INSTANCE -- IS GOD OR A DIVINITY OR A DIVINE  
22 BEING?

23 A. I DON'T REMEMBER SPECIFICALLY. I DID  
24 FAST-FORWARD THROUGH LARGE CHUNKS OF IT.

25 Q. DO YOU BELIEVE THAT THIS WAS A RELIGIOUS

1 DOCUMENTARY?

2 MS. FOX: OBJECTION. VAGUE AS TO "RELIGIOUS  
3 DOCUMENTARY" AND IMPROPER OPINION.

4 THE WITNESS: MY IMPRESSION, AFTER I HAD  
5 WATCHED IT, WAS THAT IT WAS PROPOUNDING A PARTICULAR  
6 VIEWPOINT.

7 BY MR. BECKER:

8 Q. A RELIGIOUS VIEWPOINT?

9 MS. FOX: SAME OBJECTION.

10 THE WITNESS: I BELIEVE SO.

11 BY MR. BECKER:

12 Q. A RELIGIOUS VIEWPOINT CONTRARY TO ANY  
13 VIEWPOINT YOU HOLD?

14 MS. FOX: OBJECTION. VAGUE.

15 DO YOU UNDERSTAND THE QUESTION?

16 THE WITNESS: NO, NOT REALLY.

17 BY MR. BECKER:

18 Q. DO YOU BELIEVE THAT THE DOCUMENTARY  
19 PROPOUNDED A RELIGIOUS VIEWPOINT CONTRARY TO ANY  
20 VIEWPOINT YOU HOLD?

21 MS. FOX: I'LL OBJECT THAT IT'S VAGUE AND  
22 OVERBROAD.

23 THE WITNESS: I BELIEVE THAT THERE IS A  
24 DIVINE AGENT BEHIND THE CREATION OF EVERYTHING. I  
25 DON'T KNOW THAT MY INTERPRETATION IS THE SAME AS WHAT

1 DID HE EVER REVEAL TO YOU ANY FACTS  
2 ABOUT HIS RELIGIOUS FAITH?

3 MS. FOX: OBJECTION. VAGUE AS TO TIME.

4 YOU MEAN IN THAT CONVERSATION?

5 MR. BECKER: YES.

6 THE WITNESS: NO. HE ASKED ME IF I WANTED TO  
7 BORROW THE DVD.

8 BY MR. BECKER:

9 Q. SO HAS HE EVER DISCUSSED RELIGION WITH  
10 YOU?

11 A. NO, I DON'T BELIEVE SO.

12 Q. WHEN YOU SAID THAT YOU BELIEVED THE DVD  
13 PROPOUNDED A RELIGIOUS VIEWPOINT, WERE YOU OFFENDED  
14 BY THE FACT THAT IT PROPOUNDED A RELIGIOUS VIEWPOINT?

15 MS. FOX: OBJECTION TO THE EXTENT IT MAY  
16 MISCHARACTERIZE THE TESTIMONY AND COMPOUND.

17 BY MR. BECKER:

18 Q. DID THAT BOTHER YOU?

19 MS. FOX: SAME OBJECTIONS AND VAGUE.

20 THE WITNESS: I WAS NOT OFFENDED BY THE  
21 CONTENT OF THE DVD.

22 IS THAT WHAT YOU'RE ASKING ME?

23 BY MR. BECKER:

24 Q. NO. I ASKED YOU VERY SPECIFICALLY  
25 WHETHER YOU WERE OFFENDED BY THE FACT THAT IT

1 YOUR CUBICLE WITH UNLOCKING THE MYSTERY OF LIFE?

2 A. SOMETIME IN FEBRUARY OF 2009.

3 Q. HOW LONG DID YOU HAVE THE DVD IN YOUR  
4 POSSESSION?

5 A. I HAD IT OVER A WEEKEND.

6 Q. AND IT WAS DURING THAT WEEKEND THAT YOU  
7 LOOKED AT IT AT HOME?

8 A. YES.

9 Q. DID YOUR HUSBAND WATCH IT WITH YOU?

10 A. NO.

11 Q. DID ANYONE ELSE WATCH IT WITH YOU?

12 A. NO.

13 Q. DID YOU WATCH IT ON YOUR TV OR ON YOUR  
14 COMPUTER?

15 A. I WATCHED IT ON MY TELEVISION.

16 Q. DID YOU WATCH ANY OF THE SPECIAL  
17 FEATURES OF THE DVD?

18 A. NO.

19 Q. DO YOU REMEMBER ANY OF THE INDIVIDUALS  
20 WHO WERE FEATURED IN THE DVD?

21 A. NO.

22 Q. DO YOU REMEMBER ANY OF THE CONTENT OF  
23 THE DVD?

24 MS. FOX: OBJECT TO THE EXTENT IT'S BEEN  
25 ASKED AND ANSWERED.

1           A.    ALL I CAN SAY IS I SAW THE STICKY NOTE  
2 WITH NAMES ON IT WHERE HE WAS TRACKING WHO HAD IT  
3 WITH A NOTATION THAT SAID "TRY AGAIN."  AND THAT'S  
4 WHAT MADE ME UNCOMFORTABLE.

