

1 Javeria Jamil (SBN 301720)
javeriaj@advancingjustice-alc.org
2 Hammad Alam (SBN 303812)
hammad@advancingjustice-alc.org
3 Glenn Katon (SBN 281841)
glennk@advancingjustice-alc.org
4 ASIAN AMERICANS ADVANCING JUSTICE-ASIAN LAW CAUCUS
5 55 Columbus Avenue
San Francisco, CA 94111
6 Telephone: (415) 848-7733

7 Zoha Khalili (SBN 291917)
zkhalili@palestinelegal.org
8 PALESTINE LEGAL
637 S. Dearborn Street, Third Floor
9 Chicago, IL 60605
(510) 246-7321

10 Matthew Strugar (SBN 232951)
matthew@matthewstrugar.com
11 LAW OFFICE OF MATTHEW STRUGAR
3425 Wilshire Boulevard, Suite 2910
12 Los Angeles, CA 90010
13 (323) 696-2299

14
15 *Attorneys for Prospective Intervenors*

16
17 SUPERIOR COURT OF THE STATE OF CALIFORNIA

18 COUNTY OF LOS ANGELES

19
20 David Abrams,) Case No.: 19STCP03648
)
21 Petitioner,) NOTICE OF MOTION AND MOTION FOR
) LEAVE TO FILE COMPLAINT IN
22 v.) INTERVENTION; MEMORANDUM OF
) POINTS AND AUTHORITIES IN SUPPORTIES
23 Regents of the University of California,) THEREOF; DECLARATIONS
)
24 Respondent.) Hrg: Nov. 3, 2020 at 1:30 p.m.
) Dep't: 85

25
26 **NOTICE OF MOTION TO INTERVENE**

27 PLEASE TAKE NOTICE that on November 3, 2020, at 1:30pm, or as soon thereafter as the
28 matter may be heard, in Department 85 of the above-captioned Court, located at Stanley Mosk


1 Courthouse, 111 North Hill Street Los Angeles, CA 90012, Prospective Intervenors will move to
2 intervene in the above-captioned case under Code of Civil Procedure (“Code Civ. Proc.”) § 387 and seek
3 leave to file their proposed complaint in intervention.

4 Prospective Intervenors are entitled to intervene as of right under Code Civ. Proc. § 387(b).
5 Prospective Intervenors are individuals who presented at the 2018 National Students for Justice in
6 Palestine Conference, a private, closed-door event at the University of California, Los Angeles. They
7 have a real, immediate, and concrete interest in the non-disclosure of their names. Deciding this action
8 without Prospective Intervenors’ participation would impair their ability to protect their rights to privacy
9 and freedom of association and the existing parties will not adequately represent that interest. Further,
10 this motion is timely. Alternatively, Prospective Intervenors ask the Court to grant them permissive
11 intervention under Code Civ. Proc. § 387(a), which is liberally construed in favor of intervention,
12 because: they have a direct and immediate interest in the action, their intervention will not enlarge the
13 legal issues, their reasons for seeking intervention outweigh any potential opposition, and they have
14 followed the proper procedures.

15 This motion is based on the following memorandum of points and authorities in support of the
16 motion, the supporting declarations, the proposed complaint in intervention, all papers and records filed
17 in this case, and the arguments presented at the hearing.

18
19 Dated: August 31, 2020

Respectfully Submitted,

20 
21 _____
22 Javeria Jamil (SBN 301720)
23 Asian Americans Advancing Justice-Asian Law Caucus
24 55 Columbus Avenue
25 San Francisco, CA 94111
26 javeriaj@advancingjustice-alc.org
27
28

1 **MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE**

2 **INTRODUCTION**

3 In this action, Petitioner David Abrams (“Petitioner”) seeks from the Respondent Regents of the
4 University of California (“Respondent”) the disclosure of the names of the 65 individuals who presented
5 at the 2018 National Students for Justice in Palestine (“NSJP”) conference held at the University of
6 California, Los Angeles (“UCLA”). Prospective Intervenors are individuals who presented at the 2018
7 NSJP conference and it is the disclosure of their identities that is at stake here.

8 Prospective Intervenors are entitled to intervene as of right because they have a direct interest in
9 keeping their identities and the fact of their participation in the 2018 NSJP conference confidential. Such
10 confidentiality is essential to protecting their right to privacy, freedom of association, and personal
11 safety and reputation under applicable federal and California law. Prospective Intervenors’ concerns
12 stem from the fact that advocates for Palestinian human rights are falsely branded as terrorists and anti-
13 Semites, which in turn results in various consequences, such as harassment by civil society and U.S. and
14 foreign law enforcement and loss of employment opportunities. Moreover, Prospective Intervenors
15 interests are not adequately represented by the existing parties. Petitioner’s interests are directly opposed
16 to those of Prospective Intervenors. Respondent’s primary obligation is to comply with the California
17 Public Records Act (“CPRA”) and not to protect Prospective Intervenors’ rights. Finally, the motion to
18 intervene is timely filed. This Court set trial for December 8, 2020, more than three months from now.

19 If the Court does not grant intervention as of right, it should nevertheless exercise its discretion
20 to grant Prospective Intervenors permissive intervention. Allowing Prospective Intervenors to join the
21 current lawsuit would avoid a multiplicity of actions on the same issue and preserve judicial resources.
22 As already indicated, Prospective Intervenors have a direct and immediate interest in the outcome of this
23 lawsuit. Moreover, intervention will not enlarge the issue in this case. If Prospective Intervenors were
24 allowed to intervene in this case, the only issue in this case will remain the legality of disclosing the
25 names of the presenters at the conference. Finally, given the immediacy of the interests at stake here and
26 the fact that trial is set for more than three months from now, the reasons for intervention outweigh any
27 opposition from existing parties.

28 Thus, Prospective Intervenors respectfully ask the Court to grant this motion.

STATEMENT OF FACTS

Petitioner brought this action to obtain a list of presenters at a private conference held by NSJP at the UCLA campus in 2018. (Pet'r Compl.) He is the executive director and the sole employee of The Zionist Advocacy Center ("TZAC"), a New York based non-profit. (David Abrams, LinkedIn <<https://www.linkedin.com/in/david-abrams-a37ba169>> [as of Aug. 30, 2020].) TZAC is a registered foreign agent for an Israeli organization that engages in political activities for a foreign principal. (U.S. Dept. Justice, TZAC's Registration Statement Pursuant to the Foreign Agents Registration Act of 1938 (2019) <<https://efile.fara.gov/docs/6676-Exhibit-AB-20191213-4.pdf>> [as of Aug. 30, 2020].)

Previously, Petitioner has filed a lawsuit against the Carter Center and an IRS complaint against Doctors Without Borders, claiming that both provided material support to terrorists. The U.S. District Court for the District of Columbia dismissed the complaint against the Carter Center and the IRS dismissed the complaint against Doctors Without Borders. (*Suit Alleging Carter Center Provided Material Support Dismissed*, Charity & Security Network (June 12, 2018) <https://charityandsecurity.org/news/court_dismisses_suit_against_carter_center/> [as of Aug. 30, 2020]; Zionist Advocacy Center, Facebook (Aug. 29, 2018) <<https://www.facebook.com/ZionistAdvocacyCenter/posts/2081532855494244>> [as of Aug. 30, 2020].)

Respondent is the body responsible for the organization and governance of the University of California system, including UCLA. (*About the Regents*, Univ. of Calif. Board of Regents <<https://regents.universityofcalifornia.edu/about/index.html>> [as of Aug. 30, 2020].) Of the three categories of records Petitioner initially requested, the only item left in dispute is "[d]ocuments sufficient to identify the 65 keynote speakers, panelists, and workshop presenters referred to in the attached letter." (Pet'r Compl. Ex. 2.)

Prospective Intervenors are individuals who attended the 2018 NSJP conference at UCLA as presenters, speakers, and panelists (collectively "presenters"). (See Exs. 1 through 8.) UCLA did not sponsor or endorse the conference in any way; it simply allowed the event as required by university policy. UCLA Policy 860.0: Extracurricular Use of University Facilities, UCLA Admin. Policies & Proc. <<http://www.adminpolicies.ucla.edu/APP/Number/860.0>> [as of Aug. 30, 2020].) The conference was a private, closed-door event. (Exs. 1 through 8.) In order to attend the conference, individuals were

1 required to pre-register and receive a registration confirmation. (National Students for Justice in
2 Palestine <<https://www.nationalsjp.org/2018-registration.html>> [as of Aug. 14, 2020]; Ex. 1 ¶ 8; Ex. 4
3 2:9; Ex. 5 2:7-10; Ex. 8 2:14-15.) This process included being “verified and vouched for by a named
4 campus Palestine solidarity group.” (Ex. 1 ¶ 8; Ex. 5 2:10-11; Ex. 7 2:1-3; Ex. 8 2:15-16.) Anyone who
5 did not go through this pre-registration process was not allowed to attend the conference. (Ex. 2 2:25-26;
6 Ex. 4 2:13-14; Ex. 6 21:21-22.) Conference staffers gave all conference attendees including Prospective
7 Intervenors, a nametag and wristband when they checked into the conference, and told them they would
8 not be allowed into the conference space without these items. (See e.g. Ex. 1 ¶ 9; Ex. 2 2:9-11; Ex. 3 3:1-
9 5; Ex. 4 2:10-13, 2:24-27, 3:1-2.)

10 At the time of the conference, Prospective Intervenors understood that their names and the fact of
11 their attendance would be known only to conference attendees. Conference organizers did not release
12 the detailed conference program until the first day of the conference. (Ex. 2 2:14-15; Ex. 3 2:25-26; Ex.
13 4 2:18-20; Ex. 5 2:14-19.) The final conference program did not list the names of any workshop
14 presenters, including those of Prospective Intervenors. (See e.g. Ex. 2 2:15-17; Ex. 3 2:26-27.)
15 Conference attendees were not allowed to take pictures or record videos. (Ex. 1 ¶ 11; Ex. 4 3:3-10; Ex. 5
16 3:5-9; Ex. 7 2:5-7.) The private nature of the conference allowed Prospective Intervenors to freely
17 associate with NSJP, its members, and other conference attendees without fear of doxing and
18 harassment. (See generally Exs. 1 through 8.)

19 Despite the presence of UCLA’s campus security, conference organizers arranged extra security
20 at the conference. These non-UCLA security personnel were stationed at the entrance to the conference
21 spaces, patrolled the hallways of the building where the workshops were held, and monitored outdoor
22 spaces close to the buildings where the conference was held to ensure that non-conference attendees did
23 not enter conference spaces. (Ex. 1 ¶ 12; Ex. 5 3:15-25; Ex. 7 2:15-19.) They also helped provide safety
24 support at the conference: they escorted attendees between buildings and on the last day of the
25 conference to a designated rideshare pickup location. (Ex. 4 3:22-28, 4:1-3; Ex. 8 3:16-24.)

