

D 14

FILED  
Superior Court of California  
County of Los Angeles

S OCT 14 2009

John A. Clarke, Executive Officer/Clerk  
By A. Fajardo, Deputy  
ANNETTE FAJARDO

1 GIBSON, DUNN & CRUTCHER LLP  
2 PATRICK W. DENNIS, SBN 106796  
3 JAMES L. ZELENAY, SBN 237339  
4 MATTHEW C. WICKERSHAM, SBN 241733  
5 333 South Grand Avenue  
6 Los Angeles, California 90071-3197  
7 Telephone: (213) 229-7000  
8 Facsimile: (213) 229-7520  
9 PDennis@gibsondunn.com

6 Attorneys for Defendant,  
7 California Science Center Foundation

8 SUPERIOR COURT, STATE OF CALIFORNIA  
9 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

10 AMERICAN FREEDOM ALLIANCE,  
11  
12 Plaintiff,  
13  
14 v.  
15 CALIFORNIA SCIENCE CENTER  
16 FOUNDATION,  
17  
18 Defendant.

CASE NO. BC 423687

DECLARATION OF JAMES L. ZELENAY, JR.  
IN SUPPORT OF THE CALIFORNIA  
SCIENCE CENTER FOUNDATION'S  
OPPOSITION TO THE EMERGENCY RELIEF  
REQUEST BY THE AMERICAN FREEDOM  
ALLIANCE

HEARING DATE: October 14, 2009  
HEARING TIME: 8:30 a.m.  
HEARING PLACE: TBD

DATE OF FILING  
OF COMPLAINT: October 14, 2009

TRIAL DATE: TBD

**DECLARATION OF JAMES L. ZELENAY, JR.**

I, James L. Zelenay, Jr., declare as follows:

1. I am an attorney duly licensed to practice before the courts of the State of California and before this Court. I am an associate at the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys of record for defendant California Science Center Foundation in this action. I submit this declaration in support of the California Science Center Foundation's opposition to the emergency relief request by the American Freedom Alliance ("AFA"). I have personal knowledge of the facts set forth herein and if called as a witness, I could and would competently testify hereto.

2. Attached hereto as Exhibit A is a true and correct copy of the internet homepage for AFA, which can be found at <http://www.americanfreedomalliance.org/>.

3. Attached hereto as Exhibit B is a true and correct copy of a statement captioned "Los Angeles Premiere of Darwin's Dilemma at California Science Center on Oct. 25." This statement was found on the Discovery Institute's website, at [http://www.evolutionnews.org/2009/10/los\\_angeles\\_premiere\\_of\\_darwin.html](http://www.evolutionnews.org/2009/10/los_angeles_premiere_of_darwin.html). According to this website, this statement was posted on October 1, 2009 at 10:05 a.m.

4. Attached hereto as Exhibit C is a true and correct copy of a statement captioned "Darwin's Dilemma Los Angeles Premiere Will Mark 150th Anniversary of Darwin's Origin of Species with Focus on Controversy Over Evolution and Intelligent Design." This statement was found on the Discovery Institute's website, at <http://www.discovery.org/a/12701>, and contains a line stating "By: American Freedom Alliance." According to this website, this statement was issued on October 1, 2009.

5. Attached hereto as Exhibit D is a true and correct copy of a print out from the website <http://www.imax.com/>, displaying information about the movie *We Are Born of Stars*. According to this website, this movie is 11 minutes long.

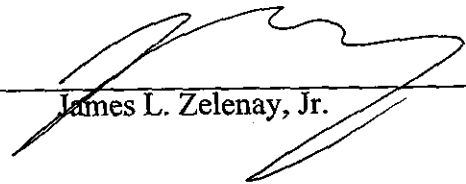
///

///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

6. Attached hereto as Exhibit E is a true and correct copy of a print out from the website, <http://www.illustramedia.com/ddinfo.htm>. According to this website, the documentary Darwin's Dilemma is 71 minutes long.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This declaration is executed on October 13, 2009 in Los Angeles, California.

