

CLERK'S EXHIBIT LISTING

JUDGE: John E. Jones III

Case No. 04-CV-02688

Abbreviated Name of Case: Kitzmiller v. Dover Area School District

Name of party submitting this list: Defendant

* exhibits stipulated to for limited purpose of aiding the Court.

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 Document 340
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EXHIBIT INITIAL & NO.		DESCRIPTION OF OBJECT OR ITEM	DOCUMENT DATED	IDENTIFIED IN COURT	DATE ADMITTED	WITNESS ON STAND
PTF	DEF					
	1	DASD memo—T. Peterman to School Board, re: "creationism" and the new Bio. Curriculum, 4/1/03		10/28/05	10/28/05	Nilsen
	2	Textbook budget information		10/28/05	10/28/05	Nilsen
	3	Curriculum Advisory meeting minutes, 6/4/04		10/28/05	10/28/05	Nilsen
	4	Curriculum committee meeting notes, M. Baksa, 6/4/04		10/21/05	11/3/05	BAKSA
	5	Product profile, Christian student biology textbook		10/21/05	11/3/05	BAKSA
	6	DASD memo—T. Peterman to R. Nilsen and M. Baksa, re: textbook report, 6/8/03		10/20/05	10/28/05	Nilsen
	7	DASD Science dept. rationale for new textbooks		10/21/05	11/3/05	BAKSA
	8	DASD list of textbooks needed		10/20/05	10/28/05	Nilsen
	9	Bio dept. request to purchase Miller textbook w/handwritten notes		10/21/05	11/3/05	BAKSA

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Case 4:04-cv-02688-JEJ Document 340 Filed 12/08/2005 Page 2 of 32	10	DASD Five-year Actual Expenditures (Textbook Account)		10/21/05	11/3/05	BAKSA
	11	Email, Ken Miller to T. Peterman and B. Spahr, 8/16/04				
	12	Email, J. Beilenbaum to B. Spahr, re: Bio. Curriculum, 8/16/04				
	13	M. Baksa, personal notes on science materials				
	14	Textbook budget information, 6/8/04		10/20/05	10/28/05	Nilsen
	15	Notes on Miller textbook by W. Buckingham		10/20/05	10/28/05	Nilsen
	16	M. Baksa, Amy (secretary), personal notes on biology statement, textbooks, teacher positions				
	17	M. Baksa, personal notes on science materials				
	18	DASD survey of biology books used in nearby schools				
	19	DASD survey of biology books used in nearby schools, handwritten notes		10/21/05	11/3/05	BAKSA
	20	Curriculum committee meeting notes. M. Baksa, 6/24/04		10/21/05	11/3/05	BAKSA
	21	DASD memo—authorization to purchase Miller textbook, 6/24/04		10/21/05	11/3/05	BAKSA
	22	School Board meeting agenda, 7/12/04		10/20/05	10/28/05	Nilsen
	23	School Board minutes, 7/12/04		10/20/05	10/28/05	Nilsen

EXHIBIT INITIAL & NO. PTF DEF		DESCRIPTION OF OBJECT OR ITEM	DOCUMENT DATED	IDENTIFIED IN COURT	DATE ADMITTED	WITNESS ON STAND
	24	Notes on Miller textbook, 2004 ed. by M. Baksa		10/28/05	11/3/05	Baksa
	25	DASD memo—placement of authorization to purchase Miller text on board agenda, 7/22/04		10/28/05	11/3/05	Baksa
	26	Request to add <i>Pandas</i> by W. Buckingham		10/20/05	10/28/05	Nilsen
	27	DASD Gifts, Grants and Donations policy, version adopted 8/2/04				
	28	School Board meeting agenda, 8/2/04		10/20/05	10/28/05	Nilsen
	29	School Board minutes, 8/2/04				
	30	DASD memo to Admin/staff —notice of Curriculum meeting 8/27/04		10/20/05	10/28/05	Nilsen
	31	Curriculum committee meeting notes, M. Baksa, 8/24/04		10/28/05	11/3/05	Baksa
	32	M. Baksa, notes on <i>Pandas</i> copyright information				
	33	<i>Pandas</i> cover with notes, M. Baksa				
	34	M. Baksa, notes on discussion with D. Anderson, FTE				
	35	<i>Pandas</i> review from Institute for Creation Research online store				
	36	M. Baksa, personal notes, re: Melanie Window				
	37	M. Baksa, Amy (secretary), notes on textbooks, re: <i>Of Pandas</i>				

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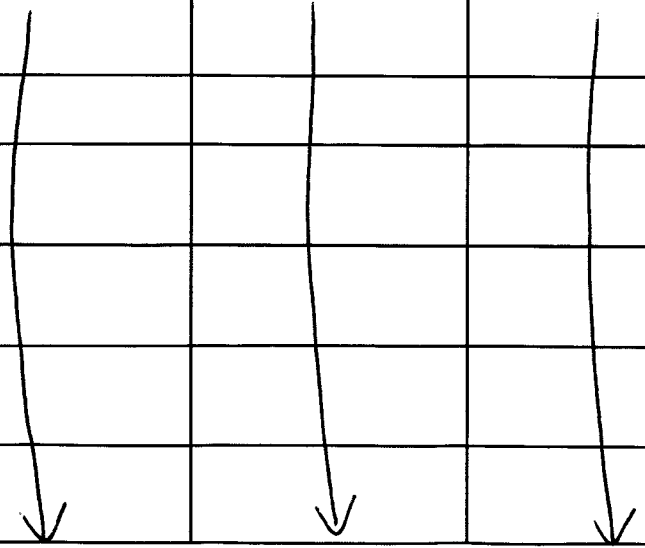