5           Q.    GOT IT.  OKAY.

6                   WHAT WAS YOUR FEAR?  THAT HE WAS GOING  
7 TO COME DO SOMETHING TO YOU?  THAT HE WAS GOING TO  
8 PUBLISH YOUR NAME SOME PLACE?  I CAN'T GET THIS AT  
9 ALL.

10                   PLEASE TELL ME WHAT YOUR FEAR WAS.

11           MS. FOX:  COUNSEL, WATCH YOUR TONE.  YOU'RE  
12 BEING ARGUMENTATIVE.

13           MR. BECKER:  AND FOR GOOD REASON.

14           MS. FOX:  NO.  THE WITNESS HAS BEEN VERY  
15 FORTHCOMING IN GIVING YOU PRECISE ANSWERS.

16 BY MR. BECKER:

17           Q.    TELL ME WHAT YOUR FEAR WAS, PLEASE,  
18 MA'AM, SO WE CAN GET OUT OF HERE.

19           MS. FOX:  STOP ARGUING WITH THE WITNESS.

20           THE WITNESS:  I DIDN'T WANT TO BE CONTACTED  
21 AGAIN.

22 BY MR. BECKER:

23           Q.    SO THE STICKY NOTE MADE YOU FEEL LIKE HE  
24 WOULD TRY TO COME BACK AND APPROACH YOU AGAIN WITH  
25 ANOTHER DVD OR WITH THIS DVD;  RIGHT?

1 A. OR -- I DON'T KNOW. YES, IT DID.

2 BY MR. BECKER:

3 Q. OKAY. THAT WAS YOUR FEAR?

4 A. YES.

5 Q. YOU'RE AWARE OF THE FACT THAT DAVID WAS  
6 REMOVED AS TEAM LEAD FOR SYSTEMS ADMINISTRATION  
7 SOMETIME AFTER YOU MET WITH GREG, AREN'T YOU?

8 A. I WAS AWARE THAT HE WAS NO LONGER TEAM  
9 LEAD AT A PARTICULAR POINT, BUT I DON'T REMEMBER  
10 EXACTLY WHEN THAT WAS.

11 Q. WERE YOU AWARE THAT GREG CHIN AND DAVID  
12 HAD HAD A DISCUSSION THAT EVENING OF MARCH 2, 2009,  
13 AFTER YOU HAD SPOKEN TO GREG AND THAT THE  
14 CONVERSATION INVOLVED YOUR GRIEVANCE?

15 A. I WAS NOT AWARE OF THAT CONVERSATION.

16 Q. YOU BECAME AWARE OF IT IN THIS LAWSUIT;  
17 RIGHT?

18 MS. FOX: OBJECTION. ASSUMES FACTS.

19 THE WITNESS: YOU JUST TOLD ME.

20 BY MR. BECKER:

21 Q. HAVE YOU EVER HEARD THAT FACT?

22 A. NO.

23 Q. AND ARE YOU AWARE OF THE FACT THAT AS A  
24 RESULT OF YOUR COMPLAINT, DAVID'S REMOVAL FROM TEAM  
25 LEAD OCCURRED?

# EXHIBIT 5

12/27/11

12



3.19.2009 Mtg w/ Margaret Weisenfelder re: David Coppedge issue.

- Margaret stated that she is an ordained minister (Christian) but would never let David Coppedge know. She has worked w/ David about 5 yrs but has know him for 7 to 8 yrs.
- Margaret stated that she has experienced 2 uncomfortable incidents w/ David. The first occurred the day before the Presidential election/ Prop 8 vote. David approached Margaret and asked if he could talk to her about Prop 8. Margaret stated that she was thinking while being asked this question by David, that she <sup>probably should</sup> not talk about political issues during wrk hrs. David proceeded to tell Margaret his viewpoint on the Prop 8 and then asked for her opinion. Margaret stated to David that she did not agree w/ his viewpoint & did not want to discuss the issue w/ him because he was so persistent. Margaret said that David's approach was, "Can I talk to you about Prop 8?" then had a Prop 8 paper in his hand. The second incident occurred about 2 wks ago (before the 4 day holiday wknd) after lunch. David approached Margaret and asked her if she wanted to borrow a DVD called "Unlocking the Mysteries of Life". She took it home and watched it and noticed a sticky on the back of the DVD w/ JPL ceo's names on it. The sticky note had the words "Try Again" by some of the names. The only name she recognized was Patel. Margaret did not want to get into a discussion w/ David about the DVD so she waited until he was not

in his wrk space to place it on his chair. David did not approach her to discuss the DVD after she returned it. Margaret went to Greg Chin to discuss the DVD issue and told him that she was feeling uncomfortable about David approaching her re. watching the Intelligent Design DVD and talking about her stance on Prop 8. She further expressed to Greg that she does not want to deal w/ him re. these type of issues. Greg responded to Margaret, stating that he would look <sup>(David's)</sup> into it and to let him know if his behavior continues to be a problem for her. Since that time Margaret has had no other encounters w/ David.