  
James L. Zelenay, Jr.

A movement of concerned Americans advancing the values and ideals of Western civilization

Avi Davis, President



The American Freedom Alliance is a non-political, non-partisan, movement of concerned Americans which identifies threats to western civilization. The organization promotes networking, activism and education in the following six areas:

- The Islamic penetration of Europe
- The collapse of academic freedom
- The identification and sources of media bias
- The growth of radical environmentalism
- The necessity for missile defense
- The dangers presented by the global governance movement

The Alliance's conferences programs, publications, websites and networking groups develop tools and strategies to counter ideologies which underlie these threats, including radical Islam, moral and cultural relativism, appeasement and excessive emphasis on multiculturalism.

Click to read our newsletter The Western Word, which provides weekly updates on issues relevant to the defense of liberty and the protection of western civilized values around the world.

AFA Programs & Events

AFA Conferences

The Collapse of Europe?, Free Speech and Expression on campus, Heroes of Conscience Dinner 2007 and 2008, Identity crisis International Conference and more... [read more]

The Western Word

View past and present AFA Newsletters [read more]

Western Word Radio

A weekly talk radio program, led by Avi Davis with interviews about issues relevant to the defense of Western values and ideals. [read more]

The Islamic Penetration of Europe

[read more]

Newsletter Signup

Enter your email address:

Input field for email address

Past & Future Events

Is The (Real) News Dead?

Mid-Summer Buffet

AFA Film Series 2009

Radio Talk Show - Western Word Radio

AFA's Literary Caf6- 2009

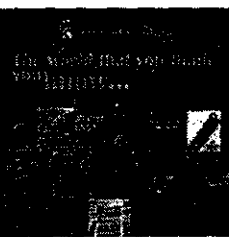
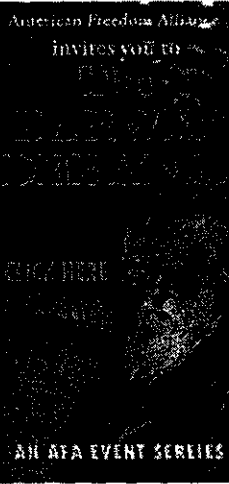
Building London's Mega Mosque: Who is Opposing it and Why?

Join Avi Davis in his weekly interviews of key political, cultural and literary figures who are fighting to defend Western values and ideals

Streamed live Wednesdays www.blogtalkradio.com/WesternWordRadio Wednesday October 14, 2009 at 11:00 am (PDT) What impact did the Kennedy assassination have on the 60s Cultural Revolution? an interview with Author James Hareon. Click Here

October 2009 Recommended Books of the Month

WATCH AFA INTRODUCTORY VIDEO



Ex. A

# EVOLUTION NEWS & VIEWS

DISCOVERY  
INSTITUTE

« [Richard Dawkins's Jewish Problem](#) | [Main](#) | [Spending the Public's Money: It's a Tough Job](#) »

## Los Angeles Premiere of Darwin's Dilemma at California Science Center on Oct.

25

The Los Angeles premiere of Illustra Media's new science documentary *Darwin's Dilemma: The Mystery of the Cambrian Fossil Record* will be held on Sunday, October 25th in the IMAX theater of the prestigious California Science Center, which describes itself as "the West Coast's largest hands-on science center." Sponsored by the [American Freedom Alliance](#), the premiere starts at 7:00 pm and will also include a showing of the IMAX film *Born of the Stars* as well as a post-screening discussion of *Darwin's Dilemma* featuring the film's director Lad Allen; David Berlinski, author of *The Devil's Delusion: Atheism and Its Scientific Pretensions*; and biologist Jonathan Wells, author of *The Politically Incorrect Guide to Darwinism and Intelligent Design*.

For tickets or more information, call the American Freedom Alliance office at (310) 444-3085 or visit the group's website [here](#).

