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12 Attorneys for Plaintiffs  
LONG HAUL, INC. and  
13 EAST BAY PRISONER SUPPORT

14 IN THE UNITED STATES DISTRICT COURT  
15 THE NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 LONG HAUL, INC. and EAST BAY ) Case No. C 09-00168-JSW  
18 PRISONER SUPPORT, )  
 )  
19 Plaintiffs, )  
 )  
20 v. )  
 ) **DECLARATION OF KATHRYN**  
21 UNITED STATES OF AMERICA; MITCHELL ) **MILLER**  
22 CELAYA; KAREN ALBERTS; WILLIAM )  
KASISKE; WADE MACADAM; TIMOTHY J. )  
23 ZUNIGA; MIKE HART; LISA SHAFFER; )  
AND DOES 1-25, )  
 )  
24 Defendants. )

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1           1.       I have personal knowledge of the matters stated in this declaration. If called upon  
2 to do so, I am competent to testify to all matters set forth herein.

3           2.       I am a member of Long Haul since 1998 and have worked on Slingshot since 1999.

4           3.       On August 27, 2008, I heard that there were officers in the Long Haul and I went to  
5 see what was going on.

6           4.       When I arrived at the Long Haul, I could see the front counter of the infoshop and  
7 parts of the rest of the interior through the glass front door and the plate-glass window that fronts  
8 the sidewalk.

9           5.       I could see a uniformed female officer looking at papers behind the front counter. I  
10 later saw that this officer's name plate read "Alberts." In particular, she was looking through the  
11 open side cabinet where we keep the library check-out log. This log lists the names of people who  
12 have checked-out books and video from our library and is labeled as such. I could see that she  
13 was paging through this log book.

14           6.       This officers then cut the lock off of the front cabinet where we keep tee shirts,  
15 patches, keys to other cabinets, the Slingshot office, and other internal offices, as well as the logs  
16 of the 'zines and other items that we sell.

17           7.       After the police left I went inside Long Haul to see what they had done. After  
18 looking through the downstairs I went up to the Slingshot office and saw that the officers had  
19 pried open the Slingshot door. Inside the office, I saw that files had been pulled out of the main  
20 filing cabinet where we keep materials for the paper, including artwork, public-domain clip-art,  
21 photos that were taken for inclusion in the newspaper, and also photos and clippings that were  
22 collected from other sources for inclusion in Slingshot.

23           8.       In particular, one thick file that contained scores of photographs had been taken  
24 from the cabinet and left on the desk where the computer had been. The file was open and all the  
25 photos were face-up. It was clear that they had been gone through because if the file had simply  
26 been opened and left there, the photos would have been more clumped together. On top of the pile  
27 of photos was an old photo of some naked people. All of these photos had previously been stored  
28 in the filing cabinet in the Slingshot office. Some of these photos had been published and some

1 had not been published but were there so that we could include them in later editions.

2 9. When we publish photos in Slingshot we sometimes obscure the faces of the  
3 persons in them to protect their privacy. For example, if we publish photos of political  
4 demonstrations we may obscure the faces of demonstrators. In our most recent issue we drew  
5 masks over the faces of persons who were squatting in a vacant house.

6  
7 I declare under penalty of perjury of the laws of the United States of America that the  
8 foregoing is true and correct.

9 Executed January 29, 2011 in Berkeley, California.

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11 

12 KATHRYN MILLER