

(ENDORSED)

FILED

MAY 18 1969

GEORGE E. FOWLES, Clerk
By ARTHUR DAMRAU
DEPUTY

1 THOITS, LEHMAN & HANNA
Attorneys at Law
2 Suite 1219 Palo Alto Office Center
Palo Alto, California 94302
3 Telephone: 327-4200
4 Attorneys for Plaintiff

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7 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 IN AND FOR THE COUNTY OF SANTA CLARA
9

10 STANFORD RESEARCH INSTITUTE,
a non-profit corporation,
11 Plaintiff

12 vs.

13 DAVID PUGH, MARC HELLER, ERIC
MILLER, ALLAN CRISTELOW, JR.,
14 YALE BRAUNSTEIN, MARY HANSON,
H. BRUCE FRANKLIN, BARBARA LEVIN,
15 STEVE WEISSMAN, RICHARD ZDARKO,
PAUL RUPERT, VICTOR VON SCHLEGEL,
16 JOHN SHOCH, LAUREN BECHTEL, JOHN
GOSTOVICH, PAUL WITT, JAMES SHOCH,
17 HARRY CLEAVER, FRED COHEN, SCOTT
JOHNSON, JEANNE FRIEDMAN, ANNE
BAUER, LEONARD SIEGEL, DORON
18 WEINBERG, LARRY PRIESTLY, PAUL
BERNSTEIN, HALLAM HAMILTON,
19 RODNEY PAGE, APRIL 3rd MOVEMENT,
20 an unincorporated association, STUDENTS
FOR A DEMOCRATIC SOCIETY, an un-
21 incorporated association, THE RESISTANCE,
an unincorporated association, PENINSULA
22 OBSERVER, an unincorporated association,
STANFORD UCM STAFF, an unincorporated
23 association, PENINSULA RED GUARD, an
unincorporated association, UNITED
24 STUDENT MOVEMENT, an unincorporated
association, COMMITTEE FOR NEW
25 POLITICS, an unincorporated association,
PALO ALTO CONCERNED CITIZENS, an
26 unincorporated association, MID-PENINSULA
FREE UNIVERSITY, an unincorporated
27 association, NORTH SANTA CLARA PEACE
AND FREEDOM MOVEMENT, an unincorporated
28 association, AMERICAN FEDERATION OF
TEACHERS LOCAL NO. 1816, an unincorporated
29 association, and DOE ONE through DOE FIVE
HUNDRED, inclusive,

30 Defendants
31
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NO.
P16492

DECLARATIONS
IN SUPPORT OF
TEMPORARY RESTRAINING
ORDER
AND
PRELIMINARY INJUNCTION

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I, CHARLES A. ANDERSON, say:

I am the President of the plaintiff corporation in the above-entitled action.

If the acts of defendants in disrupting plaintiff's business as they did on May 16, 1969, are repeated, it will be impossible to estimate the monetary damages caused to plaintiff. Certainly, great and irreparable damage will be caused through loss of many, many man hours of productive time.

It is impossible to give the defendants who threatened to repeat their acts of May 16, 1969, notice of this application for a temporary restraining order prior to defendants' announced intention to return to plaintiff's Hanover facility on Monday, May 19, 1969. Moreover, the nature of the crowd assembled on May 16, 1969, at plaintiff's Hanover facility makes it clear that any attempt to notify any of the so-called leaders or legal counsel who might be representing any of them would be futile and unavailing.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.


CHARLES A. ANDERSON

THOMAS, LEMMAN &
BARBER
ATTORNEYS AT LAW
SANTA ANA, CALIFORNIA
P.O. BOX 100
PHONE 337-4200

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I, HARVEY H. HUKARI, JR., say:

I make this statement in support of the plaintiff's application for a Preliminary Injunction and a Temporary Restraining Order in the above-entitled action.