26 Harassment of individuals supporting or advocating for Palestinian rights has become
27 increasingly common. For example, in 2015, a Berkeley student, Sumayyah Din, received death threats
28 and anonymous individuals called for her deportation after she made up the word Dintifada (a play on

1 her last name and the Arabic word *intifada* meaning resistance) while running for student government,
2 which was deemed offensive by on-campus pro-Israel groups. (Phan Nguyen, *UC Berkeley Israel Group*
3 *Wants to Ban Imaginary Word Rhyming with Intifada As ‘Triggering, Terrifying’*, Mondoweiss (March
4 11, 2015) <<https://mondoweiss.net/2015/03/berkeley-bans-intifada/>> [as of Aug. 30, 2020].) In 2016,
5 Zionist activists spent millions of dollars in misinformation campaigns against student activists involved
6 in their university’s Palestinian advocacy organizations. (Teresa Watanabe, *How A Casino Tycoon Is*
7 *Trying To Combat An Exploding Pro-Palestinian Movement On Campuses*, Los Angeles Time (Aug. 21,
8 2016) <<https://www.latimes.com/local/la-me-uc-israel-palestinian-adv-snap-story.html>> [as of Aug. 30,
9 2020].) As part of that effort, Zionists put up posters of Robert Gardner, an African American student,
10 near UCLA’s campus, calling him a “Jew-hater” and “terrorist ally.” (*Id.*) Gardner reported getting
11 death threats after the incident. (*Id.*) Earlier in 2020, a student threatened to kill Palestinians during
12 public comment at a student government meeting at UC Berkeley after a vote to censor Palestinian
13 advocacy failed. (*After Death Threat, Berkeley Students Demand Institutional Support*, Palestine Legal
14 (Apr. 3, 2020) <[https://palestinelegal.org/news/2020/4/3/after-death-threat-berkeley-students-demand-](https://palestinelegal.org/news/2020/4/3/after-death-threat-berkeley-students-demand-institutional-support)
15 [institutional-support](https://palestinelegal.org/news/2020/4/3/after-death-threat-berkeley-students-demand-institutional-support)> [as of Aug. 30, 2020].) After the meeting, a Palestinian student was spat on. (*Id.*)

16 Prospective Intervenor themselves have suffered harassment because of their advocacy for
17 Palestinian human rights. For instance, in 2015, DOE 8 saw a pro-Zionist rabbi at her campus hit a
18 teacher’s assistant on her head merely because the teacher’s assistant asked the rabbi to stop disrupting
19 students’ questions at a campus event that included a Palestinian human rights activist. (Ex. 8 1:26-27.)
20 The same rabbi confronted DOE 8 at another campus event for voicing her views at a pro-Zionist event.
21 (Ex. 8 2:1-3.) He yelled at her and followed her out of the event. (*Id.*) Anti-Palestinian activists
22 uploaded a video of one of DOE 2’s talks, with an inflammatory title implying that she believed all
23 Israeli men were rapists. (Ex. 2 1:11-13.). Following this incident, DOE 2 received several threatening
24 and harassing emails, making her concerned for her safety. (Ex. 2 1:14-16.). Many Palestinian advocacy
25 activists, including some of the Prospective Intervenor, have been questioned or surveilled by law
26 enforcement agencies for the simple fact of their advocacy. (Ex. 1 ¶ 14; Ex. 3 1:16-18; Ex. 7 1:20-23.)

27 Prospective Intervenor are concerned that the disclosure of their names would prevent them
28 from or subject them to heightened scrutiny when visiting Israel and Palestine. (Ex. 4 1:11-18; Ex. 7 1:9-

1 13.) The Israeli government has in fact banned Americans advocating for Palestinian human rights from
2 entering the country. (Ex. 8 1:9-28; See also, Noa Landau, *Official Documents Prove: Israel Bans*
3 *Young Americans Based on Canary Mission Website*, Haaretz (Apr. 10, 2018)
4 <[https://www.haaretz.com/israel-news/.premium-official-documents-prove-israel-bans-young-
6 americans-based-on-canary-mission-site-1.6530903](https://www.haaretz.com/israel-news/.premium-official-documents-prove-israel-bans-young-
5 americans-based-on-canary-mission-site-1.6530903)> [as of Aug. 30, 2020].) Often, these bans and
7 instances of heightened scrutiny are based on information the Israeli government gets from blacklist
8 websites such as Canary Mission. (Ex. 4 1:11-18; See also, Josh Nathan-Kazis, *Canary Mission's Threat*
9 *Grows, From U.S. Campuses To The Israeli Border*, Forward (Aug. 3, 2018)
10 <[https://forward.com/news/national/407279/canary-missions-threat-grows-from-us-campuses-to-the-
12 israeli-border/](https://forward.com/news/national/407279/canary-missions-threat-grows-from-us-campuses-to-the-
11 israeli-border/)> [as of Aug. 30, 2020].) A ban on entry to Palestine and Israel would prevent some
13 Prospective Intervenors from visiting family. (Ex. 5 1:9-16.)

14 On November 15, 2018, Petitioner submitted a request for records to UCLA asking for, inter
15 alia, documents sufficient to identify the names of the 65 conference presenters.

16 ARGUMENT

17 Prospective Intervenors are private individuals who attended and presented at a private, closed-
18 door conference at UCLA. The university did not endorse the event and simply allowed it based upon its
19 own policies. Petitioner is a political activist asking the Court to order the disclosure of the names of all
20 presenters at the conference, including Prospective Intervenors. Such disclosure would violate the
21 presenters' rights under the U.S. Constitution, the California Constitution, and the California Public
22 Records Act.

23 I. PROSPECTIVE INTERVENORS ARE ENTITLED TO INTERVENE TO PROTECT THEIR 24 INTERESTS

25 Prospective Intervenors are entitled to intervene as of right. A nonparty is entitled to intervene as
26 of right in an existing action or proceeding if (1) the "person seeking intervention claims an interest
27 relating to the property or transaction that is the subject of the action," (2) "that person is so situated that
28 the disposition of the action may impair or impede that person's ability to protect that interest," (3) "that
29 person's interest is [not] adequately represented by one or more of the existing parties," and (4) the
30 application to intervene is made "timely." (Code Civ. Proc., § 387, subd. (d)(1)(B).)

1 The critical language for the applicability of section 387(d)(1)(B) is the “the property or
2 transaction which is the subject of the action.” (*California Physicians’ Serv. v. Superior Court* (1980)
3 102 Cal.App.3d 91, 96.) A transaction is an “[a]ct of transacting or conducting any business . . . that
4 which is done; an affair . . . [s]omething which has taken place, whereby a cause of action has arisen.”
5 (*Ibid.*)

6 First, Prospective Intervenors have a direct interest in the transaction in this case. The transaction
7 underlying this action is the potential disclosure of the names of all presenters at the 2018 NSJP
8 conference, including those of Prospective Intervenors. Prospective Intervenors have a strong interest in
9 keeping their names from public disclosure to protect their right to privacy under Article I, Section 1 of
10 the California Constitution and their right to freedom of association guaranteed under the U.S.
11 Constitution. (*Americans Civil Liberties Union Foundation v. Deukmejian* (1982) 32 Cal.3d 440, 449-
12 450 [right to privacy prevails in a PRA case where names of individuals in a law enforcement index
13 were not otherwise publicly available and disclosure carried immediate social stigma]; *NAACP v.*
14 *Alabama* (1958) 357 U.S. 449, 466 [constitutional freedom of association].) Prospective Intervenors also
15 have a direct interest in defending against disclosure of their names in order to protect their personal
16 safety. (See *infra* at 5:27-28; 6:1-27 [death threats and assaults against people public supporting
17 Palestinian rights].)

18 Second, if Petitioner is successful in this action, the disposition of the case will impair
19 Prospective Intervenors’ ability to protect their interests. Petitioner is seeking the disclosure of the
20 names of all presenters at the 2018 NSJP conference, including those of Prospective Intervenors. If the
21 disposition of the case is in Petitioner’s favor, the UC Regents will be bound by the Court’s order to
22 disclose those names to Petitioner, potentially depriving Prospective Intervenors of the opportunity to
23 advocate for their interests.¹

24
25
26 ¹ If the Court orders Respondent to disclose presenters’ names to Petitioner, Prospective Intervenors
27 may have an opportunity to file a reverse-PRA action to protect their interests. (*Marken v. Santa*
28 *Monica-Malibu Unified School District* (2012) 202 Cal.App.4th 1250, 1266.) However, the CPRA
requires Respondent to disclose the records immediately, and does not have a stay provision in place for
reverse-PRA actions. Prospective Intervenors may only be able to protect their interests if they are
successful in obtaining a judicial restraining order *immediately* after this Court’s decision.

1 Third, neither of the existing parties adequately represent Prospective Intervenors interests.
2 Petitioner’s interests are directly adverse to those of Prospective Intervenors, since he wants the
3 university to disclose the names of Prospective Intervenors and other conference presenters.
4 Respondent’s interest is to comply with the California Public Records Act from the perspective of the
5 Regents of the University of California; thus, it does not have the primary obligation to protect
6 Prospective Intervenors’ privacy and constitutional rights. In fact, Respondent to date has not asserted
7 any of the constitutional doctrines - the right to privacy and the freedom of association – that preclude
8 the disclosure of the conference presenters’ names. Further, Respondent does not have knowledge of
9 Prospective Intervenors’ individual circumstances.

10 Notably, Respondent has made clear that its interests are not aligned with Proposed Intervenors.
11 Before the NSJP conference in 2018, Respondent sent the organization a frivolous cease-and-desist
12 letter complaining about the use of an image of a bear in a flyer for the conference. (*Letter from Michael*
13 *Beck, Administrative Vice Chancellor, UCLA, to National Students for Justice in Palestine* (Oct. 31,
14 2018), <[https://www.camera.org/wp-content/uploads/2018/11/UCLA-cease-and-desist-letter-SJP-](https://www.camera.org/wp-content/uploads/2018/11/UCLA-cease-and-desist-letter-SJP-october-31-2018.pdf)
15 [october-31-2018.pdf](https://www.camera.org/wp-content/uploads/2018/11/UCLA-cease-and-desist-letter-SJP-october-31-2018.pdf)> [as of Aug. 30, 2020].) The image did not resemble any trademarked image of a
16 UCLA Bruin Bear and the university had sent no such letter to other student groups that used the UCLA
17 logo or image of a bear. (See, *Letter from ACLU Southern California to Michael Beck* (Nov. 7, 2018)
18 <[https://www.aclusocal.org/sites/default/files/aclu_socal_ucla_bear_20181107_cease_desist_response.p](https://www.aclusocal.org/sites/default/files/aclu_socal_ucla_bear_20181107_cease_desist_response.pdf)
19 [df](https://www.aclusocal.org/sites/default/files/aclu_socal_ucla_bear_20181107_cease_desist_response.pdf)> [as of Aug. 30, 2020]; see also, Melissa Morris, *UCLA Faces Controversy For Trademark Claim*
20 *Against NSJP Conference Logo*, Daily Bruin (Nov. 15, 2018) <[https://dailybruin.com/2018/11/15/ucla-](https://dailybruin.com/2018/11/15/ucla-faces-controversy-for-trademark-claim-against-nsjp-conference-logo)
21 [faces-controversy-for-trademark-claim-against-nsjp-conference-logo](https://dailybruin.com/2018/11/15/ucla-faces-controversy-for-trademark-claim-against-nsjp-conference-logo)> [as of Aug. 30, 2020].) More
22 telling of UCLA’s bigoted view of NSJP, its letter claimed that a kite of the Palestinian flag with doves
23 flying around it supposedly could be viewed as “endors[ing] violence against Israel.” (*Letter from*
24 *Michael Beck, supra, 2.*) Moreover, in apparent response to Abrams’ attempts to get UCLA to cancel the
25 NSJP conference, the university explained how it checked the names of Presenters against Foreign
26 Terrorist Organization, Treasury Department Blocked Person, and other lists, thereby endorsing
27
28

1 Abrams' agenda of labeling people who believe in Palestinian rights as potential terrorists.² (See Pet'r
2 Compl. Ex. 1.)

