

EXHIBIT 15

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

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LONG HAUL, INC. and EAST BAY)
PRISONER SUPPORT,)
)
 Plaintiffs,)

v.) No. C 09-00168-JSW

UNITED STATES OF AMERICA; MIGUEL)
CELAYA; KAREN ALBERTS; WILLIAM)
KASISKE; WADE MacADAM; TIMOTHY)
ZUNIGA; MIKE HART; LISA SHAFFER;)
and DOES 1 - 25,)
)
 Defendants.)

DEPOSITION OF WADE MacADAM, taken on behalf
of Plaintiffs, at One Market Street, 32nd Floor, San
Francisco, California, commencing at 12:53 p.m.,
Monday, November 15, 2010, before Donna J. Blum,
Certified Shorthand Reporter, No. 11133.

1 Q. Did you participate in the search of the Long
2 Haul premises on August 27, 2008, as part of your job
3 duties?

4 A. Yes.

5 Q. Were you wearing a uniform that identified you
6 as law enforcement?

7 A. Yes.

8 Q. Do you remember what the other officers
9 participating in that search were wearing?

10 A. Specifically, no. I believe Corporal Zuniga and
11 I were the only two in full police uniform.

12 Q. Do you know why you were the only two in full
13 police uniform?

14 MS. ELLIS: Objection; speculation.

15 THE WITNESS: I don't recall.

16 BY MS. HOFMANN:

17 Q. Okay. When you arrived at the Long Haul
18 premises, could you please describe how you entered the
19 building?

20 A. A neighbor gave us access to a door, a back door
21 that led into a little entryway to her property and the
22 Long Haul.

23 Q. And was the door to the Long Haul that you
24 entered in the back of the building?

25 A. Yes.

1 interior environment prior to the search and then do it
2 at the end of the search so if anybody says anything was
3 missing or anything was damaged.

4 Q. So once the protective sweep was finished, what
5 did you do next?

6 A. I do not recall. I do recall that I was tasked
7 with opening the rooms that were locked.

8 Q. All of the rooms that were locked?

9 A. To complete the protective sweep, yes.

10 Q. So who gave you that task?

11 A. I do not recall.

12 Q. So once you were given that task, what did you
13 do next?

14 A. For your word "next," I don't recall what I did
15 next. I know that I did open the three rooms down below
16 and assist with the one room upstairs.

17 Q. Were all three of the rooms down below locked?

18 A. With a padlock, yes.

19 Q. All three had a padlock?

20 A. From what I can recall.

21 Q. Which room did you open first?

22 A. I don't recall.

23 Q. Did you -- did anybody assist you in opening
24 those three rooms down below?

25 A. Yes.

1 Q. Who assisted you?

2 A. Corporal Zuniga.

3 Q. And how did he assist?

4 A. I believe there was one lock that I wasn't able
5 to remove the screws so he didn't have to cut it, and I
6 believe he assisted with bolt cutters.

7 Q. Okay. Did you see signs on any of those three
8 doors?

9 MS. ELLIS: Objection; asked and answered.

10 THE WITNESS: Yeah. I've already told you I
11 didn't.

12 BY MS. HOFMANN:

13 Q. I think you told me about one.

14 A. I didn't notice anything on the doors.

15 Q. Okay. I'm going to show you a photograph.

16 This does not have a Bates number, but could you
17 please mark that.

18 (Deposition [Exhibit No. 14](#) was marked for
19 identification.)

20 BY MS. HOFMANN:

21 Q. Does that look familiar to you at all?

22 A. No.

23 Q. Do you see the lock, the padlock that's open
24 there?

25 A. Yes, I see the padlock.

1 Q. Do you recall taking the lock off of this door?

2 MS. ELLIS: Objection; foundation.

3 THE WITNESS: I recall removing screws around
4 some of the hardware so the locks wouldn't have to be
5 cut. I don't remember which door this was.