EXHIBIT INITIAL & NO. PTF DEF		DESCRIPTION OF OBJECT OR ITEM	DOCUMENT DATED	IDENTIFIED IN COURT	DATE ADMITTED	WITNESS ON STAND
	38	M. Baksa, re: conversation with Dr. Gillen regarding <i>Of Pandas</i>		10/28/05	11/3/05	BakSA
	39	M. Baksa, inquiry concerning whether public schools are using <i>Pandas</i> text		↓	↓	↓
	40	Fax cover letter to DASD from FTE				
	41	M. Baksa, notes, re: <i>Of Pandas</i>				
	42	M. Baksa, notes on communications with M. Parsons, writer				
	43	DASD memo to Board Curriculum Committee w/attached Planned Instruction Curriculum Guide (changes per Science Dept.), 9/20/04				
	44	DASD memo to Board of Directors w/ attached Planned Instruction Curriculum Guide (changes per Science Dept.), 9/21/04				
	45	Letter: C. Brown to M. Baksa, 9/22/04		10/20/05	10/28/05	Nilsen
	46	DASD memo—Curriculum meeting 10/7/04		10/28/05	11/2/05	BakSA
	47	M. Baksa, notes on <i>Pandas</i>				
	48	School Board meeting agenda, 10/18/04		10/20/05	10/28/05	Nilsen
	49	School Board minutes, 10/4/04				
	50	Curriculum Council meeting minutes 10/7/04		10/28/05	11/2/05	BakSA

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Case 4:04-cv-02688-JEJ Document 340 Filed 12/08/2005 Page 5 of 32	51	DASD memo to Curriculum Advisory Council re: proposed addition to biology curriculum w/ attached Planned Instruction Curriculum Guide, 10/13/04		10/20/05	10/28/05	Nilsen
	52	DASD memo to Board of Directors, re: proposed addition to biology curriculum w/ attached Planned Instruction Curriculum Guide, 10/13/04				
	53	DASD Biology proposed Planned Instruction Curriculum Guide, parts A and B				
	54	PA Academic Standards for Science and Technology, section 3.3: Biological Science, subsections A-D		10/28/05	11/3/05	Baksa
	55	DASD Biology Planned Instruction Curriculum Guide, part A				
	56	DASD Biology Planned Instruction Curriculum Guide, part A, draft				
	57	DASD Biology Planned Instruction Curriculum Guide, part A				
58	DASD memo to Board of Directors w/ Enclosure XI-A & attached Planned Instruction Curriculum Guide (changes per curriculum committee), notations by R. Nilsen, 10/13/04					

EXHIBIT INITIAL & NO. PTF DEF		DESCRIPTION OF OBJECT OR ITEM	DOCUMENT DATED	IDENTIFIED IN COURT	DATE ADMITTED	WITNESS ON STAND
	59	DASD memo to Board of Directors w/ Enclosure XI-A & attached Planned Instruction Curriculum Guide (changes per curriculum committee), notations by R. Nilsen, 10/13/04				
	60	DASD memo to Board of Directors w/ Enclosure XI-A & attached Planned Instruction Curriculum Guide, recommendations of Board Curriculum Committee, 10/13/04		10/12/05	10/12/05	Spahr
	61	DASD memo to Board of Directors w/ Enclosure XI-B & attached Planned Instruction Curriculum Guide, part A, 10/13/04		10/12/05	10/12/05	Spahr
	62	DASD memo to Board of Directors w/ Enclosure XI-B & attached Planned Instruction Curriculum Guide, part A, 10/13/04				
	63	School Board meeting agenda, 10/18/04		10/20/05	10/28/05	Nilsen
	64	School Board minutes, 10/18/04		9/29/05	9/29/05	J. Brown
	65	DASD memo, M. Baksa to Board of Directors, re: informational statement w/ attached biology statement, draft, 10/29/04		10/21/05	10/28/05	Nilsen
	66	DASD memo, M. Baksa to Board of Directors, re: informational statement w/ attached biology statement, draft, 10/29/04				
	67	DASD Curriculum Advisory Committee comments		10/30/05	10/28/05	Nilsen

