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Attorneys for Defendants

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

JOANNA MAXON, et al.,

Plaintiffs,

v.

FULLER THEOLOGICAL
SEMINARY, et al.,

Defendants.

No. 2:19-cv-09969-CBM-MRW

**DECLARATION OF DANIEL
BLOMBERG IN SUPPORT OF MO-
TION TO DISMISS THE FIRST
AMENDED COMPLAINT**

(Notice of Motion and Motion; Memo-
randum of Points and Authorities; Re-
quest for Judicial Notice; and (Pro-
posed) Order Filed Concurrently)

Date: April 14, 2020

Time: 10:00 a.m.

Dept: Courtroom 8B

Judge: Honorable Consuelo B. Marshall

1 I, Daniel Blomberg, declare as follows:

2 1. I am senior legal counsel at the Becket Fund for Religious Liberty. I represent
3 the Defendants in the above-captioned matter.

4 2. This Declaration is being submitted in support of the Defendants' Motion to
5 Dismiss the First Amended Complaint.

6 3. On February 20, 2020, I accessed the California Secretary of State website
7 and downloaded the Articles of Incorporation for Fuller Theological Seminary.
8 Exhibit 1 is a true and correct copy of those Articles.

9 4. On various dates in February 2020, I and a paralegal from my firm accessed
10 the website for Fuller Theological Seminary. Exhibit 2 is a true and correct copy of
11 the Seminary's Community Standards webpages downloaded from the website. The
12 First Amended Complaint ("FAC") quotes or otherwise relies on Exhibit 2
13 throughout, including in at least paragraphs 78, 84, 87, 88, 109, 130, 133, 162, 163,
14 180, 191, 193, 200, 220, 226, 238, 239, 244, 247, 248, and 273.

15 5. Attached as Exhibit 3 is a true and correct copy of Plaintiff Maxon's
16 application to Fuller Theological Seminary. The FAC quotes or otherwise relies on
17 Exhibit 3 in at least paragraphs 21, 29, 200, 220, 226, 238, 244, 247, and 273.

18 6. Attached as Exhibit 4 is a true and correct copy of Plaintiff Brittsan's
19 application to Fuller Theological Seminary. The FAC quotes or otherwise relies on
20 Exhibit 4 in at least paragraphs 31, 37, 39, 40, 200, 220, 226, 238, 244, 247, and 273.

21 7. Attached as Exhibit 5 is a true and correct copy of a letter sent from Defendant
22 Marianne Meye Thompson to Plaintiff Nathan Brittsan dated October 13, 2017. The
23

1 FAC quotes or otherwise relies on Exhibit 5 in at least paragraphs 129, 130, 131,
2 132, 133, 134, 135, 200, 220, 226, 238, 244, 247, and 273.

3 8. Attached as Exhibit 6 is a true and correct copy of an email chain between
4 Plaintiff Nathan Brittsan, Defendant Nicole Boymook, and other Fuller Theological
5 Seminary employees. The FAC quotes or otherwise relies on Exhibit 6 in at least
6 paragraphs 87, 88, 91, 92, 98, 99, 101, 200, 220, 226, 238, 244, 247, and 273.

7 9. Attached as Exhibit 7 is a true and correct copy of Fuller Theological
8 Seminary's copy on file of a letter from Defendant Mari L. Clements to Plaintiff
9 Nathan Brittsan dated September 21, 2017. The FAC quotes or otherwise relies on
10 Exhibit 7 in at least paragraphs 76, 77, 78, 79, 80, 81, 84, 85, 86, 200, 220, 226, 238,
11 244, 247, and 273.

12 10. Attached as Exhibit 8 is a true and correct copy of a letter sent from Plaintiff
13 Nathan Brittsan to Dr. Bryant Myers dated September 28, 2017. The FAC quotes or
14 otherwise relies on Exhibit 8 in at least paragraphs 102, 103, 104, 105, 106, 107,
15 200, 220, 226, 238, 244, 247, and 273.

16 11. Attached as Exhibit 9 is a true and correct copy of a letter from Plaintiff
17 Joanna Maxon to Defendant Marianne Meye Thompson. The FAC quotes or
18 otherwise relies on Exhibit 9 in at least paragraphs 171, 172, 173, 174, 175, 200,
19 220, 226, 238, 244, 247, and 273.

20 12. Attached as Exhibit 10 is a true and correct copy of a letter from Defendant
21 Marianne Meye Thompson to Plaintiff Joanna Maxon dated October 9, 2018. The
22 FAC quotes or otherwise relies on Exhibit 10 in at least paragraphs 176, 177, 181,
23 182, 184, 200, 220, 226, 238, 244, 247, and 273.

1 13. Attached as Exhibit 11 is a true and correct copy of the Court's Ruling on
2 Plaintiff's Motion for Summary Adjudication and Defendants' Motion for Summary
3 Judgment in *Cabading v. California Baptist University*.

4 14. Page numbers were added to the bottom of each page for ease of reference in
5 Exhibits 2, 3, 4, 5, 6, 7, 9, and 10.

6 15. Certain personal identifying information, such as Brittsan or Maxon's social
7 security numbers, birthdates, mailing addresses, and phone numbers, have been
8 redacted in Exhibits 2, 3, 5, 6, 7, 8, and 10.

9
10 I declare under penalty of perjury that that the foregoing is true and correct to the
11 best of my knowledge.

12
13 Executed on this 20th day of February, 2020.

14
15 /s/ Daniel Blomberg

16 Daniel Blomberg

17 dbloomberg@becketlaw.com

18 THE BECKET FUND FOR RELIGIOUS
19 LIBERTY

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