6 BY MS. HOFMANN:

7 Q. Do you recall going into this office?

8 MS. ELLIS: Objection; assumes facts not in
9 evidence, foundation.

10 THE WITNESS: I recall going into the offices
11 downstairs.

12 BY MS. HOFMANN:

13 Q. Okay. Could you tell me what you saw in those
14 offices?

15 A. No, because I was going through as a protective
16 sweep to see if there's anybody inside, and that was my
17 main focus.

18 Q. Was there anything that caught your eye in any
19 of those offices?

20 MS. ELLIS: Objection; vague.

21 THE WITNESS: You'd have to go office by office.
22 I don't know exactly what you're asking.

23 BY MS. HOFMANN:

24 Q. Do you remember seeing any computers that were
25 of interest in any of those offices?

1 MS. ELLIS: Objection; vague.

2 THE WITNESS: I don't recall the contents in
3 each office.

4 BY MS. HOFMANN:

5 Q. In any of those offices do you remember seeing
6 papers or correspondence that you thought might be of
7 special interest to Agent Shaffer?

8 MS. ELLIS: Objection; asked and answered.

9 THE WITNESS: After I did the protective sweep
10 and there was no one inside, people were asking me if
11 there was anything, and I would tell them that they can
12 go in and search the room. I don't recall anything
13 specific.

14 BY MS. HOFMANN:

15 Q. So after you took the locks off of those three
16 doors downstairs, what happened next?

17 A. I entered the rooms.

18 Q. And then what?

19 A. Reported that there was no one in the room.

20 Q. Okay. And then what happened?

21 A. Told the team that they were available to be
22 searched.

23 Q. Do you recall if anybody searched those rooms?

24 A. I do not recall.

25 Q. Did you ever realize during the search that

1 there was a tenant of Long Haul occupying one of those
2 offices?

3 MS. ELLIS: Objection; assumes facts not in
4 evidence, foundation, vague.

5 THE WITNESS: There was nobody in the building.

6 BY MS. HOFMANN:

7 Q. But did you recognize that one of those offices
8 belonged to an entity that was not Long Haul?

9 MS. ELLIS: Objection; vague, assumes facts not
10 in evidence, foundation.

11 THE WITNESS: Can you rephrase the question?

12 I noticed that there were offices in the
13 building. I don't understand your question.

14 BY MS. HOFMANN:

15 Q. Who did you think those offices belonged to?

16 A. They looked like administrative offices or
17 storage areas.

18 Q. What made you think they were administrative
19 offices?

20 A. One had a desk possibly and just based off
21 seemed like a locked office.

22 Q. Did you see anything in those offices that gave
23 you a sense of who might have occupied them?

24 MS. ELLIS: Objection; vague.

25 THE WITNESS: Again, I was doing a protective

1 sweep looking for people. I did not go outside of the
2 protective sweep.

3 Q. Okay. After you told officers that those rooms
4 were available to search, what did you do next?

5 A. I believe I went upstairs and opened another
6 office door.

7 Q. Okay. Were you videotaping your ascent up those
8 stairs?

9 A. I don't recall.

10 MS. ELLIS: Objection; vague as to time.

11 BY MS. HOFMANN:

12 Q. When you reached that office upstairs, did you
13 see a sign above it?

14 A. Not that I recall. There was stuff over all the
15 walls. I didn't really pay attention.

16 Q. Okay. And that door was locked?

17 A. Which door?

18 Q. The door to the office upstairs.

19 A. Yes.

20 MS. ELLIS: Objection; assumes facts not in
21 evidence.

22 Q. Did you help to remove the lock?

23 A. The lock was not removed.

24 Q. That door remained locked through the search of
25 the Long Haul premises?

1 A. I don't know the status of the lock, if it was
2 locked or unlocked. The door was opened.

3 Q. Okay. Just to make sure I understand, you did
4 not help to take the lock off of that door, the door of
5 the upstairs office. Is that correct?