- Margaret further states that David is nice but she feels that he is stepping over the line by discussing religion & politics in the wrk place. Margaret then reminds me that she is an ordained minister (Christian) and feels his behavior is inappropriate

# **EXHIBIT 6**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

DAVID COPPEDGE, AN INDIVIDUAL,	)
	)
PLAINTIFF,	)
	)
VS.	)CASE NO.
	)BC 435600
JET PROPULSION LABORATORY, FORM )	)
UNKNOWN; CALIFORNIA INSTITUTE )	)
OF TECHNOLOGY, FORM UNKNOWN; )	)
GREGORY CHIN, AN INDIVIDUAL; )	)
CLARK A. BURGESS, AN INDIVIDUAL; )	)
KEVIN KLENK, AN INDIVIDUAL; AND )	)
DOES 1 THROUGH 25, INCLUSIVE, )	)
	)
DEFENDANTS.	)
	)

DEPOSITION OF SCOTT EDGINGTON,

TAKEN ON TUESDAY, FEBRUARY 22, 2011

REPORTED BY:  
HEIDI SULLIVAN  
CSR NO. 6600  
FILE NO.: 10-117

12/27/11

EX 6

1 Q. PRIOR TO THAT DISCUSSION, HOW WOULD YOU  
2 HAVE CHARACTERIZED DAVID AND YOUR RELATIONSHIP?

3 A. PRIOR TO THAT DISCUSSION, I WOULD --  
4 THOUGHT DAVE WAS A NICE GUY, YOU KNOW, CORDIAL, YOU  
5 KNOW, CURIOUS ABOUT THE ONGOINGS OF THE PROJECT.

6 Q. PRIOR TO THAT DISCUSSION, DID YOU AND HE  
7 EVER DISCUSS THE TOPIC OF INTELLIGENT DESIGN?

8 A. NO.

9 Q. DID YOU BORROW A DVD FROM HIM IN 2005?  
10 MS. FOX: OBJECTION. VAGUE AS TO THE WORD  
11 "BORROW."

12 BY MR. BECKER:

13 Q. DID HE LOAN YOU A DVD?

14 A. HE CAME TO MY OFFICE, AND HE GAVE ME A  
15 DVD AND THOUGHT I WOULD BE INTERESTED IN WATCHING IT.  
16 HE THEN LEFT.

17 Q. DID YOU WATCH IT?

18 A. NO, I DID NOT.

19 Q. DO YOU KNOW WHAT THE DVD WAS?

20 A. I READ THE BACK OF IT, AND I DETERMINED  
21 THAT THE MATERIAL WAS SOMETHING I WAS NOT INTERESTED  
22 IN.

23 Q. WHAT WAS THE MATERIAL THAT YOU WEREN'T  
24 INTERESTED IN?

25 A. THE INTERPRETATION OF CERTAIN DATA.

1 Q. DO YOU KNOW THE NAME OF THAT DVD?

2 A. NO, I DO NOT ACTUALLY.

3 Q. DOES THE PRIVILEGED PLANET SOUND  
4 FAMILIAR?

5 A. YES. THAT DOES SOUND FAMILIAR, YES.

6 Q. DID HE TELL YOU ANYTHING ABOUT THAT  
7 MOVIE?

8 A. NO, HE DID NOT.

9 Q. DID HE TELL YOU THAT JPL SCIENTISTS WERE  
10 FEATURED IN THE MOVIE?

11 A. NO, HE DID NOT.

12 Q. WERE YOU AWARE THAT JPL SCIENTISTS WERE  
13 FEATURED IN THE MOVIE?

14 A. NO.

15 Q. WHEN YOU DETERMINED THAT THE SUBJECT  
16 MATTER WAS SOMETHING THAT YOU WERE NOT INTERESTED IN,  
17 DID YOU GIVE THE DVD BACK TO HIM?