On May 14, 1969, I listened to an afternoon radio broadcast of a meeting sponsored by the April 3rd Movement. I recognized the voice of PAUL RUPERT, who was the chairman of the meeting. I also recognized the voices of FRED COHEN, JAMES SHOCH, HARRY CLEAVER and BARBARA LEVIN. JAMES SHOCH was the principal advocate at the meeting who urged those present to go to the Hanover facility of Stanford Research Institute for the purpose of disrupting the normal operations of the Stanford Research Institute. HARRY CLEAVER urged that the group adopt a policy of harrassment and guerilla activity in order to make Stanford Research Institute inoperable. On May 16, 1969, I was present at the Hanover facility of Stanford Research Institute from about 7:20 a.m. until 12:30 p.m. I observed MIKE VAWTER, a member of the Peninsula Red Guard, JAMES SHOCH and ALLAN CRISTELOW, JR., on barricades blocking Hanover Street so that traffic could not reach the Hanover facility. I also observed JOHN GOSTOVICH in a line of men who linked arms to prevent Stanford Research Institute employees from entering the Hanover facility. In addition, I saw MARC HELLER in a group of men who formed a line to prevent Stanford Research Institute employees from entering the Hanover facility.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.


HARVEY H. HUKARI, JR.

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I, ECKHARD SCHULZ, say:

I make this declaration in support of plaintiff's application for a Preliminary Injunction and a Temporary Restraining Order in the above-entitled action.

On May 16, 1969, from approximately 7:10 a.m. until 12:30 p.m., I was at plaintiff's Hanover Street facility mentioned in the complaint herein. At that time and place, I saw PAUL WITT, YALE BRAUNSTEIN, HALLAM HAMILTON, VICTOR VON SCHLEGEL, SCOTT JOHNSON, RODNEY PAGE and STEVE WEISSMAN on the property of plaintiff. I also observed the aforementioned YALE BRAUNSTEIN, RODNEY PAGE, SCOTT JOHNSON and HALLAM HAMILTON harrassing motorists in the streets leading to plaintiff, Stanford Research Institute's, Hanover Street facility and attempting to keep those cars from reaching plaintiff's Hanover Street facility.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.


ECKHARD SCHULZ

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I, GILBERT DIAZ, JR., say:

I make this declaration in support of plaintiff's application for a Preliminary Injunction and Temporary Restraining Order in this action.

On May 16, 1969, from 7:15 a.m. until 12:10 p.m., I was at the Hanover Street facility of plaintiff, Stanford Research Institute, mentioned in the complaint herein. At that time and place, I saw DAVID PUGH, MARC HELLER, ERIC MILLER, ALLAN CHRISTELOW, JR., YALE BRAUNSTEIN, MARY HANSON, H. BRUCE FRANKLIN, STEVE WEISSMAN, RICHARD ZDARKO and VICTOR VON SCHLEGEL on the lawn and entrance way of plaintiff at the Hanover Street facility. In addition, I saw the above-mentioned DAVID PUGH, MARC HELLER, ERIC MILLER and VICTOR VON SCHLEGEL link arms to form a line to prevent employees of the plaintiff from entering the Hanover Street facility. Furthermore, I saw the aforementioned DAVID PUGH physically move an employee of Stanford Research Institute away from the entrance to the Hanover Street facility.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.


GILBERT DIAZ, JR.

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I, CLAUDE LONG, say:

I make this declaration in support of plaintiff's application for a Preliminary Injunction and a Temporary Restraining Order in the above-entitled action.

On May 16, 1969, I was at plaintiff's Hanover Street facility mentioned in the complaint herein, from approximately 7:15 a.m. until 12:30 p.m. At that time and place, I saw LEONARD SIEGEL, FRED COHEN and YALE BRAUNSTEIN on the property of plaintiff, Stanford Research Institute.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.

Claude Long
Claude Long

CLAUDE LONG

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I, JACKSON R. BOOTH, say:

I make this declaration in support of plaintiff's application for a Preliminary Injunction and Temporary Restraining Order.