6 A. From what I recall, the lock was not removed
7 from the door. The door was pried open.

8 Q. The door was pried open. Okay. Did you go
9 inside that office?

10 A. Yes.

11 Q. And what did you see?

12 A. I'll tell you what I didn't see, I didn't see
13 any people. That was my protective sweep.

14 Q. Did you see any computers?

15 A. I don't recall.

16 Q. Did you see any photographs?

17 MS. ELLIS: Objection; vague.

18 THE WITNESS: I don't remember the contents of
19 the room.

20 BY MS. HOFMANN:

21 Q. Filing cabinets?

22 A. There was a file cabinet I want to say to the
23 left of the interior, and I looked around that to see if
24 there was someone behind it.

25 Q. Okay. Did you open the file cabinet?

1 A. No.

2 Q. Were there any other officers with you while you
3 were in that room?

4 A. Yes. Corporal Zuniga and I went into that room
5 together.

6 Q. What did you see him doing in that room?

7 A. I don't recall. He searched one side for
8 people. I searched the other side for people. I don't
9 know what he was doing.

10 Q. And what did you do next?

11 A. I do not recall. I was assisting all of them as
12 needed.

13 Q. Did Corporal Zuniga stay in that room after you
14 left?

15 A. I don't recall.

16 Q. After you were in the room that was the office
17 upstairs, what did you do?

18 A. I don't recall. I remember I was called up to
19 the front to cut a padlock to a cabinet.

20 Q. Okay. Did you open the cabinet?

21 A. I believe I did.

22 Q. What was in the cabinet?

23 A. I don't recall. I just cut the lock.

24 Q. Who asked you to cut the lock?

25 A. I don't recall who was searching that area.

1 from upstairs?

2 A. I don't recall.

3 Q. After the computers were lined up and you
4 videotaped them, you say that you probably left the
5 building. What would you have done after you left the
6 building? Or rather what did you do after you left the
7 building?

8 A. Since I was in uniform, I was standing next to
9 the vehicle that was being stored with the property and I
10 was providing vehicle security.

11 Q. And when you say the property, do you mean the
12 items that were seized during the search at the Long
13 Haul?

14 A. Yes.

15 Q. Okay. And what were you doing to provide
16 security?

17 A. Keeping people away from the vehicle. There
18 were a few pedestrians outside.

19 Q. Okay. And is this when you -- when you spoke to
20 other individuals outside the Long Haul?

21 A. There was one that I knew, and I recall
22 interacting with him. But the other people that might
23 have been yelling just bounced off me. I was just
24 providing security.

25 Q. How did you know the one man that you just

EXHIBIT 16

1 SCHIFF HARDIN LLP
WILLIAM J. CARROLL (CSB #118106)
2 wcarroll@schiffhardin.com
SARAH D. YOUNGBLOOD (CSB #244304)
3 syoungblood@schiffhardin.com
One Market, Spear Street Tower
4 Thirty-Second Floor
San Francisco, CA 94105
5 Telephone: (415) 901-8700
Facsimile: (415) 901-8701

6 SARA L. ELLIS (ILSB #6224868)
7 sellis@schiffhardin.com
233 South Wacker Drive
8 Suite 6600
Chicago, IL 60606
9 Telephone (312) 258-5800
Facsimile (312) 258-5600

10 Attorneys for Defendants
11 MITCHELL CELAYA, KAREN ALBERTS,
WILLIAM KASISKE, WADE MACADAM and
12 TIMOTHY J. ZUNIGA

13
14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16

17 LONG HAUL, INC., and EAST BAY
PRISONER SUPPORT,

18 Plaintiffs,
19

20 v.

21 UNITED STATES OF AMERICA;
MITCHELL CELAYA; KAREN
22 ALBERTS; WILLIAM KASISKE; WADE
MACADAM; TIMOTHY J. ZUNIGA;
23 MIKE HART; LISA SHAFFER; AND
DOES 1-25,

24 Defendants.

Case No. 3:09-cv-0168 JSW

**DEFENDANT WADE MACADAM'S
RESPONSES TO PLAINTIFFS'
REQUESTS FOR ADMISSION**

25 PROPOUNDING PARTY: Plaintiffs LONG HAUL, INC. and EAST BAY PRISONER
26 SUPPORT

27 RESPONDING PARTY: Defendant WADE MACADAM

28 SET NUMBER: ONE

1 MacAdam further objects to this request to the extent that it assumes facts not in
2 evidence. MacAdam further objects to this request on the ground that it seeks
3 information equally available to the requesting party. MacAdam further objects to this
4 request to the extent that it calls for a legal conclusion. MacAdam further objects to this
5 request to the extent that it seeks information protected from disclosure by the attorney-
6 client privilege and/or the attorney work-product doctrine.