3 Finally, Prospective Intervenors petition to intervene is timely made. This action was initiated in
4 August 2019. Petitioner and Respondents are still conducting discovery. The Court held a trial-setting
5 conference on August 20, 2020, and trial is set for December 8, 2020. Petitioner's opening brief is due
6 on September 29, 2020. Respondent's opposing brief is due on October 29, 2020, with a reply to the
7 opposition due on November 20, 2020. Prospective Intervenors do not intend to ask for modifications to
8 the briefing or trial schedule.

9 For the above-stated reasons, the Court should grant Prospective Intervenors leave to intervene
10 as of right under section 387(d)(1)(B) of the California Code of Civil Procedure.

11 II. ALTERNATIVELY, THE COURT SHOULD PERMIT PROSPECTIVE INTERVENORS TO
12 INTERVENE

13 Even if they were not entitled to intervene as of right, the Court should permit Prospective
14 Intervenors to intervene pursuant to section 387(d)(2) of the California Code of Civil Procedure, which
15 allows "a nonparty to intervene in the action or proceeding if the person has an interest in the matter in
16 litigation, or in the success of either of the parties, or an interest against both." Courts have consistently
17 held that the statute should be liberally construed in favor of intervention. (*Simpson Redwood Co. v.*
18 *State of California* (1987) 196 Cal.App.3d 1192, 1200.)

19 "The main purpose of intervention is to obviate delay and multiplicity of actions." (*Sanders v.*
20 *Pac. Gas & Elec. Co.* (1975) 53 Cal.App.3d 661, 668.) Courts have allowed intervention when (1) "the
21 nonparty has a direct and immediate interest in the action;" (2) "the intervention will not enlarge the
22 issues in the litigation;" and (3) "the reasons for the intervention outweigh any opposition by the parties
23 presently in the action." (*People ex rel. Rominger v. County of Trinity* (1983) 147 Cal.App.3d 655, 660-
24 61.) Prospective Intervenors meet all three requirements.

27 ² It is possible, though difficult to imagine, that UCLA checks the names of speakers at all student
28 conferences against Foreign Terrorist Organization, Treasury Department Blocked Person, and other
lists.

1 A. *Prospective Intervenors Have a Direct and Immediate Interest in This Case*

2 For purposes of permissive intervention, the interest of the intervenor “must be of such a direct
3 and immediate nature that the moving party will either gain or lose by the direct legal operation and
4 effect of the judgment.” (*Siena Court Homeowners Assoc. v. Green Valley Corp.* (2008) 164
5 Cal.App.4th 1416, 1428 [internal citations omitted].) A person has a direct and immediate interest
6 “justifying intervention ... where the judgment in the action of *itself* adds to or detracts from his legal
7 rights.” (*City and Cty. of San Francisco v. St. of Calif.* (2005) 128 Cal.App.4th 1030, 1037 [emphasis in
8 original].)

9 Prospective Intervenors have a direct and immediate interest in this case. Specifically, if their
10 names were disclosed, it would have an immediate impact on their legal rights to privacy and freedom of
11 association, and on their ability to protect their personal safety. First, the right to privacy in an
12 individual’s name may militate against disclosure in a PRA case. (*Deukmejian*, 32 Cal.3d at 449-450
13 [right to privacy prevails in a PRA case where names of individuals in a law enforcement index were not
14 otherwise publicly available and disclosure carried immediate social stigma]; *City of San Jose v.*
15 *Superior Court* (1999) 74 Cal.App.4th 1008, 1023-24 [finding against disclosure of names of noise
16 complainants in a PRA case].) As in *Deukmejian* and *City of San Jose*, Prospective Intervenors in this
17 case have a direct and immediate interest in protecting their privacy and keeping their names
18 undisclosed. (See also *Britt v. Superior Court of San Diego County*, (1978) 20 Cal.3d 844, 855-56.)

19 Second, the United States Constitution provides Prospective Intervenors a freedom of association
20 that allows them to exchange political ideas without publicly disclosing their identities. (*NAACP*, 357
21 U.S. at 466; *Britt*, 20 Cal.3d 855-56.) Indeed, the California Supreme Court has recognized the right to
22 freedom of association as an inviolable right that can only be invaded if there is a compelling state
23 interest. (*Britt*, 20 Cal.3d at 855-56.) There is a “vital relationship between freedom to associate and
24 privacy in one’s associations.... Inviolability of privacy in group associations may in many
25 circumstances be indispensable to preservation of freedom of association.” (*Id.*, at 853 [internal citations
26 omitted].) Prospective Intervenors attended the 2018 NSJP conference with the understanding that their
27 association with the conference and NSJP would remain anonymous. (See generally Exs. 1 through 8.)
28 The disclosure of Presenters’ names as requested by Petitioner would violate Prospective Intervenors’

1 constitutional right to freedom of association by “operation and effect of [this Court’s] judgment.”
2 (*People ex rel. Rominger*, 147 Cal.App.3d at 660.)

3 *B. Prospective Intervenors Will Not Expand the Issues*

4 Prospective Intervenors will not expand the issues by their intervention. Courts have allowed
5 intervention where factual issues are the same as those asserted by the original parties, even where
6 intervenor may raise new legal issues. (*Simpson Redwood Co.*, 196 Cal.App.3d, at 1202-03 [allowing
7 intervention where intervenor intended to raise new causes of action because resolution of those causes
8 would center on the same facts as those involved in the Respondent’s claims].) The primary issue in this
9 litigation is whether Petitioner is entitled to receive the names of individuals who presented at the 2018
10 NSJP conference. If Prospective Intervenors are allowed to intervene, the only issue before the trial
11 court will continue to be the permissibility of disclosure of Prospective Intervenors’ names to Petitioner.

12 *C. Prospective Intervenors Interests Outweigh Any Opposition to Intervention*

13 Prospective Intervenors’ reasons for intervention outweigh any opposition from the existing
14 parties. The purposes of intervention are to protect the interests of non-parties who may be affected by
15 the judgment and to prevent delay and multiplicity of actions. (*San Bernardino County v. Harsh Cal.*
16 *Corp* (1959) 52 Cal.2d 341, 346.) Intervention may be denied if it would “retard the principal suit, or
17 require a reopening of the case for further evidence, or delay the trial of the action, or change the
18 position of the original parties.” (*Sanders*, 63 Cal.App.3rd at 669.)

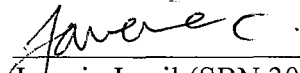
19 This action necessarily involves legal and factual determinations that have a direct bearing on the
20 legal rights of Prospective Intervenors, and on their direct interest to keep their names confidential.
21 Permitting Prospective Intervenors to intervene in the current case would also prevent multiple actions
22 addressing the same issue, and would promote judicial efficiency. Finally, intervention would not delay
23 the existing suit or the trial in this case. The trial date in this case has been set for December 8, 2020;
24 Prospective Intervenors do not intend to ask for a modification to the briefing schedule or a
25 postponement of the trial date.

26 **CONCLUSION**

27 For all the reasons set forth in this memorandum, Prospective Intervenors respectfully request
28 this Court to grant the accompanying Motion to Intervene.

1 Dated: August 31, 2020

Respectfully Submitted,

2 

3 Javeria Jamil (SBN 301720)
4 ASIAN AMERICANS ADVANCING JUSTICE-
5 ASIAN LAW CAUCUS
6 55 Columbus Avenue
7 San Francisco, CA 94111
8 javeriaj@advancingjustice-alc.org
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EXHIBIT 1

DECLARATION 1

I, [REDACTED] declare as follows:

1. I am over 18 years old and fully competent to make this declaration.
2. I make this declaration based on my personal knowledge unless otherwise indicated.
3. I am Palestinian American, and I have family that currently resides in Palestine.
4. On November 17, 2018, I presented a workshop at the National Students for Justice in Palestine (“NSJP”) conference held at the University of California, Los Angeles (“UCLA”). I also attended all three days of the conference from Friday, November 16, 2018 to Sunday, November 18, 2018.
5. Advocacy for the Palestinian cause is important for me because the liberation and survival of my people depends on it. As a Palestinian, my whole life has been spent trying to humanize Palestinians and raise awareness of the human rights violations against my people. Connecting with allies and learning from the older and newer generations of Palestinian human rights activists is part of my activism work for Palestinian issues. If I am unable to safely build community and associate with other people as a part of my activism, then my ability to engage in political activism and thought is seriously impaired.
6. It is important for me to keep my association with NSJP private for many reasons. The most important reason for me is that if my name is made public, I may not be able to visit Palestine and see my family who live there. I personally know people who, to my understanding, are barred from entering Israel and Palestine because of their pro-Palestinian advocacy. As it is, every time I have visited Palestine, I have been routinely stopped and questioned at the border for several hours and asked to list the names of all my relatives and questioned about my political beliefs. The last time I visited Palestine, I was stopped and questioned for six hours.
7. It is also important that I keep my activities and association with NSJP private because I do not want to be doxed. I do not want my name, address, or social media information to be publicly available. I know from the experience of close personal friends that such doxing has resulted in fewer job prospects and had career ramifications, and I am afraid the same may happen to me. I do not want my job prospects to be impacted by smear campaigns against Palestinian activists.
8. I registered for the conference both as an attendee through the regular attendee form and as a presenter through a separate special form for presenters and conference organizers. As part of the attendee form, I had to identify who I was and my association with my local Students for Justice in Palestine (“SJP”) university chapter. I also had to provide a name from within my local SJP chapter of someone who could serve as a reference check for me.
9. I checked in to the conference on the evening of Friday, November 16. The person at check-in asked for my identification, after which he checked my name against the list of attendees on his laptop. He gave me my nametag and told me that I could not enter the conference buildings without it.
10. Before I could enter the ballroom where the Friday plenary session was held, security teams arranged by conference organizers checked my nametag. I also remember that security checked my nametag every time I entered the conference building throughout the three days of the conference.
11. When I checked in, and throughout the conference, conference staffers made regular announcements reminding us to not take any pictures or record any videos. I also made the same announcement at the start of the workshop I led on Saturday, November 17, 2018.

12. There was both UCLA campus security and security arranged by the conference organizers. I did not see campus security inside the buildings where the conference was being held, except once when two protesters infiltrated the conference space. All security individuals I saw inside the buildings were individuals who NSJP had arranged.
13. On one of the conference days, I saw at least 100 protesters outside the conference building. On that day, all conference attendees had to move from one building to another. We were asked to form two parallel lines, and were flanked by both campus security and security provided by the conference organizers as we left our building. Before we left the building, conference staffers told us to cover our faces and tuck away our nametags to protect our identity. As we left the building, I covered my face with my scarf and turned my nametag over. I also made sure to turn my nametag over all three days of the conference every time I left the conference building. The protesters looked angry. They also jeered at us, constantly calling us terrorists.
14. Going in to the conference, I was already afraid for my personal safety. A few weeks before the conference, a Zionist activist had sent my name and picture to campus police at my university. I know this because she later told me she had done so. The fact that my name and picture were given to the police caused me and my family much anxiety.
15. My concern for my safety was also heightened because I had seen the news stories coming out of Los Angeles before the conference, where LA city council members were calling NSJP student activists terrorists and the UCLA administration was labeling us as anti-Semitic. I want to keep my association with NSJP confidential because I do not want to be falsely accused of terrorism and anti-Semitism.
16. If the conference was not a closed door event, I would not have attended at all. If I had known there was a chance of my name becoming public as a presenter, I would not have presented at the conference.
17. The fear of doxing is a serious obstacle in being able to organize for Palestinian human rights. It has made me wary of how and when I organize. It is my understanding that other activists leave organizing for this very reason.