*Darwin's Dilemma* explores one of the great mysteries in the history of life: the geologically-sudden appearance of dozens of major complex animal types in the fossil record without any trace of the gradual transitional steps Charles Darwin had predicted. Frequently described as "the Cambrian Explosion," the development of these new animal types required a massive increase in genetic information. "The big question that the Cambrian Explosion poses is where does all that new information come from?" says Dr. Stephen Meyer, a featured expert in the documentary and author of the book *Signature in the Cell: DNA and the Evidence for Intelligent Design*.

The film previously had regional premieres at the Seattle Art Museum in August and at the Sam Noble Oklahoma Museum of Natural History earlier this week.

Posted by John West on October 1, 2009 10:05 AM | [Permalink](#)

## TrackBack

TrackBack URL for this entry:

<http://www.discovery.org/scripts/mt/mt-tb.cgi/24911>

ABOUT CSC • CONTACT • SEARCH • LINKS • HOME

[Printer Friendly Version](#)

## DARWIN'S DILEMMA LOS ANGELES PREMIERE WILL MARK 150TH ANNIVERSARY OF DARWIN'S ORIGIN OF SPECIES WITH FOCUS ON CONTROVERSY OVER EVOLUTION AND INTELLIGENT DESIGN

By: American Freedom Alliance

American Freedom Alliance

October 1, 2009

[Link to Original Article](#)

### AMERICAN FREEDOM ALLIANCE EVENT SERIES HIGHLIGHTS THE DEBATE AT FILM DEBUT SCREENING OCTOBER 25

LOS ANGELES, CA -- Highlighting the continuing controversy over the origins of life on earth, the American Freedom Alliance will premiere "Darwin's Dilemma: The Mystery of the Cambrian Explosion" at the California Science Center in Los Angeles on Sunday October 25 at 7:00 pm. The event will feature a panel discussion with filmmakers and leading proponents of the movement to examine the scientific inconsistencies of the famous British naturalist's theories proposed in his work, *On the Origin of Species*, first published exactly 150 years ago. The event is open to the public and admission is \$25.

The screening of "Darwin's Dilemma: The Mystery of the Cambrian Explosion" will be preceded by an exclusive premiere screening of the extraordinary IMAX film "We Are Born of Stars" Produced in 1985 as the first IMAX 3D film, "We Are Born of Stars" has recently been re-mastered. The new version will premiere in Los Angeles at the event.

The screenings will kick off a series of non-partisan events titled "The Darwin Debates: A Forum for Dialogue" focusing on the controversial debate between Darwinian evolutionists and Intelligent Design advocates. The events will include a lecture by David Berlinski, author of The Devil's Delusion, and a renowned scholar and critic of Darwinian theory on Tuesday, October 27, "The Western Word," an Internet radio show featuring a debate between scientist and author Guillermo Gonzales and Carlos Calle, author of *The Universe-Order Without Design* on Wednesday, October 28, and "The AFA Literary Café" featuring a discussion with Stephen Meyer on his popular new book "Signature in the Cell: DNA and the Evidence for Intelligent Design" on Thursday, October 29 contrasted with Scott Turner's book *The Tinkerer's Accomplice: How Design Emerges from Life Itself*.

The "The Darwin Debates: A Forum for Dialogue" series is sponsored by the American Freedom Alliance.

"It is time to bring this important debate into the public consciousness in a way that

Ex C

...to bring the important debate into the public consciousness in a way that allows for freedom of opinion to flourish," said Avi Davis, senior fellow of the American Freedom Alliance. "New scientific evidence makes it vital that we take a close look at the numerous inherent scientific problems of the Darwinian theory of evolution."

Charles Darwin (1809–1882) was an English naturalist who presented compelling evidence that all species of life have evolved over time from common ancestors in his famous book *On the Origin of Species*, was published in England November 24, 1859.