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	68	DASD memo to Board of Directors w/ Enclosure XI-C, attached Planned Instruction Curriculum Guide, second draft, with changes highlighted, 10/18/04		10/12/05	10/12/05	Spahr
	69	DASD memo to Board of Directors w/ Enclosure XI-C, attached Planned Instruction Curriculum Guide, second draft, with changes highlighted, 10/18/04				
	70	Email communication, M. Baksa to T. Kitzmilller, re: Curriculum changes		10/21/05	10/28/05	Nilsen
	71	DASD Curriculum Development policy		10/20/05	10/28/05	Nilsen
	72	DASD Curriculum Development policy, draft #5				
	73	DASD Curriculum Development policy, draft #5				
	74	DASD Curriculum Development policy, draft dated 9/10/99				
	75	DASD Curriculum Development policy, (section #105) draft dated 5/9/94				
	76	DASD Curriculum Development policy, (section #105) draft dated 2/9/81				
	77	Duties of the Superintendent				

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EXHIBIT INITIAL & NO. PTF DEF		DESCRIPTION OF OBJECT OR ITEM	DOCUMENT DATED	IDENTIFIED IN COURT	DATE ADMITTED	WITNESS ON STAND
	78	DASD Curriculum Development policy, (section #105) draft dated 2/9/91				
	79	PA School Board Ass'n Curriculum Development Policy (section #105)				
	80	Letter from E. Rothschild to clarify facts of Dover statement				
	81	Teacher request to remove names		10/21/05	10/28/05	Nilsen
	82	ID piece by R. Cleary				
	83	Letter, A. Bonsell to R. Nilsen, re: press release, forwarded to M. Baksa		10/21/05	10/28/05	Nilsen
	84	Atlanta Journal-Constitution, "School Mandates Alternate Evolution Theory"				
	85	M. Baksa, request to secretary for teachers statements		11/2/05	11/3/05	Baksa
	86	Biology statement, draft, M. Baksa notations		↓	↓	↓
	87	DASD Biology statement, final				
	88	Biology statement, teacher's version				
	89	Biology statement, teacher's version				
	90	Teacher's response to original biology statement, draft, notations by M. Baksa				
	91	DASD biology statement, teacher's version, notations by M. Baksa				

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Case 4:04-cv-02688-JEJ Document 340 Filed 12/08/2005 Page 9 of 32	92	Biology statement, board response to original draft of statement, notation by M. Baksa		11/2/05	11/3/05	Baksa		
	93	Biology statement, draft two, reflecting teacher and board changes		↓	↓	↓		
	94	Biology statement, draft three, teacher response to draft responses to M. Baksa draft #1						
	95	DASD Biology statement						
	96	M. Baksa, personal notes from Wm. Buckingham						
	97	Biology statement, teachers version, draft, handwritten notes by M. Baksa						
	98	DASD memo to Board of Directors-District note on teaching evolution, 11/10/04						
	99	DASD Biology statement, final, dated 11/9/04						
	100	History of teacher edits to biology statement, from M. Baksa files						
	101	DASD Biology Curriculum Press Release					10/21/05	10/28/05
102	DASD Biology Curriculum Press Release		10/21/05				10/28/05	Nilsen
103	DASD press release, parents internet version from DASD website		10/21/05	10/28/05	Nilsen			
104	DASD press release, draft							

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	105	DASD press release, draft		10/21/05	10/28/05	Nilsen
	106	Teachers statement regarding input into bio statement		10/21/05	10/28/05	Nilsen
	107	Teachers statement regarding input into bio statement				
	108	M. Baksa, notes on phone conversation w/W. Buckingham				
	109	DAEA letter to R. Nilsen, 11/30/04				
	110	A. Yingling request to reconsider Planned Inst. Curriculum Guide, 12/6/04				
	111	DASD memo from M. Baksa to faculty, re: biology statement, 12/7/04				
	112	Bio statement final draft, 11/8/04				
	113	DASD memo, M. Baksa to B. Spahr, re: <i>Pandas</i> placement, 12/7/04				
	114	Email, J. Burgin of Grantsburg School District to R. Nilsen, re: Science curriculum, re: "Scientific Theories of Origin," 12/7/04				
	115	Questions generated by the Science Curriculum team from Grantsburg School District for the School Board to clarify, along with answers, plus appendix				
	116	Fact sheet, <i>Pandas</i> textbook from FTE, see Exh. 40		10/28/05	11/3/05	Baksa

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Page 11 of 32	117	Email, S. Harkins to herself, re: Grantsburg School District Science curriculum policy				
	118	Email, J. Burgin to R. Nilsen, Discovery Institute press release on Grantsburg School District Science curriculum policy				
Filed 12/08/2005	119	Discovery Institute press release, 12/14/05, re: Dover biology curriculum		10/31/05	11/2/05	Baksa
	120	DASD memo to Board of Directors from R. Nilsen, re: ACLU court documents, 12/14/04				
Document 340	121	DASD press release, 12/15/04				
	122	Teacher's statement regarding input into bio statement, 12/19/04				
Case 4:04-cv-02688-JEJ	123	DASD press release 12/15/04				
	124	Email, M. Baksa response to DAEA, re: Panda books				
	125	Email, M. Baksa to DAEA, re: Panda books				
	126	DASD memo from M. Baksa to Biology teachers, re: evolution assignments from biology teachers, 12/22/04				
	127	Email, M. Baksa to C. Kunkle, re: Placement of <i>Pandas</i> text		10/21/05	10/28/05	Nilsen
	128	Email, S. Harkins to herself, re: brief articles about the Dover school policy from Discovery Institute, Pioneer Press				