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

Executed on August 30, 2020.



EXHIBIT 2

DECLARATION 2

I, [REDACTED], declare as follows:

1. I am over 18 years old and fully competent to make this declaration.
2. I make this declaration based on my personal knowledge unless otherwise indicated.
3. On Saturday, November 17, 2018, I was a presenter at the National Students for Justice in Palestine (“NSJP”) conference held at the University of California, Los Angeles (“UCLA”). I also attended another workshop on Saturday and the first half of a plenary session on Sunday, November 18, 2018.
4. The privacy of my association with the NSJP conference is very important to me. Zionist activists have used my past work in the field of Palestinian human rights to defame me and to wrongly associate me with ideas and groups that I do not endorse. In 2015, I was filmed against my wishes at a talk on Palestinian liberation. The video was uploaded to YouTube with an inflammatory title implying that I believed all Israeli men were rapists. YouTube eventually removed the video for libel. After the video was uploaded, I received harassing and threatening emails, saying things like, “Palestinian women are so filthy we would not even think of raping them.” The emails made me feel very unsafe.
5. The privacy of my association with NSJP is also important to me because I am afraid that if my name were to become public, I would be placed on blacklist websites like Canary Mission. I have seen the names of many of my friends on such websites, their statements taken out of context and them being accused of anti-Semitism and terrorism. I do not want the same to happen with me.
6. Over the course of several years, even before the incident in 2015, I have been continuously harassed on Twitter, and called names like “pig,” “bitch,” “anti-Semite,” and “terrorist.” I have received extremely toxic tweets that have been the source of much mental anxiety for me. For instance, one Twitter user told me I should “go finger fuck myself.”
7. Because of my prior experiences and the experiences of close friends, I am terrified of being doxed. I am very careful about who I share my email and information with, what I post on social media, and what I say in public forums.

DECLARATIONS

- 1 8. Because I am always wary of Zionist activists taking my words out of context, I am usually
2 measured about what I say in public settings. However, because I understood that this conference
3 was a closed-door event where I was talking to student organizers who had been pre-screened by
4 conference organizers before being allowed into the conference, I felt more ease. I felt more
5 relaxed at the workshop and did not feel like I had to censor my speech.
- 6 9. I checked in to the conference on Saturday afternoon. I remember that I had to pass some UCLA
7 campus security officers to get to the check-in table. At the check-in table, I was asked for my
8 identification and the person at the check-in table checked my name against the list of conference
9 attendees he had on his laptop. I was given a conference program, a wristband, and a nametag.
10 The person helping me check-in explicitly told me that I would not be able to enter the
11 conference space without the nametag and the wristband.
- 12 10. Conference organizers were concerned about the safety of the event and the attendees and took
13 safety measures. The NSJP organizer I communicated with knew me and was familiar with my
14 work because I had also attended the 2017 NSJP conference in Houston. However, I still did not
15 receive a copy of the conference program until I arrived at the conference on Saturday. The
16 conference program briefly described the content of my workshop, but did not have my name
17 printed on it. It also did not have the names of other workshop presenters listed. When I was
18 given the conference program at registration, I was explicitly instructed to not leave the program
19 lying around. I remember during lunch on Saturday, while I was sitting in a courtyard with other
20 conference attendees, someone had left behind their conference program on one of the benches.
21 An NSJP conference staffer immediately came to pick the program up.
- 22 11. Before I could enter the building where the actual conference was being held, security personnel,
23 who were stationed at the entrance to the building, checked to make sure that I had my nametag
24 and wristband before allowing me inside the building.
- 25 12. It is my understanding that a friend who had not pre-registered for the conference tried to register
26 on Sunday, but he was not allowed to register. I stepped out of the conference building into an
27 open space to talk with him. I saw that there were a few protesters near us, but I did not pay them
28 much attention, until a conference organizer came up to me and asked me to go inside because

1 the protesters were taking pictures of me. I felt disturbed when I realized what was happening
2 and immediately went inside.

3 13. On one of the conference days, I remember that all conference attendees, including myself, had
4 to go from one building to another. The walk between the two buildings took about ten minutes.
5 Before we could leave our original building, the conference organizers gathered everyone in one
6 of the hallways. We were asked to form two lines, close together. We were told that there was a
7 group of protesters outside the building and on the way to the next building. Conference
8 organizers informed us that protesters were recording videos of conference attendees, and that
9 we should cover our faces and conceal our nametags to preserve our anonymity.

10 14. We filed outside the original building, in two parallel lines, escorted by UCLA's campus police
11 and other security personnel on all four sides of the line.

12 15. I saw at least 100 protesters in total during our walk. Some of these protesters followed us as we
13 walked from one building to the next. They sneered and jeered at us. They called us names like
14 "pigs" and "anti-Semites." I heard one of them saying "the IDF is coming" and another saying
15 "Mossad is coming." The fact that these protesters were threatening conference attendees, many
16 of whom were Palestinian like myself, with the Israeli armed forces and Israeli intelligence
17 agencies, made me feel extremely unsafe.

18 16. I saw at least one protester who was visibly agitated and excitable and walking alongside us to
19 get as close as he could. He followed us all the way to the other building, at which point he had
20 to stop because security did not allow him to enter the conference space.

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24 I declare under penalty of perjury under the laws of the State of California, that the foregoing is
25 true and correct.

26 Executed on August 31, 2020.

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DECLARATIONS

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DECLARATIONS

EXHIBIT 3

DECLARATION 3

I, [REDACTED], declare as follows:

1. I am over 18 years old and fully competent to make this declaration.
2. I make this declaration based on my personal knowledge unless otherwise indicated.
3. On November 17, 2018, I presented a workshop at the National Students for Justice in Palestine (“NSJP”) conference held at the University of California, Los Angeles (“UCLA”). I also attended the conference as an attendee from November 16 to November 18, 2020.
4. It is important for me to maintain my privacy around my association with NSJP so that I am able to safely engage in and organize for Palestinian human rights work. After I attended the 2017 NSJP conference, I saw that the blacklisting website Canary Mission had a profile on me. The website linked to not only my social media account but also to that of my student organization. All of this made organizing for Palestinian advocacy very difficult for me. I was unable to post information about actions I was planning on my social media page or on that of my organization’s, and was thus unable to get the word out to the student community. I believe this is one of the reasons that many people did not turn out to some of the actions I planned.
5. On at least two separate incidents, I was surveilled by armed campus police when tabling for my student Palestinian advocacy organization at my university campus. I saw campus police watching me and others with me, not trying to hide the fact that they were there.
6. I was afraid before attending the 2018 NSJP conference because of my experience being doxed on Canary Mission and being monitored by campus police. I did not want my attendance at the 2018 conference to lead to further harassment. As a precaution, I deactivated my social media accounts prior to the 2018 conference and only reactivated them once the conference had ended. During the conference, I often tried to cover my face while walking to and from the conference location. I also tried to dress in such a way that it was not obvious I was with the conference group while not in the conference building (i.e. not wearing a lot of Arab/Palestinian cultural clothing such as kuffiyehs or the conference T shirt).
7. Additionally, I was particularly nervous about safety before attending the 2018 conference. I had read in the news that anti-Palestinian groups were pressuring UCLA to cancel the conference and

1 censor our voices. It was my understanding that there would likely be large right-wing protests
2 and that this could put me at heightened risk for doxing, harassment, or violence. Additionally, it
3 was my understanding that UCLA required a campus police presence, which made me
4 uncomfortable because I have had bad experiences with police surveillance in response to my
5 activism.

6 8. I am afraid of my name being disclosed publicly for several reasons. The harassment I
7 experienced as a result of my name being on Canary Mission scared me. I did not know if I
8 would be able to get jobs or apply for housing after I was doxed, since the first Google result for
9 my name was openly calling me a terrorist. I was a young college student at the time with
10 minimal community support and I was very unsure about what that could mean for me and my
11 future. My Canary Mission profile has been relatively dormant and has not been updated in a
12 long time. My name also has not been shared on their Twitter as much as it was at first. If my
13 name were shared as a presenter at NSJP, I expect that the harassment and doxing of me would
14 continue and they might try to find more information about me to share publicly.

15 9. I also have heard stories about other activists who have been put on Canary Mission and the
16 consequences they have faced as a result, which worries me deeply. It is my understanding that
17 other people have been denied positions in graduate programs because of their Canary Mission
18 profiles. I am hoping to apply to graduate school next year, and I am worried that increased
19 harassment and doxing could jeopardize my ability to pursue my career goals. I have also heard
20 that other people's Canary Mission profile pictures have been printed out and posted on campus
21 in the past, calling them terrorists, and exposing them to racist violence. I am scared of the
22 potential consequences and I am scared for my personal safety if my name should be released as
23 a presenter.

24 10. It is my understanding that conference organizers took measures to protect the identities of those
25 presenting at the conference. I did not receive the conference program until I physically arrived
26 at the conference. The conference program did not list my name as a workshop presenter. Nor
27 did it list the names of any other workshop presenters.

- 1 11. I checked in to the conference on Friday. In addition to the conference program, I received a
2 nametag and a wristband. I had to check in to the conference on Saturday and Sunday as well,
3 when I received different color wristbands. At every check-in, conference staffers gave me
4 explicit instructions to wear the nametag and wristband at all times when entering the
5 conference, or I would not be allowed in to the building where the conference was being held.
6 They also instructed me to not leave the conference program or my nametag lying around or in
7 one of UCLA's trash receptacles. Finally, they told me that I should take off my nametag or put
8 it inside my shirt whenever I am in an open space. I remember hearing these instructions around
9 safety and confidentiality repeatedly throughout the three days of the conference, at the start of
10 the plenary sessions and when I would leave the conference every day.
- 11 12. When I checked in to the conference the first day, I saw UCLA campus security and security
12 arranged by conference organizers before I could get to the check-in table.
- 13 13. I attended the plenary session on Friday. I saw non-UCLA security posted at the entrance to the
14 room, checking everyone's nametags and wristbands. I had a workshop the next day and I
15 wanted to leave the plenary with my co-presenters to go prepare for it. However, conference
16 staffers told me I could not leave the room for safety reasons. At one point, I left to use the
17 restroom through the back entrance, and saw non-UCLA security posted at the back entrance as
18 well. They directed me to a bathroom inside the building.
- 19 14. When I held my workshop on Saturday, I made an explicit announcement letting everyone know
20 that no pictures or video recordings were allowed. To the best of my recollection, no one in my
21 workshop violated that policy. The doors to the room I was presenting in remained closed
22 throughout the conference. There was non-UCLA security present outside the door to my room
23 checking for wristbands before allowing anyone to enter the room.
- 24 15. I also attended other workshops during the conference. I remember that in all the rooms I
25 attended a workshop in, the windows were closed and the blinds were drawn. At some point
26 during the conference, either the conference organizers or the workshop presenters advised us to
27 not look outside the windows because there were people outside the building protesting the
28 conference and trying to take pictures or record videos of conference attendees.

