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8  
 9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA  
 11 SACRAMENTO DIVISION

12  
 13 **CENTER FOR COMPETITIVE  
 POLITICS,**

14 Plaintiff,

15 v.

16  
 17 **KAMALA HARRIS, in her Official  
 Capacity as Attorney General of the State of  
 18 California,**

19 Defendant.

2:14-cv-00636-MCE-DAD

**DECLARATION OF KEVIS FOLEY IN  
 SUPPORT OF DEFENDANT  
 ATTORNEY GENERAL KAMALA D.  
 HARRIS'S OPPOSITION TO  
 PLAINTIFF'S MOTION FOR  
 PRELIMINARY INJUNCTION**

Date: April 17, 2014  
 Time: 2:00 p.m.  
 Courtroom: 7, 14th Floor  
 Judge: Hon. Morrison C. England, Jr.  
 Trial Date: None Set  
 Action Filed: March 7, 2014

1 I, KEVIS FOLEY, declare as follows:

2 1. I am employed by the State of California Department of Justice as Registrar of the  
3 Attorney General's Registry of Charitable Trusts (the "Registry").

4 2. Except as otherwise stated, I have personal knowledge of the facts set forth in this  
5 declaration, and if called upon as a witness I could testify competently as to those facts. I make  
6 this declaration in support of the Attorney General's Opposition to Plaintiff's Motion for  
7 Preliminary Injunction.

8 3. Pursuant to the Supervision of Trustees and Fundraisers for Charitable Purposes  
9 Act, California Government Code sections 12580, et seq., the Registry is responsible for  
10 registering charitable organizations as well as people or entities that hold assets for charitable  
11 purposes. The Registry maintains records and files related to such organizations.

12 4. Pursuant to the Act, unless exempt, persons or entities must register within thirty  
13 days of receiving charitable assets. Registrants must also file annual reports with the Registry.  
14 The annual reporting is accomplished through Form RRF-1, the Registration/Renewal Fee Report  
15 ("RRF-1"), which discloses certain financial and operational information about the registrant.  
16 Organizations which have more than \$50,000 in assets or annual revenue must also submit the  
17 informational return filed with the IRS, known as the Form 990. Information filed with the  
18 Registry is available for public inspection. The information assists members of the public in  
19 making informed decisions about charitable giving as well as providing relevant information to  
20 assist the Attorney General in fulfilling the office's oversight responsibilities over charitable  
21 assets and fundraising practices.

22 5. The Registry maintains a database of filings and information related to entities  
23 which are registered or required to be registered. As Registrar, I am responsible for overseeing  
24 the database.

25 6. Although many documents filed with the Registry are open to public inspection,  
26 the Schedule B filed by public charities that file IRS Form 990 or 990-EZ has always been  
27 treated as a confidential document. All confidential documents are kept in separate files that are  
28 not available for public viewing. Those "files" are now electronic records. Registry staff scans

1 all filings into the Registry's automated database. Prior to scanning Registry staff goes through  
2 each filing and removes all confidential data which is scanned separately as a "confidential"  
3 document. The Registry publishes the non-confidential documents on its searchable website, but  
4 maintains the schedule B records as confidential records, accessible to in-house staff only. This  
5 process has been consistent since 2007 when the Registry became automated.

6  
7 I declare under penalty of perjury under the laws of the United States of America that the  
8 foregoing is true and correct.

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10 Executed on April 3, 2014, at Sacramento, California.

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12 */s/ Kevis Foley\**

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14 KEVIS FOLEY  
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28 \* Original signature retained by counsel of record, Alexandra Robert Gordon (Local Rule 131).