7 Subject to and without waiving the foregoing general and specific objections,
8 MacAdam responds as follows: Denied.

9 **REQUEST FOR ADMISSION NO. 20:**

10 Admit that defendants or their agents made copies of Plaintiffs' data following the
11 raid.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 20:**

13 MacAdam objects to this request on the grounds that it is vague and ambiguous
14 as the term "Defendants" and understands that term to refer specifically to defendants
15 Mitchell Celaya, Karen Alberts, William Kasiske, Wade Macadam and Timothy J. Zuniga
16 (collectively, "University Defendants"). MacAdam further objects to this request on the
17 grounds that it is vague and ambiguous as to the terms "agents," "copies," and "data."
18 MacAdam further objects to this request to the extent that it assumes facts not in
19 evidence. MacAdam further objects to this request to the extent that it calls for a legal
20 conclusion. MacAdam further objects to this request on the ground that it is compound.
21 MacAdam further objects to this request on the ground that it is overbroad and unduly
22 burdensome. MacAdam further objects to this request on the ground that it is
23 argumentative, prejudicial, and misleading as to the use of the term "raid." MacAdam
24 further objects to this request to the extent it seeks information protected from disclosure
25 by the attorney-client privilege and/or the attorney work-product doctrine.

26 Subject to and without waiving the foregoing general and specific objections,
27 MacAdam responds as follows: MacAdam admits that the University of California
28 Berkeley Police Department made copies of the hard drives and a flashdrive that were

1 seized from the Long Haul premises..

2 **REQUEST FOR ADMISSION NO. 21:**

3 Admit that defendants or their agents have retained copies of Plaintiffs' data taken
4 during the raid.

5 **RESPONSE TO REQUEST FOR ADMISSION NO. 21:**

6 MacAdam objects to this request on the grounds that it is vague and ambiguous
7 as the term "Defendants'" and understands that term to refer specifically to defendants
8 Mitchell Celaya, Karen Alberts, William Kasiske, Wade Macadam and Timothy J. Zuniga
9 (collectively, "University Defendants"). MacAdam further objects to this request on the
10 grounds that it is vague and ambiguous as to the terms "agents," "retained," "copies,"
11 "data, and "taken." MacAdam further objects to this request to the extent that it assumes
12 facts not in evidence. MacAdam further objects to this request to the extent that it calls
13 for a legal conclusion. MacAdam further objects to this request on the ground that it is
14 compound. MacAdam further objects to this request on the ground that it is overbroad
15 and unduly burdensome. MacAdam further objects to this request on the ground that it
16 is argumentative, prejudicial, and misleading as to the use of the term "raid." MacAdam
17 further objects to this request to the extent it seeks information protected from disclosure
18 by the attorney-client privilege and/or the attorney work-product doctrine.

19 Subject to and without waiving the foregoing general and specific objections,
20 MacAdam responds as follows: MacAdam admits that the University of California
21 Berkeley Police Department made copies of the hard drives and a flashdrive that were
22 seized from the Long Haul premises and have retained these copies which is are
23 governed by a stipulation entered into between the parties to this litigation.

24 **REQUEST FOR ADMISSION NO. 22:**

25 Admit that you did not object to the search plan presented by Kasiske on the
26 morning of the raid.

27 **RESPONSE TO REQUEST FOR ADMISSION NO. 22:**

28 MacAdam objects to this request on the ground that it is vague and ambiguous as

1 Wade MacAdam. MacAdam further objects to this request on the grounds that it is
2 vague and ambiguous as to the term "entered." MacAdam further objects to this request
3 to the extent it seeks information protected by the investigation privilege. MacAdam
4 further objects to this request on the ground that it is argumentative, prejudicial, and
5 misleading as to the use of the term "raid."

