

EXHIBIT H

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LONG HAUL, INC., and EAST)
BAY PRISONER SUPPORT,)
)
Plaintiffs,)
)
vs.) No. C 09-00168-JSW
)
UNITED STATES OF AMERICA;)
MIGUEL CELAYA; KAREN)
ALBERTS; WILLIAM KASISKE;)
WADE MacADAM; TIMOTHY)
ZUNIGA; MIKE HART; LISA)
SHAFFER,)
)
Defendants.)
)
)

30(b)(6) DEPOSITION OF
JEFFREY PATRICK LYONS, JR.
Held at the Law Offices of SchiffHardin
One Market Street, San Francisco, California
Wednesday, September 22, 2010, 9:09 a.m.

REPORTED BY: ELAINA BULDA-JONES, RPR, CSR #11720

1 e-mails. I don't recall seeing one specifically
2 talking about the state of their office --

3 MS. GRANICK: Okay.

4 MS. ELLIS: -- afterwards. The e-mails
5 that we have received were talking about the return
6 of the computers.

7 MS. GRANICK: I will investigate it. I
8 may have that answer for you about it after lunch.

9 MS. ELLIS: That's fine.

10 Q. So you said that you were one of the
11 founding members of East Bay Prisoner Support?

12 A. Yes.

13 Q. When did East Bay Prisoner Support form?

14 A. We officially opened our doors,
15 figuratively, January '08.

16 Q. And did it exist in an unofficial way
17 prior to that?

18 A. In the weeks before that, mostly Max and
19 I, I think discussed forming the group.

20 Q. Why was the group formed?

21 A. The group was formed to offer literature
22 to prisoners and to address issues of prisoner
23 rights.

24 Q. And what types of issues does East Bay
25 Prisoner Support address?

1 A. I don't remember.

2 Q. Was it the first half of 2008, second half
3 of 2008?

4 A. Probably the -- probably the first half of
5 2009.

6 Q. Okay. Can you describe how East Bay
7 Prisoner Support is organized?

8 A. Loosely.

9 Q. How many members are there?

10 A. Three.

11 Q. So is it just yourself, Max Harris, and
12 Chloe Watlington?

13 A. Yes.

14 Q. What are your duties or responsibilities
15 at East Bay Prisoner Support?

16 A. Personally or do you mean the group?

17 Q. Yours personally?

18 A. To make sure the literature requests get
19 filled. We didn't have positions or specifically
20 defined roles.

21 Q. And what are -- what was Chloe's role or
22 duties there?

23 A. We didn't have specific roles.

24 Q. What did she normally do?

25 A. We all met to accomplish the things that

1 needed to be accomplished.

2 Q. How often would you meet?

3 A. I mean, at times, weekly; at times
4 sporadically.

5 Q. And when you say "sporadically," how much
6 would that be?

7 A. I mean, possibly up to a month at a time
8 we may have not been able to meet, the three of us.

9 Q. And in, say, the summer of 2008, how often
10 would you meet?

11 A. I don't recall specifically, more
12 regularly then.

13 Q. And currently how often do you meet?

14 A. More sporadically.

15 Q. So about once a month?

16 A. At best.

17 Q. On East Bay Prisoner Support's MySpace
18 page, it mentions the Black Cross, that you are a
19 member of the Black Cross Anarchists.

20 What does that reference?

21 MS. GRANICK: Objection. Vague. Calls
22 for speculation.

23 THE WITNESS: I'm not sure I understand
24 the question.

25 BY MS. ELLIS:

1 Q. Is this a volunteer organization?

2 A. Meaning?

3 Q. Meaning that you are not paid from the
4 organization?

5 A. Correct.

6 Q. Are Max or Chloe paid from the
7 organization?

8 A. No.

9 Q. And has the organization ever sought to be
10 recognized as a charitable organization by the IRS?

11 A. No.

12 Q. And has the organization ever been
13 incorporated in any way?

14 A. I don't understand.

15 Q. Does the organization -- has the
16 organization ever filed corporation papers?

17 A. No.

18 Q. So this is just basically you, Max, and
19 Chloe together? This is a loosely formed
20 organization?

21 A. Yes.

22 Q. With no legal identity?

23 MS. GRANICK: He may not understand
24 exactly what you -- what -- that's kind of a legal
25 conclusion, so he may not understand what you are

1 trying to get at.

