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FILED
LOS ANGELES SUPERIOR COURT

JAN 27 2012

JOHN A. CLARKE, CLERK
BY *Raul Sanchez*
RAUL SANCHEZ, DEPUTY

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

SUPPLEMENTAL DECLARATION OF
WILLIAM J. BECKER, JR. IN SUPPORT
OF MOTION IN LIMINE NO. 1 TO
PERMIT THE SHOWING OF TWO
INTELLIGENT DESIGN DVDS TO THE
JURY

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

Trial Date: March 7, 2012

BY FAX

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

22
23 1. I am an attorney admitted to practice before all the courts in the State of California
24 and counsel of record for David Coppedge, Plaintiff herein ("Plaintiff"). The following facts and
25 circumstances are personally known to me, and if called upon to do so, I could and would com-
26 petently testify as to them.
27
28

1 2. This supplemental declaration is made in support of Plaintiff David Coppedge's
2 ("Coppedge") Motion in Limine No. 1 for an order permitting the jurors to view two intelligent
3 design DVDs, "Unlocking the Mystery of Life" and "The Privileged Planet." Both DVDs were
4 lodged with the court on September 2, 2011, in connection with Coppedge's opposition to De-
5 fendant's Motion for Summary Judgment.
6

7 3. My original declaration is being supplemented for the purpose of satisfying Local
8 Rule 3.57(a).

9 4. The specific matter alleged to be prejudicial is Coppedge's inability to demonstrate
10 through the DVDs the harmless nature of their content, which a jury will not grasp based upon
11 witness testimony alone, and thus explain the state of mind of Defendant's employees who ac-
12 cused Coppedge of harassing them with his religious views. Unless the motion is granted, it will
13 leave a narrative void that will cause confusion to the jury, e.g., why someone would accuse
14 Coppedge of harassing them simply by lending them a DVD on intelligent design. This argu-
15 ment is spelled out in detail in the points and authorities both on this motion as well as on
16 Coppedge's opposition to JPL's motion seeking to exclude this evidence.
17

18 5. I discussed the subject of this motion with opposing counsel on multiple occasions.
19 Opposing counsel has refused to stipulate to allowing the DVDs to be played to the jury admitted
20 in evidence;
21

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

24 Executed this 27th day of January, 2012, at Los Angeles, California.

25 William J
26 Becker Jr,
27 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: 2012.01.27 14:04:23 -08'00'

28 William J. Becker, Jr., Declarant