- 1 16. The conference was held in two different buildings, to the best of my recollection. Anytime I had
2 to move from one building to the other, conference organizers always made sure that I moved as
3 part of a group, with security flanking us on all four sides. Every time I moved from one building
4 to the other, I would cover my face to keep my identity secure.
- 5 17. On one of the days, all conference attendees had to move from one building to another building
6 on campus. Before we could leave our original building, conference organizers asked us to
7 convene in the hallway of the building. There, they lined us up in two parallel lines, with non-
8 UCLA and UCLA campus security covering us on all four sides. Conference organizers told us
9 that there were protesters outside the building, and many of them were going to try to take our
10 pictures. They encouraged us to cover our faces to protect our identity. I covered my face before
11 I left the building.
- 12 18. When I got outside, I saw at least 100 protesters on my way to the next building. Some of them
13 were really loud and were walking alongside our group. They could not get very close to us
14 because of the wall of security between us and them.

15
16 I declare under penalty of perjury under the laws of the State of California that the foregoing is
17 true and correct.

18 Executed on August 30, 2020.

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A black rectangular redaction box covers the signature area. A horizontal line extends from the right side of the box.

EXHIBIT 4

DECLARATION 4

I, [REDACTED], declare as follows:

1. I am over 18 years old and fully competent to make this declaration.
2. I make this declaration based on my personal knowledge unless otherwise indicated.
3. I am a Jewish woman [REDACTED] who was born in the State of Israel. Other than my parents and siblings, the entire rest of my family lives in Israel.
4. I [REDACTED] student.
5. On November 17, 2018, I presented a workshop at the National Students for Justice in Palestine (“NSJP”) conference held at UCLA. I also attended various workshops and sessions at the conference.
6. The privacy of my association with the NSJP conference is very important to me. It is my understanding that people who engage in Palestine-based advocacy have a difficult time being allowed into Israel or are barred from entering the country by the Israeli government. At some point in 2018, I saw that a profile had been created on me on Canary Mission. This profile does not list my participation or attendance in the 2018 NSJP conference. I then visited Israel in 2019. Israeli airport authorities pulled me out of the passport line and questioned me for hours before finally allowing me inside the country. I believe that I was subjected to this extra questioning because of my Canary Mission profile.
7. The fact that my advocacy on Palestinian human rights is public has already had an impact on my life. I have been harassed by members of my own community and called kapo, or a self-hating Jew. I have received harassing messages on my social media, calling me words like “anti-Jewish” and a “stupid bitch”. This harassment has had an intense mental impact on me and has caused me great anxiety. Additionally, my partner’s close family members have called me and told me they will sever their relationship with my partner if I continue advocating for Palestinian human rights.
8. If the fact that I presented at the conference were disclosed, I would likely not organize with Palestinian individuals and organizations like NSJP. My public facing advocacy has been with Jewish organizations and within the Jewish community. The fact that I also organize with

1 Palestinian organizations is not known to my family and friends, and to the best of my
2 knowledge, to the public. I also fear that if the fact of my organizing with Palestinian
3 organizations and individuals became known, the harassment and doxing that I currently face
4 would intensify.

5 9. If I did not think that the conference would be a private, closed-door event, I do not know if I
6 would have been open to presenting or participating in the conference.

7 10. I am also afraid that my career prospects as a lawyer will be negatively affected if my association
8 with NSJP was made public.

9 11. After I registered for the conference, I received a confirmation email from NSJP stating that I
10 would need a photo ID to check-in to the conference. The email also stated that I would receive a
11 conference program, a nametag and a wristband after check-in, and that I would be required to
12 wear the nametag and wristband at all times. Without both of these, I would be asked to leave the
13 conference. The email also stated that no one could register for the conference at the door. This
14 email led me to believe that the conference was a private, closed-door event.

15 12. The email from NSJP also stated that conference organizers expected protesters both on and off
16 campus, and that this protest had been approved by the UCLA administration. The email warned
17 us that these protesters might try to record videos of us.

18 13. Before the conference, one of the NSJP conference organizers called me. He informed me that
19 the conference program would not be released until the day of the conference. Additionally, he
20 stated that the program would not list the names of any of the workshop presenters. Finally, he
21 advised me that if I wanted to, I could use a fake name during my workshop and at any point in
22 the conference. All of this led me to believe that conference organizers were taking measures to
23 keep secure the anonymity of conference presenters.

24 14. I checked in to the conference on Friday. The staffer at check-in asked me for my ID and after
25 verifying my registration on a laptop, gave me my nametag, wristband, and the conference
26 program. Before I could enter the conference space, individuals providing security checked my
27 wristband and nametag.

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DECLARATIONS

- 1 15. Once during the conference, I forgot to wear my nametag and the people providing security did
2 not let me enter the building.
- 3 16. My workshop was on Saturday, November 17, 2018. Before I began the workshop, I asked
4 people to not take pictures or record any videos. There were about 30 to 40 people in my
5 workshop, sitting in staggered seating, so that I could see all of them clearly. I do not recall
6 anyone taking pictures or recording videos during my workshop. I also announced that everyone
7 at the workshop should use fake names to maintain confidentiality. I myself used a fake name
8 when facilitating the workshop.
- 9 17. I attended many workshops during the conference. At many of the workshops, presenters started
10 the workshop by announcing that no one was allowed to take pictures and record videos.
- 11 18. Before the conference, I received an email from a Palestinian solidarity organization, SWANA-
12 LA, asking me to provide security support at the conference, because conference organizers
13 expected a far-right Zionist organization to demonstrate at the conference, and because some
14 NSJP members had received death threats.
- 15 19. On November 15, 2018, I attended a safety meeting at UCLA organized by NSJP ahead of the
16 conference. At the meeting, individuals from the National Lawyers Guild and the Jewish Voice
17 for Peace went over the plan and provided the attendees with a de-escalation training. The
18 security plan generally consisted of having security individuals like myself posted at various
19 points throughout the courtyard surrounding the building where the conference would take place,
20 and at all entrances to the building itself. Every workshop was also assigned a security supporter
21 who could help deescalate any situation that may arise.
- 22 20. I provided security support three times during the conference. Once, I was stationed near the
23 back entrance to one of the conference buildings to make sure that non-conference attendees did
24 not enter the building. I saw a woman try to sneak into the building. I stopped her. She yelled at
25 me and kept trying to move past me until UCLA's campus security arrived at the scene and
26 escorted her away.
- 27 21. On another day, I helped escort conference attendees, as a group, from one conference building
28 to the next. All attendees made up the inner circle of the group; security supporters like myself

DECLARATIONS

1 flanked the attendees on all four sides; UCLA campus security flanked us and made up the
2 outermost circle. Before we started moving from one building to the next, conference organizers
3 asked everyone to conceal their nametags and encouraged everyone to cover their faces. I saw
4 many people cover their faces. I tucked my nametag into my shirt. Once all the conference
5 attendees had entered the building, along with other people providing security support, I formed
6 a human chain at the entrance to the building to stop protesters from getting inside.

7 22. I also provided security support the last day of the conference, when I helped escort conference
8 attendees from the building where the conference was being held to a pickup location for
9 rideshares. I escorted three or four groups to the rideshare location. Attendees in each group
10 covered their faces. I saw people following each group of attendees, trying to take their pictures,
11 record videos. Some of these people would try and get very close to the attendees in order to take
12 their picture. I saw people yell at us, saying that they were going to capture our faces and put our
13 information online.

14
15 I declare under penalty of perjury under the laws of the State of California that the foregoing is
16 true and correct.

17 Executed on August 30, 2020.

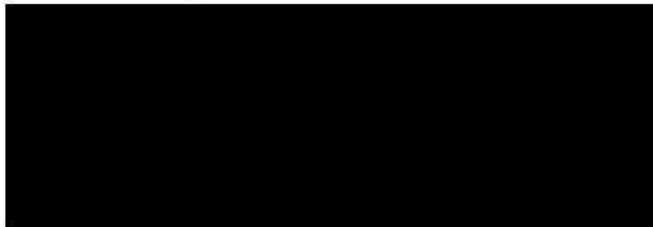


EXHIBIT 5

DECLARATION 5

I, [REDACTED], declare as follows:

1. I am over 18 years old and fully competent to make this declaration.
2. I make this declaration based on my personal knowledge unless otherwise indicated.
3. I am Palestinian American and I have family that currently resides in Palestine.
4. On November 17, 2018, I was a presenter at the National Students for Justice in Palestine (“NSJP”) conference held at the University of California, Los Angeles (“UCLA”). I also attended all three days of the conference as an attendee.
5. It is important for me to preserve the anonymity of my affiliation with NSJP. If my name were made public, I would not be able to visit Palestine. Even though I am Palestinian, I do not have a Palestinian passport or a guaranteed right to enter the country. My U.S. passport grants me a three-month visa, but that is at the discretion of the Israeli government. I fear that if my name as a Palestinian rights activist was made public, the Israeli government would not allow me to enter. This would mean that I would be cut off, possibly forever, from seeing some of my family members who reside in Palestine and who, to my understanding, are not allowed to leave the country.
6. Preserving the privacy of my association with NSJP is also important to protect my personal safety. I attended the 2017 NSJP conference in Houston. I had to evacuate the building at one point because I was told by conference staff that there was a man standing outside the conference with a gun. Additionally, at my university campus, I have witnessed first-hand the threats Palestinian activists receive. At the beginning of 2020, at public comment during a student government meeting, I heard an individual threaten to join the Israeli Defense Forces and kill all Palestinians, when a measure to stifle Palestinian advocacy on campus failed.
7. Preserving the privacy of my association with NSJP is also important so I can continue my advocacy for Palestinian rights. If the workshop I presented at the 2018 NSJP conference was not a closed-door event or I thought my name would be disclosed, I would not have attended the workshop or presented at it. If my name were disclosed as part of this case, I would not continue to engage in my political advocacy at the same level or in the same way that I currently do.

- 1 8. I am also extremely afraid of being doxed for my work on Palestinian human rights. For this
2 reason, all my social media accounts are private and I do not post any public pictures of myself.
- 3 9. It is important to me that I continue doing Palestinian advocacy safely. I believe keeping my
4 association with NSJP private and being able to express dissenting views are an integral parts of
5 living in a democracy. Engaging in this work in a safe manner is core to my sense of self and
6 important for the liberation of my family and my people.
- 7 10. For the 2018 NSJP conference, I registered both as an attendee and as a workshop presenter. As
8 an attendee, I registered through my university's SJP chapter. My SJP selected three or four of us
9 to go to the conference. All of us then completed one form and entered our individual
10 information into that same form. As part of the process, we provided the name of an SJP member
11 from our campus who could vouch for us and our activism. It is my understanding that the NSJP
12 conference organizers did call the person I listed as a reference because that person informed me
13 of the call.
- 14 11. It is my understanding that conference organizers had serious concerns about the security of the
15 event and the attendees and took appropriate safety measures. Even though I was a workshop
16 presenter, I did not receive a copy of the conference program until I arrived at the conference. I
17 was also only told what day and time my workshop would be a couple of days before the
18 conference. Even then, I was not told the exact location where my workshop would be held until
19 I arrived at the conference and received a conference program.
- 20 12. I checked in to the conference on Friday evening. I saw UCLA campus security officers and
21 security arranged for by the conference organizers before I could get to the check-in table, which
22 was located in a courtyard outside the building where the conference was held. I informed the
23 person sitting at the check-in table of my name and school affiliation. I received a premade
24 nametag and a copy of the conference program. The person at the check-in table informed me
25 that I would not be able to enter the conference buildings if I did not have my nametag with me.
- 26 13. I had to check in every day of the conference at an outdoor check-in table before I could go
27 inside the building where the conference was held.
- 28