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PTF	DEF					
Case 4:04-cv-02688-JEJ Document 340 Filed 12/08/2005 Page 12 of 32	129	Pepper Hamilton Memo to TMLC regarding depositions				
	130	ACLU request for production of documents				
	131	<i>Newsweek</i> article about Sen. Rick Santorum				
	132	Research on "Evolution Issue" in schools				
	133	Parent information letter on bio. statement, notes by M. Baksa		10/21/05	10/28/05	Nilsen
	134	Student Excusal form, draft, notes by M. Baksa		10/21/05	10/28/05	Nilsen
	135	Student Excusal form, notes by M. Baksa		10/21/05	10/28/05	Nilsen
	136	M. Baksa, notes on ACLU attorneys				
	137	Email, C. Kunkle to M. Baksa, re: placement of <i>Pandas</i> donations in library		10/21/05	10/28/05	Nilsen
	138	Science/Bio. Curriculum Meeting minutes, with notes, 1/5/05		10/21/05	10/28/05	Nilsen
	139	Science/Bio. Curriculum Meeting agenda, with notes by M. Baksa, 1/5/05		10/21/05	10/28/05	Nilsen
	140	M. Baksa, list of meetings with high school Science Dept.				
141	M. Baksa, notes		10/21/05	10/28/05	BakSA	
142	Administrator's Biology statement in Biology class w/ notation by M. Baksa		10/21/05	10/28/05	Nilsen	

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Case 4:04-cv-02688-JEU Document 340 Filed 12/08/2005 Page 13 of 32	143	Schedules for administrators to read statements in classes w/ notes re: attendance				
	144	Santorum, Rick, "A Balanced Approach to Teach Evolution," Discovery Institute News				
	145	Statement by Sen. Rick Santorum Upon Passage of the No Child Left Behind Act				
	146	Chapman, Bruce and David DeWolf, "Why the Santorum Language Should Guide State Science Education Standards"				
	147	<i>National Geographic Magazine</i> , "Was Darwin Wrong?"				
	148	Peterson, Sonja, "Evolving Ideas"				
	149	Planned Instruction Curriculum Guide, draft version				
	150	Planned Instruction Curriculum Guide, draft version, part A				
	151	Planned Instruction Curriculum Guide, draft version, part A				
	152	Excusal form for biology statement				
	153	Partial transcript from School Board meeting from 10/18/04, created by DASD		10/20/05	10/28/05	Nilson
	154	Letter from A. Bonsell to R. Nilson, re: issuing of informational statement with handwritten notes, 11/12/04				

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PTF	DEF					
	155	Letter to S. Harkins regarding Cleary ID piece, 12/19/04				
	156	Letter from TMLC to W. Buckingham offering service, 6/21/04				
	157	M. Baksa, notes on calendar, meeting w/Biology teachers				
	158	Letter, A. Bonsell to R. Nilsen, re: press release, forwarded to M. Baksa				
	159	Teacher cover sheet, "Textbooks"				
	160	Science Dept. budget w/attached memo, 2/11/03				
	161	Science Dept. budget w/attached memo, 2/13/03				
	162	Email, M. Baksa to B. Spahr, J. Miller, re: textbooks, 4/26/04				
	163	Request to M. Baksa from Bio Dept. for Miller text				
	164	Email, M. Baksa to B. Spahr, re: textbook purchase, 2/27/04		10/21/05	11/3/05	BAKSA
	165	DASD survey of biology books used in nearby schools, notations by J. Miller				
	166	"Biology for Christian Students" text review				
	167	Notes on Curriculum Committee meeting, 6/4/04				
	168	Notes on Miller text by W. Buckingham, notation by J. Miller				

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	169	Email, F. Meyers to R. Nilsen, re: Biology books, 6/9/04				
	170	Receipt for purchase of Miller textbooks, notation indicated faxed on 8/3/04				
	171	Letter, R. Nilsen to M. Baksa, re: approval of funds for Miller text				
	172	Teacher packet, "Communications" <i>Bates 341, 359, 366</i>			<i>10/28/05</i>	<i>Nilsen</i>
	173	Teacher packet, "Panda Critique				
	174	Teacher packet, B. Spahr statement to Board and notes from DASD school board meeting, 10/18/04				
	175	Teacher research, ID and Evolution				
	176	DASD Academic Standards policy, version 4/23/03				
	177	DASD Curriculum Development policy (# 105), version 8/2/04				
	178	DASD Curriculum Review By Parents/Guardians and Students policy (#105.1), version 2/9/2004				
	179	DASD Guides for Planned Instruction policy (#106), version 4/23/03				
	180	DASD Guides for Planned Instruction policy (#107), version 4/23/03				
	181	DASD Adoption of Text books policy (#108), version 4/23/03				