18 A. I DON'T BELIEVE SO. I DON'T RECALL.

19 Q. WHY NOT?

20 A. IT JUST GOT BURIED ON MY DESK. I FORGOT  
21 ABOUT IT, YOU KNOW.

22 Q. GENERALLY SPEAKING, WHEN SOMEBODY GIVES  
23 YOU A GIFT, DO YOU ACCEPT IT OR RETURN IT?

24 MS. FOX: OBJECTION.

25 THE WITNESS: I WAS --

1 MS. FOX: OBJECTION. VAGUE AS TO "MEETINGS."

2 MR. BECKER: PEOPLE GETTING TOGETHER. I DO  
3 SPEAK ENGLISH BUT --

4 THE WITNESS: NO, I DO NOT RECALL HAVING A  
5 FURTHER CONVERSATION ABOUT IT.

6 BY MR. BECKER:

7 Q. OKAY. WHAT IS YOUR UNDERSTANDING OF WHAT  
8 INTELLIGENT DESIGN IS?

9 A. MY UNDERSTANDING IS THAT IT IS AN ATTEMPT  
10 TO FORM -- TO REFORM CREATIONISM INTO A SCIENCE, AND  
11 YET IT DOES NOT MEET THE STANDARDS OF SCIENCE OR  
12 CRITERIA FOR SOMETHING BEING A SCIENCE, AND IT DOES  
13 NOT MEET THOSE CRITERIA.

14 Q. ON WHAT BASIS DID YOU FORM THAT OPINION?

15 A. WELL, I'M A SCIENTIST. I DEAL WITH  
16 SCIENCE AS A LIVING. I'VE TAKEN MANY PHILOSOPHY  
17 CLASSES AS AN UNDERGRAD WHERE -- ESPECIALLY PHILOSOPHY  
18 OF SCIENCE CLASSES.

19 SO AS A PROFESSION, I DO NOT AGREE THAT  
20 IT IS A SCIENCE AT ALL.

21 Q. HOW MUCH RESEARCH HAVE YOU DONE INTO  
22 STUDYING THE THEORY OF INTELLIGENT DESIGN?

23 A. NONE. IT IS NOT A THEORY.

24 Q. IT'S WHAT?

25 A. IT IS NOT A THEORY.

1 Q. WHAT DO YOU BELIEVE IT TO BE?

2 A. IT'S A RELIGIOUS BELIEF.

3 Q. IF YOU'VE NEVER READ ANY BOOKS OR -- LET  
4 ME ASK YOU THIS PRELIMINARILY.

5 HAVE YOU READ ANY LITERATURE FROM  
6 PROPONENTS OF INTELLIGENT DESIGN?

7 A. NO, I HAVE NOT.

8 Q. HAVE YOU READ ANY PEER-REVIEWED ARTICLES  
9 ABOUT INTELLIGENT DESIGN THAT SUPPORTS IT?

10 A. I HAVE NOT.

11 Q. ARE YOU AWARE OF THE FACT THAT THERE IS  
12 PEER-REVIEWED LITERATURE SUPPORTING INTELLIGENT DESIGN  
13 THEORIES?

14 A. IT DEPENDS ON WHO THOSE PEERS ARE OR WHAT  
15 THOSE JOURNALS ARE.

16 Q. ARE YOU AWARE THAT DARWIN'S ORIGIN OF THE  
17 SPECIES WAS NOT PEER REVIEWED?

18 A. YES.

19 Q. SO IT ALWAYS DEPENDS ON WHO IS SUPPORTING  
20 THE PARTICULAR VIEWPOINT, DOESN'T IT?

21 MS. FOX: OBJECTION. VAGUE. OVERBROAD.

22 THE WITNESS: NO, IT DOES NOT. SCIENCE IS  
23 TESTABLE, AND YOU CAN MAKE PREDICTIONS FROM THAT. YOU  
24 CANNOT DO THAT WITH INTELLIGENT DESIGN.

25 ///



# EXHIBIT 7

12/27/11

Mtg w/ Greg Chin 3.17.09 re: David Coppedge complaint

- Greg stated that prior to his mtg w/ David on ~~3.2.2009~~ 3.2.2009, Margaret Wisenfield came to his office and stated that David Coppedge was harassing her about personal choices in life and she did not know what to do. Margaret stated that David would try to talk to her about religion & politics as if relates to Proposition 8. She ~~had~~ <sup>found</sup> him to be very persistent, asking was there anything he could do to change her mind because they don't share <sup>the same</sup> opinion on religion & some political issues. Greg did not know when & where David would approach Margaret about these issues.
- ~~Greg mentioned the issue to Carmen Vetter and was mentioned~~
- ~ Greg mentioned Margaret Wisenfield's complaint about David to Carmen Vetter on 3.2.2009 as well. Carmen replied that she and Scott Edington had been bothered by David <sup>and</sup> related to his religious beliefs. She was not surprised by Margaret's complaint.
- ~ Greg also stated that David had previously tried to get him (Greg) to believe in his religion during work hours. David had left religious material (i.e. DVD) in Greg's Inbox.
- ~ Greg states that he is tired of all of the complaints re: David harassing people w/ his religious viewpoints during business hours.