- 1 14. As soon as I was checked in, conference staff told me to immediately enter the building and to
2 not stand around outside.
- 3 15. Conference staff instructed all attendees, including myself, not to throw the conference program
4 or our nametags in any trashcans, to invert our nametags or take them off any time we left the
5 building, not to wear our *kuffiyehs* in outdoor spaces, and not to take any pictures or record
6 videos. I was given these instructions when I checked in every morning and NSJP organizers
7 made these announcements throughout the day.
- 8 16. At my workshop on Saturday, I also instructed all attendees to not take pictures or record any
9 videos. I also reminded everyone to keep the identities of the people present and any stories
10 shared confidential. There was a conference staffer present in my workshop to provide security
11 in case something happened.
- 12 17. In all the workshops I attended, every presenter told attendees to not take any pictures and to
13 maintain the confidentiality of individuals and other sensitive content shared during the
14 workshop.
- 15 18. There were one or two security guards posted at each entrance and exit to the conference
16 building. I saw them as I walked in to the building each day of the conference. They always
17 checked to see that I had my nametag.
- 18 19. For the Friday keynote session, there were security guards posted at each entrance of the
19 ballroom. A security guard at the front entrance checked my nametag as I entered the ballroom. I
20 saw the security guards posted at the back door to the ballroom when I left briefly to use the
21 restroom. They directed me to a bathroom inside the building.
- 22 20. All the security guards I saw inside the building were members of the activist community NSJP
23 had arranged to be at the conference. None of them were wearing UCLA police uniforms. All the
24 UCLA campus security officers I saw remained outside the building on all three days, except at
25 one point during the conference when they entered the building to escort a protester out.
- 26 21. On either Saturday or Sunday of the conference weekend, I was standing outside of the building
27 with a few of my friends. Conference staffers immediately told us to go inside the building
28 where the conference was being held.

1 22. On one of the conference days, all attendees had to move from one building to another.

2 Conference organizers told us there were a large group of protesters outside who were ready to
3 film us. For our safety, they lined us and walked us out the building as a massive group. We were
4 flanked on all four sides by campus police and the security individuals NSJP had arranged for.

5 23. Before we left the building, NSJP staffers instructed us to not engage with the protesters, to
6 cover our faces, and to conceal our nametags.

7 24. I saw about 100 protesters on my walk to the other building. I removed my nametag and wore
8 sunglasses. I also made sure to huddle in between my friends and keep my head down to protect
9 my identity.

10 25. After the conference ended on Sunday, I walked to my car that was parked in one of the UCLA
11 parking lots with a group of other conference attendees. I was followed halfway through campus
12 by a group of protesters who were yelling at us and taking pictures. We covered our faces with
13 our hands, our scarves, and our *kuffiyehs* to protect ourselves. I used my hands to cover my face
14 in order to conceal my identity.

15
16 I declare under penalty of perjury under the laws of the State of California that the foregoing is
17 true and correct.

18 Executed on August 30, 2020.

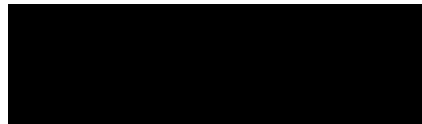
19  A large black rectangular redaction box covering the signature area.

EXHIBIT 6

DECLARATION 6

I, [REDACTED], declare as follows:

1. I am over 18 years old and fully competent to make this declaration.
2. I make this declaration based on my personal knowledge unless otherwise indicated.
3. I am a citizen of both Israel and the United States.
4. On November 17, 2018, I presented a workshop at the National Students for Justice in Palestine (“NSJP”) conference held at the University of California, Los Angeles (“UCLA”). I also attended various workshops and sessions at the conference.
5. It was my understanding that conference organizers would keep my name confidential. The conference program did not list my name or that of other presenters.
6. I also understood the conference to be a closed-door private event. When I registered for the conference, I had to indicate if I was a member of any Students for Justice in Palestine (“SJP”) chapter, provide the location of the chapter, and name of the chapter president. If I was not associated with a SJP chapter, I had to specify how I was connected to the conference.
7. Before arriving at the conference, I received an email from conference organizers advising me that I would need a form of my identification to check in to the conference. When I checked in to the conference, conference staffers asked for me ID, checked my name against a list on their laptop, and gave me a nametag, the conference program, and a wristband. They told me I had to wear the wristband and nametag at all times. They also told me to not throw away my nametag or any conference material in any trashcans.
8. After check-in, I was speaking with some of the conference staffers when I saw an individual try to register for the conference. The conference staffers told him he could not register and turned him away.
9. I was required to check in all three days of the conference. I received a different colored wristband on each day. Every time I entered one of the two buildings where the conference was being held, security individuals checked my wristband before allowing me entry.

1 10. Conference organizers told me that there would be a security team looking out for people trying
2 to disturb the event and that campus police would also be available to protect whoever needed
3 protection during the conference.

4 11. I saw a lot of security on all three days of the conference. There was security posted on every
5 entrance to the building where my workshop was being held. I also saw security in the courtyard
6 leading up to the building, and near the check-in table. At one point, I went to the restroom on a
7 different level in the same building as the conference, and saw police in riot gear sitting in a
8 room.

9 12. Whenever I had to walk between the two buildings where the conference was being held,
10 conference organizers made sure that I walked as part of a larger group for our own safety.

11
12 I declare under penalty of perjury under the laws of the State of California
13 that the foregoing is true and correct.

14 Executed on August 30, 2020.

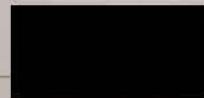
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EXHIBIT 7

DECLARATION 7

I, [REDACTED], declare as follows:

1. I am over 18 years old and fully competent to make this declaration.
2. I make this declaration based on my personal knowledge unless otherwise indicated.
3. I am Palestinian.
4. I attended the National Students for Justice in Palestine (“NSJP”) conference held at the University of California, Los Angeles (“UCLA”) in November 2018, and I presented a workshop on the second day of the conference.
5. The privacy of my association with NSJP is very important to me for two reasons. First, it is my understanding that people who are publicly known to advocate for Palestinian human rights are often barred from entering Palestine by the Israeli government. I plan to visit Palestine in the near future with my mother, and I am afraid that if my name were publicly disclosed in connection with this conference, the Israeli government would not allow me to enter the country.
6. Second, I understand that disclosing my association with the NSJP conference or advocacy for Palestinian human rights in general can land me on internet blacklists, including websites such as Canary Mission. For this reason, I was very careful not to put my full or real name when publishing articles on the issue of Palestine in the school newspaper. I have friends who have profiles on Canary Mission, where their words and actions have been taken out of context and they have been painted as terrorists. I do not want to be doxed in the same way.
7. Over the years, I have been careful about how publicly I engage in Palestinian advocacy because I am also afraid of being harassed by law enforcement. I have been told by others I know who publicly advocate for Palestinian human rights that they have been approached by the FBI for questioning. I do not want to be harassed by the FBI for my political advocacy.
8. I attended the 2018 NSJP conference to engage in information and skill sharing with other students organizing for Palestinian liberation across the country. This conference was particularly important to me because the advocacy for Palestinian human rights at my university was relatively new and I wanted to build with and learn from others who had been doing this work for much longer.

- 1 9. When I registered for the conference, in addition to basic information about myself, I had to
2 provide the name of an individual who was familiar with my advocacy on Palestinian human
3 rights and could vouch for me.
- 4 10. It was my understanding that our identities as presenters would be kept confidential. The
5 conference program did not list my name, or that of any other workshop presenter. At my
6 workshop and at most workshops and sessions I attended, the presenters or an NSJP staffer
7 reminded attendees that no pictures or video recordings were allowed. Throughout the weekend,
8 I heard conference staffers make several announcements telling attendees that we were not
9 allowed to post about any of the workshops or events we attended on social media.
- 10 11. I also understood the conference to be a private, closed-door event. Before the conference, I
11 received an email stating that I would need to bring photo identification with me to check-in and
12 to receive my nametag and wristband. I was also required to wear the nametag and wristband at
13 all times or I would not be allowed into conference spaces. The email also stated that no in-
14 person registration would be allowed at the conference.
- 15 12. At the conference, I was required to show my wristband nametag to people providing security
16 support at the conference before I was allowed into the conference space. On Friday, conference
17 staffers instructed me to use specific doors to get to the bathroom, all of which had security
18 stationed at them. On Saturday and Sunday when most of the conference took place, I saw
19 security roaming the halls of the building to monitor who was going in or out of workshops.
- 20 13. On one of the days, all the attendees had to go to a separate area of the campus for a meal.
21 Conference staffers had us go together in a group. Protesters lined the path we were taking and
22 many marched alongside us and followed us to where we were going. I saw many of the
23 protesters taking pictures and filming us. Conference staffers advised us to conceal our nametags
24 and cover our faces to protect our identities. Concerned for my privacy for the reasons stated
25 above, I covered my face with a scarf and concealed my nametag.

26
27 I declare under penalty of perjury under the laws of the State of California that the foregoing is
28 true and correct.

DECLARATIONS

Executed on August 30, 2020.



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EXHIBIT 8

DECLARATION 8

I, [REDACTED], declare as follows:

1. I am over 18 years old and fully competent to make this declaration.
2. I make this declaration based on my personal knowledge unless otherwise indicated.
3. I am a Palestinian American [REDACTED].
4. On November 17, 2018, I presented a workshop at the National Students for Justice in Palestine (“NSJP”) conference held at UCLA. I also attended various workshops and sessions at the conference.
5. The privacy of my association with the NSJP conference is very important for my ability to travel to Palestine. I believe that my advocacy for Palestinian human rights is the reason the Israeli government denied me entry into the country in the past. In 2015, I attempted to visit Israel. I was stopped at the border and questioned for ten hours by the Israeli Defense Forces. Most of the questioning was about my advocacy for the Boycott, Divest, and Sanctions movement and my involvement in the Students for Justice in Palestine (“SJP”), a student group. After ten hours of questioning, Israeli authorities denied me entry and barred me from entering the country and imposed a ten-year ban. The Israeli government gave no formal reason for their denial. As the officer escorted me out of the questioning room, he stated, “You know you are inciting extremism in the United States.” After the ten-year ban ends, I will attempt to visit Palestine once again. I am afraid that the public disclosure of my name in association with this conference would impose even further barriers to my entry to Palestine in the future.
6. The privacy of my association with the NSJP conference is also important to me for the preservation of my personal safety. In 2015, I attended a lecture at my university where the professor had invited the founder of the BDS movement as a speaker. Anti-Palestinian activists, including a rabbi who coordinated the campus Chabad, came to the lecture to protest the speaker. The rabbi kept interrupting the students who were asking questions of the speaker. The teacher’s assistant for the professor told the rabbi to stop interrupting the students. The rabbi hit the teacher’s assistant on her head.