6 Subject to and without waiving the foregoing general and specific objections,
7 MacAdam responds as follows: Admitted.

8 **REQUEST FOR ADMISSION NO. 25:**

9 Admit you cut or removed locks from the Slingshot and EBPS offices in the Long
10 Haul infoshop.

11 **RESPONSE TO REQUEST FOR ADMISSION NO. 25:**

12 MacAdam objects to this request on the ground that it is vague and ambiguous as
13 to the term "you," and understands that term to refer specifically and solely to Defendant
14 Wade MacAdam. MacAdam further objects to this request on the grounds that it is
15 vague and ambiguous as to the terms "cut," "removed," and "locks." MacAdam further
16 objects to this request to the extent it seeks information protected by the investigation
17 privilege. MacAdam further objects to this request on the ground that it is vague as to
18 time. MacAdam further objects to this request on the ground that it is compound.
19 MacAdam further objects to this request on the ground that it assumes facts that are not
20 in evidence.

21 Subject to and without waiving the foregoing general and specific objections,
22 MacAdam responds as follows: MacAdam admits that he cut the locks on some doors
23 and removed hardware from other doors so as not to cut the locks on those doors. After
24 reasonable investigation, MacAdam lacks knowledge or information sufficient to admit or
25 deny whether these doors belonged to what has been defined as the "Slingshot office" or
26 the "EBPS office" as defined in these requests.

27 **REQUEST FOR ADMISSION NO. 26:**

28 Admit that the Silicon Valley Regional Computer Forensics Lab ("SVRCFL")

EXHIBIT 17

1 MELINDA HAAG (SBN 132612)
 United States Attorney
 2 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 3 JONATHAN U. LEE (CSBN 148792)
 NEILL T. TSENG (CSBN 220348)
 4 Assistant United States Attorneys
 450 Golden Gate Avenue, 9th Floor
 5 San Francisco, California 94102-3495
 Telephone: (415) 436-7200
 6 Facsimile: (415) 436-6748
 E-mail: jonathan.lee@usdoj.gov
 7 neill.tseng@usdoj.gov

8 Attorneys for Federal Defendants

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 LONG HAUL, INC. and EAST BAY
 13 PRISONER SUPPORT,

14 Plaintiffs,

15 vs.

16 UNITED STATES OF AMERICA;
 MITCHELL CELAYA; KAREN ALBERTS;
 17 WILLIAM KASISKE; WADE MACADAM;
 TIMOTHY J. ZUNIGA; MIKE HART; LISA
 18 SHAFFER; AND DOES 1-25,

19 Defendants.

Case No. 09-00168 JSW

**DEFENDANT MIKE HART'S
 RESPONSE TO PLAINTIFFS' FIRST
 SET OF REQUESTS FOR ADMISSION**

20
 21 **REQUESTING PARTY:** LONG HAUL, INC. and EAST BAY PRISONER SUPPORT

22 **RESPONDING PARTY:** MIKE HART

23 **SET NO.:** ONE
 24
 25
 26
 27
 28

1 term "café night." Notwithstanding this objection, this responding party lacks information
2 sufficient to allow it to admit or deny this request and on that basis denies the request.

3 REQUEST FOR ADMISSION NO. 9:

4 Admit that at the time of the raid, you did not know that on January 27, 2008 a
5 demonstrator was followed from a home demonstration protesting UC Berkeley animal research
6 practices to the Long Haul.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 9:

8 Admitted.

9 REQUEST FOR ADMISSION NO. 10:

10 Admit that at the time of the raid, you had no information that any animal rights activists
11 were visitors to the Long Haul Infoshop.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 10:

13 Denied.

14 REQUEST FOR ADMISSION NO. 11:

15 Admit that at the time of the raid you knew Slingshot was a publication.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 11:

17 Admitted.

18 REQUEST FOR ADMISSION NO. 12:

19 Admit as of August 2008 the Slingshot publication stated it was published out of Long
20 Haul.

21 RESPONSE TO REQUEST FOR ADMISSION NO. 12:

22 This responding party lacks information sufficient to allow it to admit or deny this
23 request and on that basis denies the request.