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	182	DASD Resource Materials policy (#109), version 4/23/03				
	183	DASD Resource Materials (#109.1)—Challenges and Reconsiderations policy, version a 1/13/03				
	184	History of teacher edits of biology statement w/ notes by A. Bonsell		10/31/05	11/2/05	Bonsell
	185	DASD Biology statement, notes by A. Bonsell				
	186	DASD memo to Curriculum Committee, re: recommended curriculum changes reviewed by Science Dept. w/ attached Planned Instruction Curriculum Guide, draft, 9/20/04				
	187	DASD memo to Board of Directors, re: recommended changes to curriculum by Board Curriculum Committee, w/ attached Instruction Curriculum Guide, part A, draft, notation on memo by A. Bonsell, 10/13/04		10/31/05	11/2/05	Bonsell
	188	DASD memo to Board of Directors, re: changes to biology curriculum from admin. and staff, w/ attached Planned Instruction Curriculum Guide part A, draft, changes highlighted, note by A. Bonsell, "teachers OK," 10/18/04				
	189	Letter to E. Rothschild, Intelligent Design matter, from local attorney, on facts of Dover policy, 11/9/04				

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	190	Biology statement, teacher's version				
	191	History of Biology statement, teacher edits, 11/30/04				
	192	DASD Biology statement, 11/18/04				
	193	Updated Biology statement, version from 6/2005		10/21/05	10/28/05	Nilsen
	194	DASD Board/Admin agenda, 3/26/04				
	195	School Board meeting minutes, 11/10/03 (Pledge of Allegiance)				
	196	School Board meeting agenda, 11/10/03 (Pledge of Allegiance)				
	197	School Board committee rosters, 1998 to 2005				
	198	DASD Board/Admin retreat agenda, 2/11/04, notation by R. Nilsen				
	199	Benn Law Firm memo, re: correspondence between A. Bonsell and J. McClure				
	200	Dick M. Carpenter II, Expert Report				
	201	Scott Minnich, Expert Report				
	202	Michael J. Behe, Expert Report				
	203-A	Behe Expert Report Exhibit 1, "Abstracts from PubMed which contain the word 'theory'"		10/17/05	10/21/05	Behe

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Page 18 of 32 Filed 12/08/2005 Document 340 Case 4:04-cv-02688-JEJ	203-B	Behe Expert Report Exhibit 2, "A drawing of the bacterial flagellum from a biochemistry textbook"		10/17/05	10/21/05	Behe
	203-C	Behe Expert Report Exhibit 3, "Cover and Table of Contents of the February 6, 1998 issue of the journal <i>Cell</i> "		10/17/05	10/21/05	Behe
	203-D	Behe Expert Report Exhibit 4, "New York Times op-ed summarizing the argument for Intelligent Design"				
	203-E	Behe Expert Report Exhibit 5, "Directed Panspermia," by Francis Crick and Leslie Orgel"		10/17/05	10/21/05	Behe
	203-F	Behe Expert Report Exhibit 6, "Biology Text illustrates More Fiction than Fact," <i>New York Times</i> , 4/8/01 (sidebar)"				
	203-G	Behe Expert Report Exhibit 7, " <i>Philosophy of Science</i> journal article"		10/17/05	10/21/05	Behe
	203-H	Behe Expert Report Exhibit 8, " <i>Biology and Philosophy</i> journal article"		10/17/05	10/21/05	Behe
	203-I	Behe Expert Report Exhibit 9, "My chapter from <i>Debating Design: From Darwin to DNA</i> "		10/17/05	10/21/05	Behe
	203-J	Behe Expert Report Exhibit 10, " <i>Protein Science</i> journal article"		10/17/05	10/21/05	Behe
	203-K	Behe Expert Report Exhibit 11, "Article on evolutionary potential by Barry Hall"				

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	204	Michael J. Behe, Rebuttal Report to Kenneth Miller				
	205	Michael J. Behe, Rebuttal Report to Kevin Padian				
	206	Kenneth J. Miller, Deposition Exhibit #5				
	207	Kenneth J. Miller, Deposition Exhibit #6				
	208	Kenneth J. Miller, Deposition Exhibit #7				
	209	Kenneth J. Miller, Deposition Exhibit #8				
	210	Kenneth J. Miller, Deposition Exhibit #10		9/27/05	9/27/05	Miller
	211	Kenneth J. Miller, Deposition Exhibit #11				
	212	Miller and Levine Text, 1998				
	213	Miller and Levine Text, 2002				
	214	Miller and Levine Text, 2004		9/26/05	9/27/05	Miller
	215	<i>Modern Biology</i> (Holt, Reinhardt, Winston, 2002)				
	216	<i>Biology Dynamics of Life</i> (Glencoe Science, 2004)				