Released by Illustra Media, "Darwin's Dilemma" probes one of the great mysteries of science - the Cambrian explosion, when, as the fossil record reveals, complex animals first appeared on earth fully formed, without evidence of any evolutionary ancestors. Having envisioned the evolution of life through a multitude of small, undirected steps, Darwin viewed this as an inexplicable mystery, but the fossil record reveals no such pattern of gradual development. Instead, early in the Cambrian period, compound eyes, articulated limbs, sophisticated sensory organs and skeletons burst into existence seemingly out of nowhere.

The American Freedom Alliance is a think tank and activist network based in Los Angeles that promotes networking, activism and education in areas relevant to the future of Western civilization. For information on the American Freedom Alliance, the series and other Alliance programs, visit [www.americanfreedomalliance.org](http://www.americanfreedomalliance.org).

<<

*The work of Discovery Institute is made possible by the generosity of its members. [Click here to donate.](#)*

## DISCOVERY INSTITUTE

Discovery Institute — Center for Science and Culture

208 Columbia St. — Seattle, WA 98104

206-292-0401 phone — 206-682-5320 fax

email: [cscinfo@discovery.org](mailto:cscinfo@discovery.org) Also: [www.intelligentdesign.org](http://www.intelligentdesign.org)

SHARE THIS

What's New

11 Minutes | Not Rated | IMAAX Corporation | Release Date 1/17/1988



SHARE THIS

COMING SOON

SUBSCRIBE ENTER TO WIN FIND YOUR FAVORITE SERIES

COMPANY INFO | INVESTOR RELATIONS | AFFILIATES | PRIVACY | TERMS OF USE | PAGES | CONTACT US

THE IMAAX CORPORATION

Ex. D ✓

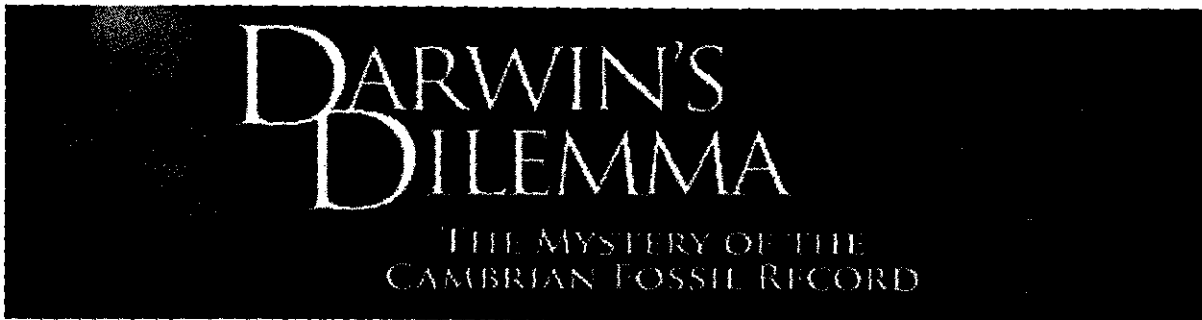


HOME PRODUCTIONS CONTACT US ORDER

DARWIN'S DILEMMA



Order



A 71 minute video documentary

The third film in Illustra Media's long-planned Intelligent Design trilogy is Darwin's Dilemma.

This documentary will examine what many consider to be the most powerful refutation of Darwinian evolution—the Cambrian fossil record. Charles Darwin realized that the fossil evidence did not support his theory of gradual, step-by-step evolutionary development. He hoped that future generations of scientists would make the discoveries necessary to validate his ideas. Today, after more than 150 years of exploration fossil evidence of slow, incremental biological change has yet to be excavated. Instead, we find a picture of the rapid appearance of fully developed, complex organisms during the outset of the Cambrian geological era. Organisms that embody almost all of the major animal body plans that exist today. This remarkable explosion of life is best explained by the existence of a transcendent intelligence.

Darwin's Dilemma is now shipping! Order

News Release