On May 16, 1969, from 7:10 a.m. until 12:30 p.m., I was at the plaintiff's Hanover Street facility (mentioned in the complaint herein). At that time and place, I observed STEVE WEISSMAN, RICHARD ZDARKO, JOHN SHOCH and LAUREN BECHTEL on the property of plaintiff, Stanford Research Institute. I observed DAVID PUGH and JOHN GOSTOVICH, PAUL WITT and VICTOR VON SCHLEGEL, attempting to block employees and prevent them from entering plaintiff's Hanover facility. In addition, I saw JAMES SHOCH spraying paint on plaintiff's building at the Hanover facility.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.



JACKSON R. BOOTH

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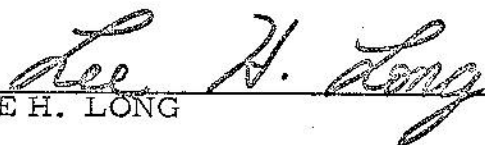
I, LEE H. LONG, say:

I make this declaration in support of plaintiff's application for a Preliminary Injunction and Temporary Restraining Order in this action.

On May 15, 1969, I attended a meeting that commenced about 7:30 p.m. at the Cubberly Auditorium on the Stanford University campus. The meeting was called by the April 3rd Movement. FRED COHEN was one of the principal speakers at the meeting, and I heard him urge the crowd to go to plaintiff's Hanover facility on Friday morning, May 16, 1969. FRED COHEN said that picketing was not enough, and that if employees gained entrance to the Hanover facility of Stanford Research Institute, each individual should decide for himself what additional action should be taken and that they should do whatever they felt necessary to prevent employees from gaining entrance to the Hanover facility. FRED COHEN also stated that LARRY PRIESTLY would be in charge of a "cycle brigade" blocking traffic going to the Hanover facility of plaintiff.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.



LEE H. LONG

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I, HOMER MEADERS, say:

I make this declaration in support of plaintiff's application for a Preliminary Injunction and a Temporary Restraining Order in the above-entitled action.

I am an employee of the plaintiff in the above-entitled action and on May 14, 1969, at approximately 10:00 o'clock p.m., I was at the Hanover facility mentioned in the complaint herein. At that time and place I observed HARRY CLEAVER, MARY HANSON, FRED COHEN and SCOTT JOHNSON walking around and about the property of plaintiff, Stanford Research Institute, at the Hanover facility.

On May 16, 1969, I was at the Hanover facility of plaintiff from 6:00 a.m. until 1:00 o'clock p.m. I observed FRED COHEN, DAVID PUGH, BRUCE FRANKLIN, JEANNE FRIEDMAN, ANNE BAUER, LEONARD SIEGEL, and DORN WEINBERG on the property of plaintiff at the Hanover facility. I saw DAVID PUGH in the parking lot of plaintiff at the Hanover facility letting air out of tires of automobiles belonging to plaintiff's employees. I also saw DAVID PUGH place rocks and stones in and around the shrubbery beside plaintiff's buildings, some of which rocks and stones were subsequently thrown into plaintiff's building, thereby breaking windows.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.


HOMER MEADERS

1 I, DOUGLAS B. GREENE, say:

2 I make this declaration in support of plaintiff's application for a
3 Preliminary Injunction and a Temporary Restraining Order in the above-
4 entitled action.

5 On May 16, 1969, I arrived at the Hanover Street facility of plaintiff,
6 Stanford Research Institute, at approximately 7:15 a.m. and remained there
7 until approximately 1:00 o'clock p.m. When I arrived, there were
8 approximately 200 to 300 people around and about plaintiff's Hanover Street
9 facility and the streets adjacent thereto. Most of the activity at that early
10 hour was taking place in Hanover Street, where members of the crowd had
11 stopped a school bus and let the air out of the school bus tires.

12 On Page Mill Road, in the immediate vicinity of plaintiff's Hanover
13 Street facility, various individuals were building barricades. A flatbed
14 trailer on which a section of boom from a crane was loaded, was pushed onto
15 Page Mill Road. The boom was dropped off, blocking the westbound traffic
16 on Page Mill Road and the trailer was then pushed into the eastbound lane of
17 Page Mill Road, blocking traffic, and the tires of the trailer were deflated.
18 A station wagon was also pushed into the eastbound lane and its tires deflated.

