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California Science Center and Jeffrey Rudolph in his
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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

JUN 03 2011

John A. Clark, Executive Officer/Clerk
By Glorietta Robinson, Deputy
GLORIETTA ROBINSON

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES, CENTRAL DISTRICT

13 **AMERICAN FREEDOM ALLIANCE, a**
14 **nonprofit corporation,**

15 Plaintiff,

16 v.

17 **CALIFORNIA SCIENCE CENTER, a legal**
18 **entity of the State of California;**
19 **CALIFORNIA SCIENCE CENTER**
20 **FOUNDATION, a nonprofit corporation;**
JEFFREY RUDOLPH, an Individual, and
DOES 1 through 50, inclusive,

21 Defendants.

Case No. BC 423687

**OBJECTIONS TO THE DECLARATION
OF WILLIAM J. BECKER, JR.**

[Center Defendants' Lodgment of Non
-California Authorities; Reply Brief; Reply to
AFA's Opposition to Separate Statement;
Opposition to AFA's Objections to Evidence;
[Proposed] Order on Objections to Becker
Declaration; Objections and Motion to Strike
Woodward Declaration; Objections and
Motion to Strike Lepiscopo Declaration, filed
concurrently herewith]

Date: June 9, 2011
Time: 8:45 a.m.
Dept: 14
Judge: The Honorable Terry A. Green
Trial Date: July 25, 2011
Action Filed: October 14, 2009

1
2 **Objection No. 1:**

3 "The California Science Center Foundation Bylaws (Exh. 29) refers to the Foundation an
4 [sic] 'auxiliary' to the California Science Center. Auxiliary is defined as adj. 'additional;
5 supplementary; reserve: an auxiliary police force'; noun 'an organization allied with, but
6 subsidiary to, a main body of restricted membership.'
7 ([http://dictionary.reference.com/browse/auxiliary.](http://dictionary.reference.com/browse/auxiliary))" (Decl. W. Becker, 2:8-12.)

8 **Grounds for Objection No. 1:**

9 The statement lacks foundation and is hearsay as to what the Foundation Bylaws (Exh.
10 29) say or mean. (Evid. Code, sections 403(a), 1200.) The Foundation Bylaws speak for
11 themselves. Moreover, the declarant's definition(s) and usage of "auxiliary" are nowhere adopted
12 in the Foundation Bylaws. Declarant's definition(s) and usage lack foundation, are hearsay and
13 are irrelevant as regards the Foundation Bylaws. (Evid. Code, sections 210, 350, 403(a), 1200.)

14 **Objection No. 2:**

15 "As part of this lawsuit, AFA seeks a declaration of rights and an Order requiring the
16 Defendants to make available to AFA and the public the use of the IMAX Theater for a future
17 private event to include the screening of a film concerning Intelligent Design and/or Creationism,
18 and to debate the merits of Darwinian/neo-Darwinian evolutionary theory." (Decl. W. Becker,
19 2:15-18.)

20 **Grounds for Objection No. 2:**

21 Hearsay. (Evid. Code, section 1200.) The Third Amended Complaint speaks for itself.

22 **Objection No. 3:**

23 "The Center Defendants have never provided evidence that they complied with Govt.
24 Code section 946.6, i.e., timely filed the certificate required by Gov. Code section 53051." (Decl.
25 W. Becker, 2:21-22.)

26 **Grounds for Objection No. 3:**

27 Declarant states a legal conclusion to the extent it is offered to suggest that the Center is
28 somehow subject to the filing requirements of Government Code sections 946.4 and 53051.

1 (Evid. Code, section 310.)

2 **Objection No. 4:**

3 "Attached hereto and incorporated herein by reference as Exhibit 52 is a true and correct
4 copy of excerpts from documents subpoenaed by Plaintiff on (sic) the Natural History Museum of
5 Los Angeles County consisting of a written transcript of the film, Darwin's Dilemma."

6 **Grounds for Objection No. 4:**

7 Exhibit 52 documents are hearsay to the extent AFA intends to offer them for the truth of
8 the matter purportedly asserted therein. (Evid. Code, section 1200.)

9 **Objection No. 5:**

10 "Attached hereto and incorporated by reference as Exhibit 54 is a true and correct copy of
11 information taken from the Discovery Institute web site."

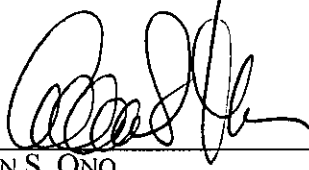
12 **Grounds for Objection No. 5:**

13 Declarant's attempt to authenticate Exhibit 54 lacks foundation and is vague as to time.
14 (Evid. Code, section 403(a).) The Exhibit's contents are hearsay. (Evid. Code, section 1200.)

15 Dated: June 2, 2011

16 Respectfully Submitted,

17 KAMALA D. HARRIS
18 Attorney General of California

19
20 By 
21 ALLAN S. ONO
22 Deputy Attorney General
23 *Attorneys for Defendants*
24 *California Science Center and Jeffrey*
25 *Rudolph in his official capacity and the*
26 *President and CEO of the California*
27 *Science Center*

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DECLARATION OF SERVICE BY ELECTRONIC & U.S. MAIL

Case Name: **American Freedom Alliance v. California Science Center, et al.**

Case No.: **BC 423687**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter.

I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On June 3, 2011, I served the attached **OBJECTIONS TO EVIDENCE TO THE DECLARATION OF WILLIAM J. BECKER, JR.** by transmitting a true copy via ELECTRONIC MAIL. In addition, I placed a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Los Angeles, California, addressed as follows:


William J. Becker, Jr. Esq.
The Becker Law Firm
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I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 3, 2011, at Los Angeles, California.

Olivia C. Padilla

Declarant



Signature