- 1 7. The same rabbi confronted me and my friends at the end of another event on campus and started
2 yelling at us in Hebrew and English. We left the venue as soon as we were able to. He followed
3 us out, and kept yelling at us.
- 4 8. In 2018, I organized a weeklong educational event at my university around Palestinian human
5 rights. Against our wishes, the university administration sent campus police to watch and
6 monitor us for the first four days of the event. I saw university police standing across the street
7 from where I was and monitoring my every movement as I moved around in the event space.
8 This experience of overtly being surveilled left me feeling scared for my safety.
- 9 9. Publicly disclosure of my name would discourage me from attending future conferences and
10 building relations with other Palestinian activists because I would not want their connection with
11 me to cause them problems. Currently, my name and information are not available on blacklist
12 websites such as Canary Mission. It is my understanding that when one person is on a blacklist
13 like Canary Mission, it leads to others who are associated with them being added to the list.
- 14 10. I understood the 2018 conference to be a private, closed-door event. To attend the conference, I
15 was required to register. The registration form asked me for the name and contact information of
16 someone who could confirm that I was part of my campus SJP chapter.
- 17 11. I also understood that the names and identities of presenters would be kept confidential. Before
18 the conference, I was on a call with a member of the conference steering committee, who told me
19 that my name would be kept confidential. Additionally, the conference program I received on the
20 day of my arrival did not have my name or that of any other workshop presenters listed on it.
- 21 12. Before the conference I also received an email from conference organizers stating that we were
22 not allowed to take pictures or record videos at the conference.
- 23 13. I was also one of the people who signed up to provide security support for the conference
24 because it was my understanding that UCLA had approved anti-Palestinian groups to hold a
25 protest on campus. On Thursday night, before the conference, I attended a meeting with alumni
26 and members of SJP at UCLA where we discussed a safety plan based on threats against the
27 conference. Community organizers and pro-Palestinian groups joined us to discuss de-escalation
28

1 tools that we could use. For example, we discussed forming a human blockade in case people
2 tried to record students.

3 14. When I checked in to the conference on Friday, the conference staffer asked for my
4 identification, checked my name against a list on his laptop, and gave me a nametag. He told me
5 to carry my nametag with me at all times or I would not be allowed into the conference. He also
6 instructed me to conceal my nametag when I was in any outdoor space. Throughout the
7 conference, whenever I was not inside the buildings where the conference was being held, I kept
8 my nametag in my pant pocket.

9 15. Before my workshop, a conference organizer told me to keep the door to my workshop room and
10 the windows inside the room closed at all times. I understood this as a way to protect the identity
11 of the attendees and the presenters at the workshop. During my workshop I was assigned an
12 individual to help provide safety support in case there were any incidents.

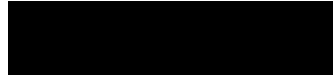
13 16. On one of the conference days, all attendees had to move from one building to another building
14 on the UCLA campus. Conference organizers gathered all attendees in the hallway of the first
15 building. I, along with other individuals arranged by NSJP, provided safety support to the
16 attendees by flanking the group on all four sides. Before we walked out of the building,
17 conference organizers told everyone that there were protesters outside the building with cameras,
18 ready to record us. They instructed everyone to conceal their nametags and cover their faces. I
19 saw about 40 to 50 protesters when we stepped outside. Some of them moved with us and
20 recorded videos of us without our consent. At least one man and woman come really close to me,
21 about six inches from my face, and yelled at me. When we arrived at the second building, I
22 formed a human chain along with other individuals providing safety to stop protesters from
23 gaining entrance to the conference space. All this time, I saw the protesters yelling at us, calling
24 us “sand niggers” and “terrorists.”

25 17. I also provided safety support on Sunday, patrolling the back entrance to the building. During
26 that time, I saw several individuals carrying Israeli flags unsuccessfully try and enter the
27 building.
28

1 18. At the end of every day when I would leave the conference, I would cover my face with a scarf
2 until I was off the UCLA campus.

3
4 I declare under penalty of perjury under the laws of the State of California that the foregoing is
5 true and correct.

6 Executed on August 30, 2020.

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EXHIBIT 9

JAVERIA JAMIL, SBN 301720
javeriaj@advancingjustice-alc.org
HAMMAD ALAM, SBN 303812
hammada@advancingjustice-alc.org
GLENN KATON, SBN 281841
glennk@advancingjustice-alc.org
55 Columbus Avenue
San Francisco, CA 94111
Phone: 415-896-1701

MATTHEW STRUGAR, SBN 232951
matthew@matthewstrugar.com
3435 Wilshire Blvd, Ste 2910
Los Angeles, CA 90010
Phone: 323-696-2299

ZOHA KHALILI, SBN 291917
zkhalili@palestinelegal.org
637 S. Dearborn Street, Third Floor
Chicago, IL 60605
(510) 246-7321

Attorneys for Intervenors

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

DAVID ABRAMS,

Petitioner,

vs.

REGENTS OF THE UNIVERSITY OF
CALIFORNIA,

Respondent,

DOE 1, DOE 2, DOE 3, DOE 4, DOE 5, DOE 6,

DOE 7, DOE 8,

Intervenors,

vs.

DAVID ABRAMS,

Defendant in Intervention.

) Case No.: 19STCP03648

) **COMPLAINT IN INTERVENTION**

) Judge: Hon. James C. Chalfant
) Dept.: 85

) Action Filed: Aug. 22, 2019
) Trial Date: Dec. 8, 2020

COMPLAINT IN INTERVENTION

By leave of court Third-Party Intervenors Doe 1, Doe 2, Doe 3, Doe 4, Doe 5, Doe 6, Doe 7, and Doe 8 (hereinafter “Intervenors”), file this Complaint in Intervention and thereby intervene in this action. Intervenors join with Respondent in opposing Petitioner’s claims, alleging as follows:

EXHIBIT 9

INTRODUCTION

1
2 1. In August 2019, Petitioner David Abrams filed the Verified Petition for Writ of Mandate
3 in the above-entitled action against Respondent Regents of the University of California (“The Regents”).
4 Petitioner seeks declaratory and injunctive relief with a single cause of action alleging that Respondent
5 violated the California Constitution and the California Public Records Act (“CPRA”) by failing to
6 identify 65 individuals who were presenters at a National Students for Justice in Palestine (“NSJP”)
7 conference at the University of California, Los Angeles (“UCLA”) in November 2018. Respondent has
8 appeared in this action by filing an Answer on or about October 10, 2019. On August 20, 2020, the
9 Court set the matter for trial to be held on December 8, 2020.

10 2. As shown by the facts alleged below, Intervenors have a direct interest in the subject
11 matter of this litigation, which interest is likely to be directly affected by the outcome of the litigation.
12 Adjudication of Intervenors’ interests will not unduly delay or expand the trial of this action.

13 3. Intervenors seek to protect their privacy, reputational and personal safety interests and
14 state and federal constitutional rights that are at the heart of the litigation between Petitioner and The
15 Regents. In particular, it is Intervenors’ identities that stand to be exposed if Petitioner prevails in this
16 action. Intervenors understood that their names and identities would be kept confidential, and
17 Intervenors relied on this understanding when attending the conference.

18 4. Intervenors object to the disclosure of the information that Petitioner seeks, and
19 respectfully request that the Court dismiss Petitioner’s request or, in the alternative, affirm the carefully-
20 made decision of The Regents to refuse to disclose information sought by Petitioner.

THE PARTIES

21
22 5. Intervenors are individuals who attended and served as keynote speakers, panelists,
23 and/or workshop presenters at the NSJP conference at UCLA in November 2018. Intervenors are
24 scholars, students, and others engaged in political education and advocacy for the rights of Palestinians.
25 Many of them have experienced harassment and doxing and fear career and academic ramifications for
26 their advocacy of Palestinian rights issues.

27 6. Upon information and belief, Petitioner David Abrams is an individual who resides in
28 New York and is the executive director and sole employee of The Zionist Advocacy Center.

EXHIBIT 9

1 7. Respondent Regents of the University of California is a public corporation established
2 under the Constitution of the State of California, and is the body responsible for the organization and
3 governance of the University of California system and its constituent campuses, including UCLA.

FACTS

4
5 8. Petitioner brings this action seeking the names of speakers and presenters who
6 participated in a private, closed-door conference at UCLA in November 2018, organized by NSJP.

7 9. The 2018 NSJP conference was open only to participants who were either invited to
8 speak or who registered for the event and received a registration confirmation. The registration process
9 included confirmation by conference organizers after verification by a pre-determined campus Palestine
10 solidarity group. The conference organizers made the careful and deliberate decision to hold the
11 conference as a closed-door event due to the long history of harassment, threats, and doxing participants
12 and presenters at such conferences face because of their political opinions and affiliations supporting
13 Palestinian rights.

14 10. Intervenors, who both attended and presented at the 2018 NSJP conference, registered
15 through separate attendee and presenter forms as part of the conference organizers' efforts to ensure the
16 safety and security of the event as well as maintain the confidentiality of attendees and presenters.

17 11. Conference staffers asked all registered attendees for identification at the conference, and
18 checked their names against a digital and private list of registrants. They gave each attendee a nametag,
19 along with instructions that they could not enter the conference buildings without presenting them.
20 Conference organizers checked nametags each time an attendee entered a building or a conference room,
21 whether for a workshop or for keynote speeches.

22 12. To protect the identities of attendees and presenters and minimize the risk of disclosure of
23 their names, conference organizers instituted a policy barring attendees from taking any pictures or
24 recording videos throughout the conference, including of speeches, workshops, and presentations.
25 Organizers regularly issued reminders of this policy throughout the conference weekend.

26 13. To ensure that the conference remained closed to people not registered, organizers
27 established a private security team for the conference. Generally, this team was the primary security that
28 was stationed inside the conference buildings and in rooms where speeches and workshops were held.

EXHIBIT 9

1 While UCLA campus security was provided by the administration, campus security was primarily
2 stationed outside the buildings and was only present inside the conference building in a limited capacity.
3 These practices were implemented to ensure that all attendees felt as safe as possible throughout the
4 conference and felt assured that all measures were being taken to maintain the confidentiality of their
5 identities and the fact of their attendance at the closed-door conference.

6 14. Throughout the three-day 2018 NSJP conference, organizers, attendees, and presenters,
7 including Intervenors, witnessed hundreds of protestors outside and around the conference buildings.
8 Intervenors reported seeing at least 100 protestors outside the conference buildings on one of the days of
9 the conference, with many jeering at the attendees and calling them “terrorists.” As attendees left the
10 building, conference organizers suggested that, if they would like to keep their identities confidential,
11 they may wish to cover their faces.

12 15. Intervenors understood that their names and the fact of their attendance would be held
13 confidential and known only to conference organizers and other attendees. The private, closed-door
14 nature of the conference permitted Intervenors to freely associate with other presenters and attendees, as
15 well as engage freely in the expression of their political opinions without fear of harassment or doxing.
16 The Intervenors would not have attended or presented at the conference if it were not a closed-door
17 event. This is due to the serious effects of doxing and harassment faced by Palestinian rights activists
18 across the United States, with career and job implications and long-lasting reputational harm based on
19 false smears or prejudiced assumptions.

20 16. Harassment and doxing of individuals advocating for Palestinian rights have been
21 common occurrences in American life. In particular, incidents such as death threats, doxing, and direct
22 assault have either taken place at or stemmed from activism and advocacy across University of
23 California campuses. Such incidents include a University of California, Berkeley (“UC Berkeley”)
24 student, Sumayyah Din, receiving death threats while running for student government because of her
25 advocacy of Palestinian rights, and another incident in early 2020 where a UC Berkeley student
26 threatened, explicitly, to kill Palestinians during public comment at a student government meeting where
27 a vote to suppress Palestinian advocacy was being held. A Palestinian student was spat on after that
28 meeting. Increasingly, Palestinian rights advocates in the United States have been publicly doxed, with

EXHIBIT 9

1 websites and other records accusing them of violence without substantiation, individuals and activists
2 fired from positions for taking up Palestinian advocacy, professors refused tenure, and general
3 harassment on campuses faced by activists, scholars, and others for their free expression and advocacy
4 of Palestinian rights.