19 Motorists attempted to reach their destinations by moving through
20 fields adjacent to plaintiff's Hanover Street facility, and members of the mob
21 threw chunks of concrete and other articles into the fields to block the passage
22 of the motorists. In addition, various individuals were beating on hoods of
23 cars and, in several instances, hoods of automobiles were raised and
24 ignition wires ripped out. At least one automobile windshield was broken and
25 traffic eventually came to a complete standstill.

26 By 7:45 a.m., there were approximately 400 people in the area.
27 Members of the crowd began building barricades and placing various articles
28 in Hanover Street and Page Mill Road to block traffic. Shortly thereafter, I
29 was standing near the entrance to plaintiff's Hanover Street facility when
30 employees began to arrive. Any well dressed person attempting to enter
31 plaintiff's Hanover Street facility was met by groups forming a cordon by
32 locking arms. These lines of individuals were three to four deep, and whenever

1 anyone tried to gain entrance, they were blocked. At first, the members of
2 the mob tried to persuade employees not to enter, but those employees who
3 did try to enter were forceably restrained, and at least one employee was
4 thrown to the ground by the demonstrators. Another employee, who
5 successfully got through the lines, was chased and his clothing was grabbed
6 and pulled. A woman employee tried to get through the lines, and was pushed
7 back and forceably led to the street by DAVID PUGH.

8 A marching picket line was set up which crossed plaintiff's property.

9 About 10:30 a.m., members of the mob began preparing to repel the
10 police. Fires were started at the Hanover Street barricades and numerous
11 individuals yelled "Man the barricades." Tree limbs were dragged up to the
12 fires and placed on the fires. Instructions were given to the demonstrators
13 by MARC HELLER, DAVID PUGH and others, concerning the actions that
14 should be taken in the event tear gas was used or anyone was arrested.

15 As police moved down Hanover Street, about 50 people stationed
16 themselves in front of the barricades located there. The police then threw
17 tear gas cannisters, several of which were picked up by the demonstrators
18 and thrown onto plaintiff's property and at least one such cannister was thrown
19 into plaintiff's building itself.

20 Specifically, I observed RICHARD ZDARKO, VICTOR VON
21 SCHLEGEL, DAVID PUGH, FRED COHEN, H. BRUCE FRANKLIN, MARC
22 HELLER, PAUL BERNSTEIN, JAMES SHOCH and RODNEY PAGE on the
23 property of plaintiff at its Hanover Street facility. In addition, I saw JAMES
24 SHOCH spraying paint on plaintiff's building.

25 On or about May 13, 1969, the above-mentioned RICHARD ZDARKO
26 stated to me that the April 3rd Movement intended to cause sufficient
27 disruption at Stanford Research Institute to make Stanford Research Institute
28 unsalable.

29 On or about April 3, 1969, I saw a printed announcement on the
30 Stanford University campus announcing the April 3rd Movement and purportedly
31 signed by the following organizations as sponsors:

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SDS (which is the abbreviation for Students For a Democratic Society)

Resistance

Peninsula Observer

Stanford UCM Staff

March 4 Convocation

Peninsula Red Guard

Junior Faculty Forum

United Student Movement

New University Conference

Committee for New Politics

Palo Alto Concerned Citizens

Mid-Peninsula Free University

North Santa Clara Peace and Freedom Movement

American Federation of Teachers Local No. 1816

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.


DOUGLAS B. GREENE

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I, MICHAEL HIRSCH, say:

I make this declaration in support of plaintiff's application for a Preliminary Injunction and a Temporary Restraining Order in the above-entitled action.

Attached hereto and incorporated herein by this reference is a flyer, entitled SRI, ROUND 2. I found a number of such flyers on Sunday, May 18, 1969, at Branner Hall on the Stanford University campus.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.


MICHAEL HIRSCH