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Case 4:04-cv-02688-JEJ Document 340 Filed 12/08/2005 Page 20 of 32	217	<i>Biology: Exploring Life</i> (Prentice Hall, 2004)				
	218	<i>Biology for Christian Schools</i> (Bob Jones University, edition unknown as text was rejected by Mike Baksa based on short description)				
	219	<i>Biology: Living Systems</i> (Glencoe Sciences. 2003)				
	220	<i>Of Pandas and People</i>		10/17/05	10/21/05	Behe
	221	<i>Intelligent Design Creationism and Its Critics</i> , ed. Robert t. Pennock				Stipulated
	222	<i>Evolution</i> , ed. Mark Ridley				
	223	<i>Finding Darwin's God</i> , Kenneth R. Miller		11/14/05	11/14/05	Minnich
	224	<i>The Ancestor's Tale</i> , Richard Dawkins				
	225	<i>Tower of Babel</i> , Robert T. Pennock				Stipulated
	226	<i>Evolution: The Triumph of an Idea</i> , Carl Zimmer				
227	DVD: <i>Icons of Evolution: The Growing Scientific Controversy Over Darwin</i>				Stipulated	
228	DVD: <i>Unlocking the Mystery of Life: The Scientific Case for Intelligent Design</i>				Stipulated	
229	Jonathan Wells, "Icons of Evolution: Science or Myth? Why Much of What We Teach About Evolution is Wrong"				Stipulated	

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	230	DASD Curriculum Policies			
Page 21 of 32	231	Tape of 10/18/04 meeting			<i>stipulated</i>
	232	C. Brown, Ex. #1-3			
	233	PA Board of Education Academic Standards for Science and Technology		<i>9/26/05</i>	<i>9/27/05</i> <i>Miller</i>
Filed 12/08/2005	234	Statement of Sen. Rick Santorum upon passage of the No Child Left Behind Act			
	235	Conference Report of No Child Left Behind Act (2001)			
Document 340	236	McNab, R.M., "The Bacterial Flagellum: Reversible Rotary Propellor and Type III Export Apparatus"			
	237	Saier, M.H., Jr., "Evolution of Bacterial Type III Protein Secretion Systems"		<i>10/17/05</i>	<i>10/21/05</i> <i>Behe</i>
Case 4:04-cv-02688-JEJ	238	Nguyen, L., Paulsen, I.T., Tchieu, J., Hueck, C.J., and Saier, M.H., Jr., "Phylogenetic Analyses of the Constituents of Type III Protein Secretion Systems"		<i>10/17/05</i>	<i>10/21/05</i> <i>Behe</i>
	239	Galan, J.E. and Collmer, A., "Type III Secretion Machines: Bacterial Devices for Protein Delivery Into Host Cells"			
	240	Warren Nord, Expert Report			
	241	Warren Nord, Curriculum Vitae			
	242	Steve William Fuller, Expert Report			

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Case 4:04-cv-02688-JEJ Document 340 Filed 12/08/2005 Page 22 of 32	243	Steve William Fuller, Curriculum Vitae		10/24/05	10/24/05	Fuller
	244	Dick M. Carpenter II, Expert Report				
	245	Dick M. Carpenter II, Curriculum Vitae				
	246	Scott Minnich, Expert Report				
	247	Scott Minnich, Curriculum Vitae				
	248	Michael J. Behe, Expert Report				
	249	Michael J. Behe, Curriculum Vitae		10/17/05	10/21/05	Behe
	250	Behe, Michael and David W. Snoke, "Simulating Evolution By Gene Duplication of Protein Features That Require Multiple Amino Acid Residues"				
	251	Woese, Carl, "A New Biology for a New Century"		11/3/05	11/4/05	Minnich
	252	Lenski, et. Al, "The Evolutionary Origin of Complex Features"		↓	↓	↓
253	Alberts, B., The Cell Is a Collection of Protein Machines: Preparing the Next Generation of Molecular Biologists"					
254	Minnich, Scott and Stephen Meyer, "Genetic Analysis of Coordinate Flagellar and Type III Regulatory Circuits in Pathenogenic Bacteria"					
255	Conway, S.C., Evolution: Bringing Molecules Into the Fold"					

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PTF	DEF					
Page 23 of 32	256	Benn Law Firm memo, re: correspondence between A. Bonsell and J. McClure				
	257	Losick and Shaprio, "Changing Views on the Nature of the Bacterial Cell: From Biochemistry to Cytology."		11/3/05	11/4/05	Minnich
Filed 12/08/2005	258	Sanders LA, Van Way S, Mullin DA, Characterization of the <i>Caulobacter Crecentus</i> FlbF Promoter and Identification of the Inferred FlbF Product as a Homolog of the LcrD Protein From <i>Yersinia enterocolitica</i> Virulence Plasmid."				
Document 340	259	Zhuang WY, Shapiro, L., Caulobacter FliQ and FliR Membrane Proteins Required for Flagellar Biogenesis and Cell Division, Belong to a Family of Virulence Factor Export Proteins."				
Case 4:04-cv-02688-JEJ	260	Weiner, Jonathon, "The Beak of the Finch" Vintage. New York, NY, 1994 p. 258				
	261	Quammen, D. "Was Darwin Wrong?" National Geographic 206:2-35				
	262	Reynolds, MG, 2000. Compensatory Evolution in Rifampin-resistant <i>Escherichia coli</i> ."				
	263	Polkinghorn, J. 1998. "Belief in God in an Age of Science." Yale University Press				
	264	Behe, Michael J., "Recapitulations: Behe Responds"				