5 17. Participants, presenters, and organizers of the NSJP conference faced similar threats and
6 harassment while preparing for and organizing the 2018 conference at UCLA. They faced widespread
7 pressure from pro-Israel and anti-Palestinian groups and activists from around UCLA, across Los
8 Angeles, and around the country. In addition, The Regents and UCLA faced calls, including from local
9 government officials who disagreed with the conference's viewpoint supporting Palestinian rights, to
10 stop the conference from going forward. Despite being subjected to such widespread doxing and
11 harassment and facing an atmosphere of vitriol, opposition, and hate, organizers and participants,
12 including Intervenors, forged ahead with the closed-door, private conference. The conference was
13 neither endorsed nor sponsored by UCLA. Rather, UCLA allowed the event to proceed as required by
14 university policy.

15 18. Some of the Intervenors are of Palestinian descent with families and friends in Palestine.
16 Others were born in Israel, are Jewish, and are Israeli citizens. Intervenors who do not hold Israeli
17 citizenship risk being denied entry into Palestine by Israeli authorities, who control entry to the West
18 Bank, because of their advocacy work for Palestinian human rights. All who take up Palestinian rights
19 advocacy, however, are subject to prolonged questioning and stops when attempting to enter Palestine.
20 Upon visits to Palestine, Israeli authorities routinely stop and question individuals of Palestinian descent
21 as well as others who have taken up Palestinian rights advocacy at the borders for several hours, where
22 they inquire about political beliefs, activism, details about careers and personal lives, and the names of
23 relatives and family in Palestine and abroad. Some Intervenors have already experienced such
24 treatment. Israeli authorities prolong these stops even further, however, when they discover that the
25 visitors have engaged in political activism on behalf of Palestinians. Many times, such political activism
26 leads to advocates like Intervenors being denied entry.

27 19. Petitioner submitted a request for records to UCLA under the CPRA in November 2018,
28 seeking records related to, inter alia, "Documents sufficient to identify the 65 keynote speakers,

EXHIBIT 9

1 panelists, and workshop presenters referred to in the attached letter.” The Regents refused to disclose
2 such records, citing privacy laws. Petitioner then filed the instant action in August 2019.

3 **MANDATORY INTERVENTION – CODE CIV. PROC. § 387(b)**

4 20. Intervenors have a right to intervene in this action because they have an interest in the
5 transaction that is the subject of the pending case, Intervenors’ ability to protect their interests may be
6 impaired or impeded by the disposition of this case in their absence, Intervenors’ interests are not
7 adequately represented by the existing parties in this action, and Intervenors have made timely
8 application to intervene.

9 **PERMISSIVE INTERVENTION – CODE CIV. PROC. § 387(a)**

10 21. Intervenors should be permitted to intervene because they have a direct and significant
11 interest in this lawsuit, Intervenors’ inclusion will not enlarge the scope of this lawsuit, Intervenors’
12 need to intervene outweighs the current parties’ right to litigate on their own terms, and Intervenors have
13 made timely application to intervene.

14 **DISCLOSURE OF THE INFORMATION SOUGHT BY PETITIONER WOULD VIOLATE**
15 **INTERVENORS’ RIGHTS UNDER THE FIRST AMENDMENT OF THE UNITED STATES**
16 **CONSTITUTION**

17 22. Disclosure of the information Petitioner seeks would violate Intervenors’ rights under the
18 First Amendment of the United States Constitution.

19 23. The Constitution of the United States protects the right to freedom of association, a right
20 that allows Intervenors to freely associate and advance political opinions, ideas, and advocacy.

21 24. The Supreme Court of California has held that the First Amendment’s right to freedom of
22 association is an inviolable right that may only be infringed when there is a compelling state interest.
23 (*Britt v. Superior Court County of San Diego*, (1978) 20 Cal.3d 844, 855-56.) The Court recognizes the
24 “vital relationship between freedom to associate and privacy in one’s associations,” and that the
25 “[i]nviolability of privacy in group associations may in many circumstances be indispensable to
26 preservation of freedom of association.” (*Id.* at 853.)

27 25. Disclosure of Intervenors’ names and identities, if granted by this Court as requested by
28 Petitioner, would violate Intervenors’ constitutional rights to freedom of association by “operation and

EXHIBIT 9

1 effect of [this Court’s] judgment.” (*People ex rel. Rominger v. County of Trinity* (1983) 147 Cal.App.3d
2 655, 660.)

3 **DISCLOSURE OF THE INFORMATION SOUGHT BY PETITIONER WOULD VIOLATE**
4 **INTERVENORS’ RIGHTS UNDER ARTICLE I, SECTION 2 OF THE CALIFORNIA**
5 **CONSTITUTION**

6 26. Disclosure of the information sought by Petitioner would violate Intervenors’ rights
7 under Article I, § 2 of the California Constitution.

8 27. The California Supreme Court has held that the free speech clause in article I of the
9 California Constitution and its right to freedom of speech “are not only as broad and as great as the First
10 Amendment’s, they are even ‘broader’ and ‘greater.’” (*Gerawan Farming, Inc. v. Lyons* (2000) 24
11 Cal.4th 468, 486 (citations omitted); see also *Gonzales v. Superior Court*, 180 Cal.App.3d 1116, 1123
12 (1986) (“The ‘free speech’ provisions . . . of the California Constitution are construed as more
13 protective, definitive and inclusive of rights to expression of speech than their federal counterparts.”).)
14 Presenters at the 2018 NSJP conference, including Intervenors, have the right to speak freely without
15 fear of harassment that risks chilling their speech, and the release of their names poses serious risks that
16 impinge upon their right to free speech under the state Constitution.

17 **DISCLOSURE OF THE INFORMATION SOUGHT BY PETITIONER WOULD VIOLATE**
18 **INTERVENORS’ PRIVACY RIGHTS UNDER ARTICLE I, SECTION 1 OF THE**
19 **CALIFORNIA CONSTITUTION**

20 1. Disclosure of the information Petitioner seeks would violate Intervenors’ privacy rights under
21 Article 1, section 1 of the California Constitution. Further, Intervenors’ privacy rights outweigh any
22 countervailing interest Petitioner has in obtaining the information he seeks.

23 **FIRST CAUSE OF ACTION**
24 **(Declaratory Relief, Against Petitioner)**

25 2. An actual controversy has arisen and now exists relating to the rights and duties of the
26 parties in that Petitioner contends that he is entitled to obtain disclosure of 2018 NSJP conference
27 presenters’ names and identities from The Regents, and Intervenors deny this contention and object to
28 Petitioner’s efforts.

EXHIBIT 9

1 3. Intervenors desire a judicial determination of their rights and a declaration that Petitioner
2 is not entitled to obtain disclosure of the information he seeks via this action.

3 4. A judicial declaration is necessary and appropriate at this time so that Intervenors may be
4 assured that their privacy rights will not be violated and that their rights to free expression will be
5 preserved. Absent a judicial determination, Intervenors’ right to guard against disclosure of their names
6 remains at risk.

7 **SECOND CAUSE OF ACTION**
8 **(Injunctive Relief, Against Petitioner)**

9 5. If Petitioner’s request for disclosure is granted, Intervenors will suffer irreparable injury
10 in that sensitive, private information will be disclosed against their wishes in violation of their rights to
11 privacy and freedom of association.

12 6. Intervenors have no adequate or speedy remedy at law as it will be impossible for
13 Intervenors to determine the precise nature and amount of damages that will result from the violation of
14 their privacy and associational rights.

15 **PRAAYER FOR RELIEF**

16 WHEREFORE, Intervenors pray for judgment as follows:

- 17 1. A declaration that Petitioner is not entitled to obtain disclosure from The Regents of the
18 list of presenters at the National Students for Justice in Palestine conference at UCLA in 2018;
- 19 2. An injunction restraining and enjoining Respondent from providing to Petitioner the
20 information that he seeks concerning presenters at the National Students for Justice in Palestine
21 conference at UCLA in 2018;
- 22 3. That the Petition, and each claim it asserts, be dismissed with prejudice;
- 23 4. That Petitioner’s request for disclosure of information and other relief be denied;
- 24 5. That judgment be entered against Petitioner;
- 25 6. That the Court award Intervenors’ attorney fees paid by Petitioner;
- 26 7. For such other relief in favor of Intervenors as is just and proper.

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 281841 NAME: Glenn Katon FIRM NAME: AAAJ Asian Law Caucus STREET ADDRESS: 55 Columbus Ave. CITY: San Francisco STATE: CA ZIP CODE: 94111 TELEPHONE NO.: 415-237-1577 FAX NO.: E-MAIL ADDRESS: glennk@advancingjustice-alc.org ATTORNEY FOR (name): Does 1-8 (Prospective Intervenors)	FOR COURT USE ONLY CASE NUMBER: 19STCP03648 JUDICIAL OFFICER: Chalfant
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse	
PLAINTIFF/PETITIONER: Abrams DEFENDANT/RESPONDENT: Regents of Univ of California	DEPARTMENT: 85
PROOF OF ELECTRONIC SERVICE	

1. I am at least 18 years old.
 - a. My residence or business address is (specify):
Asian Law Caucus, 55 Columbus Ave., San Francisco CA 94111
 - b. My electronic service address is (specify):
glennk@advancingjustice-alc.org
2. I electronically served the following documents (exact titles):
Notice of Motion and Motion for Leave to File Complaint in Intervention, Memorandum of Points & Authorities in Support, and Exhibits in Support: Decl. 1-8 and Complaint in Intervention

The documents served are listed in an attachment. (Form POS-050(D)/EFS-050(D) may be used for this purpose.)

3. I electronically served the documents listed in 2 as follows:

a. Name of person served:
On behalf of (name or names of parties represented, if person served is an attorney):

b. Electronic service address of person served :

c. On (date): August 31, 2020

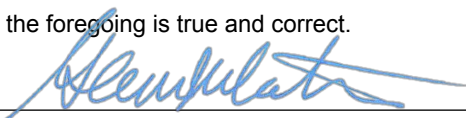
The documents listed in item 2 were served electronically on the persons and in the manner described in an attachment. (Form POS-050(P)/EFS-050(P) may be used for this purpose.)

Date: 08/31/2020

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

Glenn Katon

 (TYPE OR PRINT NAME OF DECLARANT)



 (SIGNATURE OF DECLARANT)

SHORT TITLE: Abrams v. Regents of Univ. of California	CASE NUMBER: 19STCP03648
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ATTACHMENT TO PROOF OF ELECTRONIC SERVICE (PERSONS SERVED)

(This attachment is for use with form POS-050/EFS-050.)

NAMES, ADDRESSES, AND OTHER APPLICABLE INFORMATION ABOUT PERSONS SERVED:

<u>Name of Person Served</u>	<u>Electronic Service Address</u>	<u>Date of Electronic Service</u>
<i>(If the person served is an attorney, the party or parties represented should also be stated.)</i>		
Abrams, David	dnabrams@wjlf.org	Date: 08/31/2020
Villegas, Luis Carlos	cvillegas@fagenfriedman.com	Date: 08/31/2020
Stein, Shiva	sstein@f3law.com	Date: 08/31/2020
		Date: _____
		Date: _____
		Date: _____
		Date: _____
		Date: _____
		Date: _____
		Date: _____
		Date: _____
		Date: _____

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