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JEFFREY RUDOLPH, in his capacity as
President of the CALIFORNIA SCIENCE
CENTER FOUNDATION

[Additional Counsel Listed On Signature
Page]

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

12 SUPERIOR COURT, STATE OF CALIFORNIA DEC 13 2010

13 COUNTY OF LOS ANGELES

John A. Clarke, Executive Officer/Clerk
By [Signature], Deputy
GLORIETTA ROBINSON

14 CENTRAL DIVISION

15
16 AMERICAN FREEDOM ALLIANCE,

17 Plaintiff,

18 v.

19 CALIFORNIA SCIENCE CENTER
20 FOUNDATION, et al.,

21 Defendants.

22 CASE NO. BC423687 10/14/09

[Hon. Terry A. Green, Dept. 14]

**JOINT UNOPPOSED MOTION
REGARDING VIDEO TAPE
RECORDING OF DEPOSITIONS OF
DISCOVERY INSTITUTE
INDIVIDUALS**

[Proposed Order Filed concurrently
herewith]

23 DATE OF FILING
24 OF ORIGINAL

COMPLAINT: October 14, 2009

25 TRIAL DATE: June 13, 2011

1 Through this Joint Motion, and based upon concerns expressed by counsel for the Discovery
2 Institute, the parties hereby move for and request the Court's entry of an order as follows:

3 **Recitals**

4 a. Defendant California Science Center Foundation (the "Foundation") has
5 sought the deposition of certain individuals in Washington State associated with the Discovery
6 Institute ("DI"). Their names are John West, Robert Crowther, and Casey Luskin (the "DI
7 Deponents").

8 b. The DI Deponents agreed to appear and provide deposition testimony on or
9 about December 15 and 16, 2010.

10 c. The Foundation issued Notices of Deposition for the DI Deponents, indicating
11 that it may record the depositions by video.

12 d. The DI Deponents object to the recording by video due to their concerns that
13 such video may be given to and misused by opponents of Discovery Institute's work outside this
14 litigation.

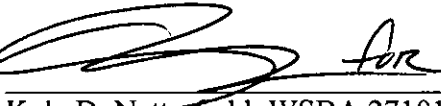
15 e. Cal.Code Civ. P. §2025, *et seq.*, Cal.Code Civ. P. §2030.010(c) and Rule 26(c)
16 of the Washington Superior Court Civil Rules provide for and support issuing a protective order
17 protecting a witness's privacy in certain circumstances.

18 f. Based upon a request from the DI's counsel, the parties hereby stipulate to this
19 proposed order to permit depositions to proceed more expeditiously and with less expense by, among
20 other things, allowing the DI Deponents to be examined without obtaining commissions and
21 engaging in motion practice in Washington State.


1 ENTRY OF THE FOREGOING ORDER is hereby jointly requested.

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5 William J. Becker Jr., SBN 134545
6 Attorney for Plaintiff, AMERICAN
7 FREEDOM ALLIANCE

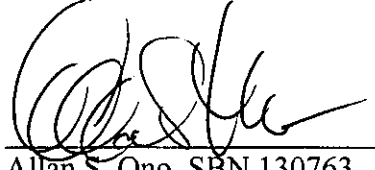
Dated this 10 day of December, 2010.

8 
9 Kyle D. Netterfield, WSBA 27101
10 Attorney for DISCOVERY
11 INSTITUTE

Dated this 10 day of December, 2010.

12 
13 James L. Zelenay, SBN 237339
14 Attorney for Defendants,
15 CALIFORNIA SCIENCE CENTER
16 FOUNDATION & JEFFREY RUDOLPH,
17 in his capacity as President of the
18 CALIFORNIA SCIENCE CENTER
19 FOUNDATION

Dated this 10 day of December, 2010.

20 
21 Allan S. Ono, SBN 130763
22 Attorney for Defendant,
23 CALIFORNIA SCIENCE CENTER
24 & JEFFREY RUDOLPH, in his capacity as President
25 and CEO of the CALIFORNIA SCIENCE CENTER

Dated this 10th day of December, 2010.

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CERTIFICATE OF SERVICE

I, Hannah H. Kim, declare as follows:

I am employed in Los Angeles, California; I am over the age of eighteen years and am not a party to this action; my business address is 333 South Grand Avenue, Los Angeles, California 90071. On December 10, 2010, I served the following documents:

JOINT UNOPPOSED MOTION REGARDING VIDEO TAPE RECORDING OF DEPOSITIONS OF DISCOVERY INSTITUTE INDIVIDUALS

by placing a copy thereof in an envelope addressed to each of the persons named below at the address shown:

VIA PERSONAL SERVICE

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Counsel for Defendants California Science Center and Jeffrey Rudolph, in his official capacity as President and CEO of the California Science Center

VIA U.S. MAIL

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Counsel for Discovery Institute

BY MAIL: I placed a true copy in a sealed envelope addressed as indicated above, on the above-mentioned date. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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BY FACSIMILE: From facsimile machine telephone number (213) 229-7520, on the above-mentioned date, I served a full and complete copy of the above-referenced document[s] by facsimile transmission to the person[s] at the number[s] indicated.

2

BY PDF FORMAT: I caused each such document to be transmitted by PDF Format, to the parties and e-mail addresses indicated above.

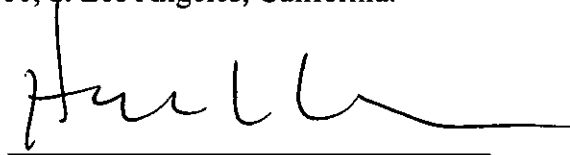
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BY PERSONAL SERVICE: I placed a true copy in a sealed envelope addressed to each person[s] named at the address[es] shown and giving same to a messenger for personal delivery before 5:00 p.m. on the above-mentioned date.

4

BY NEXT DAY MAIL: I placed a true copy in a sealed envelope addressed as indicated above, on the above-mentioned date. I am familiar with the firm's practice of collection and processing correspondence for delivery by Next Day Mail. Pursuant to that practice, envelopes placed for collection at designated locations during designated hours with a fully completed airbill, under which all delivery charges are paid by Gibson, Dunn & Crutcher, that same day in the ordinary course of business.

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12 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the foregoing document was printed on recycled paper. This Declaration of Service was executed by me on December 10, 2010, at Los Angeles, California.

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Hannah H. Kim

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