1 REQUEST FOR ADMISSION NO. 23:

2 Admit that you reviewed the search warrant.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 23:

4 This responding party admits he looked at the search warrant on the morning of the
5 search.

6 REQUEST FOR ADMISSION NO. 24:

7 Admit you entered the Long Haul Infoshop located at 3124 Shattuck Avenue, Berkeley,
8 CA.

9 RESPONSE TO REQUEST FOR ADMISSION NO. 24:

10 Admitted.

11 REQUEST FOR ADMISSION NO. 25:

12 Admit you carried computers out of Long Haul and placed them in waiting police cars.

13 RESPONSE TO REQUEST FOR ADMISSION NO. 25:

14 Admitted.

15 REQUEST FOR ADMISSION NO. 26:

16 Admit that the Silicon Valley Regional Computer Forensics Lab ("SVRCFL") searched
17 Long Haul computers following the raid.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 26:

19 This responding party lacks information sufficient to allow it to admit or deny this
20 request and on that basis denies the request.

21 REQUEST FOR ADMISSION NO. 27:

22 Admit that the SVRCFL is an agent of the Federal Bureau of Investigation.

EXHIBIT 18

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

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.)
_____)

DEPOSITION OF
MAX HARRIS

Held at the Law Offices of SchiffHardin
One Market Street, San Francisco, California
Wednesday, September 22, 2010, 1:37 p.m.

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

1 A. Yeah.

2 Q. When were you allowed in to the Long Haul
3 space?

4 A. I don't remember.

5 Q. Did you go in that morning?

6 A. Yes.

7 Q. After the police left?

8 A. Yes.

9 Q. What did you see when you went inside?

10 A. I saw some damage to -- the thing I
11 concretely remember is that the -- a hinge was --
12 the hinge was pried open at the EBPS office and that
13 the door was screwed up, messed up.

14 Q. How was the door messed up?

15 A. I don't remember specifically.

16 Q. Was the door off its hinges?

17 A. I don't remember.

18 Q. Can you describe the damage to the door?

19 A. Not -- no.

20 Q. What did the office look like inside?

21 A. There was stuff strewn about.

22 Q. What stuff?

23 A. Things were missing -- papers and various
24 items.

25 Q. What items?

1 A. I don't remember, office supplies. I
2 don't remember exactly.

3 Q. Was the computer missing?

4 A. Yes.

5 Q. What else was missing?

6 A. Some disks -- some disks, a flash -- I
7 remember some disks and some other computer
8 equipment, but not too specifically.

9 Q. Was it a flash drive?

10 A. Yes.

11 Q. What was on the flash drive?

12 A. I don't remember.

13 Q. What was on the computer?

14 A. Besides EBPS files, I don't remember.

15 Q. What was in the EBPS files?

16 A. I don't remember, correspondence, e-mails,
17 things like that, documents we wrote.

18 Q. What documents did you write?

19 MS. GRANICK: Objection. Vague.

20 THE WITNESS: Various documents over time.

21 BY MS. ELLIS:

22 Q. What were the nature of the documents --
23 what was the nature of the documents?

24 A. Something having to do with what services
25 we were providing or what information we were

1 the distribution list, the names and addresses of
2 the prisoners, and perhaps --

3 MS. GRANICK: Let her finish.

4 THE WITNESS: I'm sorry.

5 BY MS. ELLIS:

6 Q. -- a copy of an article that was going to
7 be published in a magazine?

8 MS. GRANICK: Objection. Misstates his
9 testimony. Asked and answered.

10 BY MS. ELLIS:

11 Q. Was there anything else on there?

12 A. I don't understand what you were saying.

13 Q. So you told me that -- I asked you what
14 was on the computer, right?

15 A. Uh-huh.

16 Q. And you told me that you had the
17 distribution list, which was the list of all the
18 magazines that you would send out to prisoners,
19 right?