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	265	Maddox, John, "Down with the Big Bang"		10/17/05	10/21/05	Behe
	266	Thornhill, Richard H. and David W. Ussery, "A Classification of Possible Routes of Darwinian Evolution."		10/17/05	10/21/05	Behe
	267	"How Did Life Begin?: An Interview With Andy Knoll"		10/17/05	10/21/05	Behe
	268	Barton, NH and B. Charlesworth, "Why Sex and Recombination?"				
	269	Wuethrich, Bernice, "Evolution of Sex: Putting Theory to the Test"		10/17/05	10/21/05	Behe
	270	Kondrashov, AS, "Classification of Hypotheses on the Advantage of Amphimixis"		10/17/05	10/21/05	Behe
	271	Pennisi, Elizabeth, "Haeckel's Embryos: Fraud Rediscovered"		10/17/05	10/21/05	Behe
	272	Doolittle, Russell F., "A Delicate Balance"		10/17/05	10/21/05	Behe
	273	Shanks, Niall, and Karl H. Joplin, "Redundant Complexity: A Critical Analysis of Intelligent Design in Biochemistry"				
	274	DeRosier, David J., "The Turn of the Screw: The Bacterial Flagellar Motor"		10/17/05	10/21/05	Behe
	275	Behe, Michael J. "The Argument for Intelligent Design in Biology" PowerPoint Presentation				

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EXHIBIT INITIAL & NO. PTF DEF		DESCRIPTION OF OBJECT OR ITEM	DOCUMENT DATED	IDENTIFIED IN COURT	DATE ADMITTED	WITNESS ON STAND
	276	Dewey, J. "The Child and the Curriculum and the School and Society"				
	277	Petress, K., "What is Critical Thinking and Why is it Useful?"				
	278	Scheurman, G., "From Behaviorist to Constructivist Teaching"				
	279	Nord, Warren A., "Intelligent Design Theory, Religion and the Science Curriculum"				
	280	Campbell, John Angus, "The Philosopher of Science as a Public Intellectual"				
	281	Fuller, Steve, "An Intelligent Persons Guide to Intelligent Design Theory"				
	282	U.S. Office of Special Counsel, results from inquiry into possible discrimination against publisher of ID article				
	283	Documents from Michael Baksa, relating to seminar by PA School Board Association and Messiah College, "Creationism and the Law"		10/20/05	10/28/05	Nilsen
	284	Michael Baksa, notes on seminar by PA School Board Association and Messiah College "Creationism and the Law"		10/21/05	11/3/05	Baksa
	285	Article, "Glorious are the Works of the Lord," <i>The Cresset</i> from M. Baksa files				

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	286	Planned Instruction Curriculum Guide, part A, with notes by M. Baksa		10/21/05	11/3/05	Baksa
	287	M. Baksa, notes from meeting with science teachers, 9/16/03		10/21/05	11/3/05	Baksa
	288	R. Nilsen, notes from 1/19/02, 3/26/03 DASD Board/Admin retreat, and retreat agenda, 3/26/03		10/20/05	10/28/05	Nilsen
	300	Collection of PowerPoint Exhibits for Dr. Michael Behe				*
	300-A	Slide, Table of Contents, <i>Nature</i> Magazine				*
	300-B	Slide, Close-up of Table of Contents showing reviews of books				*
	300-C	Slide, Covers of books making scientific arguments on evolution				*
	300-D	Slide, Covers of books making scientific arguments on evolution				*
	300-E	Slide, Seminars and discussions attended by Dr. Behe on the subject of Intelligent Design				*
	300-F	Slide, Seminars and discussions, continued				*
	300-G	Slide, Seminars and discussions, continued				*
	300-H	Slide, Seminars and discussions, continued, ones attended with Dr. Miller highlighted				*

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Case 4:04-cv-02688-JEJ Document 340 Filed 12/08/2005 Page 27 of 32	300-I	Slide, Seminars and discussions, continued, ones attended with Dr. Miller highlighted				*
	300-J	Slide, Full color diagram of the bacterial flagellum				*
	300-K	Slide, Full color diagram of the bacterial flagellum with quote from DeRosier				*
	300-L	Slide, Quote from DeRosier on capability of bacterial flagellum				*
	300-M	Slide, Table of statistics for flagellar motors				*
	300-N	Slide, Quote from <i>Pandas</i> on evolution viewed as a 'fact'				*
	300-O	Slide, Diagram of embryonic development of several species (Haeckel embryos)				*
	300-P	Slide, Quote from <i>Science and Creationsim: a View from the National Academy of Sciences</i>				*
	300-Q	Slide, Diagram of IC molecular machine				*
	300-R	Slide, Renderings of protein hemoglobin from <i>Biochemistry</i>				*
300-S	Slide, Rendering of hemoglobin from <i>Biochemistry</i>				*	
300-T	Slide, Diagram of irreducibly complex machine				*	