2 BY MS. ELLIS:

3 Q. So do you understand what I'm asking you?

4 A. Not exactly. We are a loose organization.

5 Q. Okay. Do you -- does the organization pay
6 taxes?

7 A. No.

8 Q. Does the organization exist as a named
9 entity in that you are on the lease somewhere as an
10 organization?

11 A. We're an organization. I'm not -- I'm not
12 really clear on what you are asking.

13 Q. So if you -- hypothetically, if tomorrow
14 you, Max, and Chloe decided, we don't want to do
15 this anymore, you could just decide not to do it
16 anymore and you wouldn't have to go through any
17 other steps to disband the organization; is that
18 correct?

19 A. I guess.

20 Q. Does the organization have a bank account?

21 A. No.

22 Q. So in May of 2008, you rented space --
23 East Bay Prisoner Support rented space at Long Haul;
24 is that correct?

25 A. About that time, yeah.

1 that space belonged to East Bay Prisoner Support?

2 A. A sign.

3 Q. What type of sign was it?

4 A. Paper.

5 Q. Was it -- can you describe the sign?

6 A. If I remember correctly it said, East Bay
7 Prisoner Support, and maybe -- yeah, I don't
8 remember what else.

9 MS. ELLIS: I'm going to show you what has
10 been marked as Lyons Exhibit 3.

11 (Whereupon, Exhibit 3 was marked for
12 identification.)

13 THE WITNESS: Yeah.

14 MS. GRANICK: I'm sorry, what is our
15 designation for this "M-2" on the side? Is that
16 what we're calling it in the overall scheme of
17 things?

18 MS. ELLIS: Yeah, I think so.

19 MS. GRANICK: Okay. Thank you.

20 BY MS. ELLIS:

21 Q. Do you recognize this?

22 A. Yep.

23 Q. What is this photograph of?

24 A. It's a photo of our door with a big, clear
25 sign on it that says "East Bay Prisoner Support."

1 Q. Okay. And that sign is made of cardboard,
2 right?

3 A. Yeah, I -- it looks like it, cardboard,
4 card stock paper, or something.

5 Q. And it's a handwritten sign?

6 A. It looks like it.

7 Q. And is there anything other than this
8 handwritten sign that indicates that this office
9 belongs to East Bay Prisoner Support?

10 MS. GRANICK: Objection.

11 THE WITNESS: The lock.

12 MS. GRANICK: Objection. Vague.

13 Now you can answer.

14 THE WITNESS: The lock.

15 BY MS. ELLIS:

16 Q. And the lock indicates that that office
17 belongs to East Bay Prisoner Support?

18 A. I -- I would say it indicates that it's a
19 private office that's not available to the public
20 use.

21 Q. And the search warrant was executed during
22 a time when East Bay Prisoner Support -- or when the
23 Long Haul was not open for business; isn't that
24 correct?

25 MS. GRANICK: Objection. Calls for

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DEPOSITION OFFICER'S CERTIFICATE

STATE OF CALIFORNIA }
 } ss.
COUNTY OF SACRAMENTO

I, ELAINA L. BULDA, hereby certify:

I am a duly qualified Certified Shorthand Reporter in the State of California, holder of Certificate Number CSR 11720 issued by the Court Reporters Board of California and which is in full force and effect. (Fed. R. Civ. P. 28(a)).

I am authorized to administer oaths or affirmations pursuant to California Code of Civil Procedure, Section 2093(b) and prior to being examined, the witness was first duly sworn by me. (Fed. R. Civ. P. 28(a), 30(f)(1)).

I am not a relative or employee or attorney or counsel of any of the parties, nor am I a relative or employee of such attorney or counsel, nor am I financially interested in this action. (Fed. R. Civ. P. 28).

I am the deposition officer that stenographically recorded the testimony in the foregoing deposition and the foregoing transcript is a true record

///



1 of the testimony given by the witness. (Fed. R. Civ. P.
2 30(f)(1)).

3 Before completion of the deposition, review of
4 the transcript [XX] was [] was not requested. If
5 requested, any changes made by the deponent (and
6 provided to the reporter) during the period allowed, are
7 appended hereto. (Fed. R. Civ. P. 30(e)).

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9 Dated: OCTOBER 7, 2010

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A handwritten signature in cursive script, appearing to read "E. B. Jones", is written over a horizontal line.