20 A. Yes.

21 Q. You had on there names and addresses of
22 prisoners and a brief description of their case?

23 A. Yes.

24 Q. And you had on there you think an article
25 that was going to go into a magazine?

1 A. The Zine that we were going to put out.

2 Q. Did you put out the Zine?

3 A. Yes.

4 Q. When did the Zine come out?

5 A. I don't remember.

6 Q. Was --

7 A. But the Zine is the extension of our
8 distribution list.

9 Q. Well, what is in the Zine?

10 A. Who we are, what we're about, the services
11 we offer, the titles that we are distributing.
12 Those kind of things, a brief history, a brief --
13 yeah.

14 Q. What's it called?

15 A. I don't remember.

16 Q. How many times was it published?

17 MS. GRANICK: Objection. Vague.

18 THE WITNESS: I think we did it one time.

19 BY MS. ELLIS:

20 Q. When?

21 A. I don't remember.

22 Q. Was it in 2008?

23 A. Either 2008 or 2009.

24 Q. Did you notice anything else missing from
25 the East Bay Prisoner Support office other than the

1 computer, the flash drive, and some CDs?

2 A. I don't remember.

3 Q. After you looked inside that office, did
4 you look around the rest of the Long Haul space?

5 A. Yes.

6 Q. What did you see?

7 A. I know lots of computers were taken
8 upstairs and it also was disheveled.

9 Q. And where were those computers taken from?

10 A. Um, the computer room or the -- wherever
11 the computer room was. I forget if it was upstairs
12 or downstairs, and the Slingshot office also.

13 Q. And that computer room was a room that the
14 public could come in and use computers and obtain
15 internet access; is that right?

16 A. Yes.

17 Q. Was there one DSL line that went to the
18 Long Haul?

19 MS. GRANICK: Objection. Calls for
20 speculation.

21 THE WITNESS: I don't know.

22 BY MS. ELLIS:

23 Q. Did East Bay Prisoner Support have access
24 to the DSL line at the Long Haul?

25 A. Yes.

1 through --

2 A. Yes.

3 Q. -- December of 2009?

4 A. Yes.

5 MS. GRANICK: Let her finish.

6 THE WITNESS: Sorry, yes.

7 BY MS. ELLIS:

8 Q. When did that computer -- when was that
9 computer put in the office?

10 A. I don't remember.

11 Q. Who brought the computer?

12 A. I don't remember.

13 Q. Was it purchased by either Patrick, Chloe,
14 or yourself?

15 A. I know not me. I don't know.

16 Q. Was it donated by anyone?

17 A. I don't know.

18 Q. Was it a functioning computer?

19 A. A what, functioning?

20 Q. Uh-huh, did it work?

21 A. I don't remember.

22 Q. How did you, Patrick, and Chloe, access
23 the East Bay Prisoner Support e-mail when the
24 computer -- after the computer was taken?

25 A. For a while we couldn't. Really

1 specifically, I don't -- I don't remember if --
2 sorry, I don't -- I'm going to say I'm not certain
3 about what we did with -- with e-mail.

4 For a while we couldn't use the computer,
5 and what I don't remember is if we ended up using
6 the same computer again or not.

7 Q. Do you know whether that computer came
8 back to East Bay Prisoner Support, the one that was
9 taken?

10 A. Yes.

11 Q. And then you continued to use it?

12 A. I don't remember. All right, yeah, I
13 don't remember.

14 Q. Do you know whether the Slingshot issue
15 that was being worked on in August of 2008 was
16 published on time?

17 A. No.

18 Q. You don't know whether it was published on
19 time or not?

20 A. (Witness shakes head.)

21 MS. GRANICK: He's shaking his head "no"
22 for the record.

23 THE WITNESS: Yeah.

24 MS. GRANICK: You have to answer out loud.

25 THE WITNESS: Yeah, I said no.