EXHIBIT INITIAL & NO. PTF DEF		DESCRIPTION OF OBJECT OR ITEM	DOCUMENT DATED	IDENTIFIED IN COURT	DATE ADMITTED	WITNESS ON STAND
	300-U	Slide, Quote from Dr. Miller's <i>Finding Darwin's God</i> on proposed test for IC				*
	300-W	Slide, Table of the parts of <i>lac</i> operon and <i>ebg</i> operon				*
	300-X	Slide, Quote from <i>Finding Darwin's God</i> on conclusions that follow from IC				*
	300-Y	Slide, Quote from <i>Finding Darwin's God</i> claiming that Dr. Behe's conclusions are incorrect				*
	300-Z	Slide, Table of the remaining parts of <i>lac</i> operon and <i>ebg</i> operon				*
	300-AA	Slide, Dr. Behe's findings from operon experiment				*
	300-BB	Slide, Comparison of <i>lac</i> and <i>ebg</i> operons based on amino acid residue				*
	300-CC	Slide, Diagram of control transcription of <i>lac</i> operon				*
	300-DD	Slide, Diagram of the blood-clotting cascade from <i>Biochemistry</i>				*
	300-EE	Slide, Diagram of the blood-clotting cascade from <i>Pandas</i> and from <i>Darwin's Black Box</i>				*
	300-FF	Slide, Diagram, symptoms of gene-knockout in mice				*
	300-GG	Slide, Diagram, effects of clotting gene-knockout experiments on mice				*
						*

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	300-II	Slide, Quote from <i>Darwin's Black Box</i> , on irreducible complexity of blood clotting system				*
	300-JJ	Slide, Diagram, of blood-clotting system in puffer fish				*
	300-KK	Slide, Diagram, effects of clotting gene-knockout experiments on mice				*
	300-LL	Slide, Diagram of blood-clotting system in puffer fish				*
	300-MM	Slide, Diagram of digital organism				*
	300-NN	Slide, Excerpts of article "RAG1 Core and V(D)J Recombination Signal Sequences Were Derived from Transib Transposons"				*
	300-OO	Slide, Excerpts of article "RAG1 Core and V(D)J Recombination Signal Sequences Were Derived from Transib Transposons"				*
	300-PP	Slide, Table of occurrences of phases "random mutation and "natural selection" in papers cited by Dr. Miller on blood clotting				*
	300-QQ	Slide, Table of occurrences of phases "random mutation and "natural selection" in papers cited by Dr. Miller on immune system				*

EXHIBIT INITIAL & NO. PTF DEF		DESCRIPTION OF OBJECT OR ITEM	DOCUMENT DATED	IDENTIFIED IN COURT	DATE ADMITTED	WITNESS ON STAND
	300-RR	Slide, Table of occurrences of phases "random mutation and "natural selection" in papers cited by Dr. Miller on immune system				*
	300-SS	Slide, Table of occurrences of phases "random mutation and "natural selection" in papers cited by Dr. Miller on bacterial flagellum/type three secretory system				*
	300-TT	Slide, Table of occurrences of phases "random mutation and "natural selection" in papers cited by Dr. Miller on common descent of hemoglobin				*
	300-UU	Slide, Table of occurrences of phases "random mutation and "natural selection" in papers cited by Dr. Miller on "molecular trees"				*
	300-VV	Slide, Section six of <i>Pandas</i> , "Biochemical Similarities"				*
	300-WW	Slide, Front cover of <i>Biochemistry</i>				*
	300-XX	Slide, Diagram of phylogenetic tree for cytochrome <i>c</i>				*
	300-YY	Slide, Diagram of rates of evolution of four unrelated proteins				*
	300-ZZ	Slide, List of recent papers discussing the difficulties of the molecular clock hypothesis				*

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Page 31 of 32 Filed 12/08/2005 Document 340 Case 4:04-cv-02688-JEU	300-AAA	Slide, First page of article "Current Status of the Molecular Clock Hypothesis" by Gilbert Hermann, M.D.				*
	300-BBB	Slide, Summary of an excerpt from Hermann article				*
	300-CCC	Slide, Excerpt from <i>Pandas</i> , "The Meaning of Gaps in the Fossil Record"				*
	301	Collection of PowerPoint Exhibits for Dr. Scott Minnich				*
	301-A	Slide, Excerpt from <i>Pandas</i> , characteristics of intelligence				*
	301-B	Slide, Full color diagram of the bacterial flagellum				*
	301-C	Slide, Observations on article "The Cell as a Collection of Protein Machines" by B. Alberts from <i>Cell</i>				*
	301-D	Slide, Full color diagram of the bacterial flagellum with quote from DeRosier				*
	301-E	Slide, Description of the efficiency of the flagellar motor				*
	301-F	Slide, Diagrams of the ATP Synthase, energy generating turbine				*
301-G	Slide, Table of the information storage system in DNA				*	
301-H	Slide, Diagram of the Sliding Clamp				*	

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	301-I	Slide, Title slide for presentation segment, "Gated Portal: Nuclear Pore Complex"				*
	301-J	Slide, Diagram of the structure of the gated portal				*
	301-K	Slide, Title slide for the presentation segment, "Loss of Function Motility Mutants"				*
	301-L	Slide, Diagram of Flagellum Biosynthesis				*
	301-M	Slide, Diagram of irreducible complexity in the lab				*
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