

1 James R. Wheaton, State Bar No. 115230  
 2 David A. Greene, State Bar No. 160107  
 3 Geoffrey W. King SBN No. 267438  
**FIRST AMENDMENT PROJECT**  
 4 1736 Franklin Street, 9th Floor  
 Oakland, CA 94612  
 Telephone: (510) 208-7744  
 Facsimile: (510) 208-4562

5 Attorneys for Movant  
 6 DAVID MORSE

ENDORSED  
 FILED  
 ALAMEDA COUNTY

APR 16 2010

CLERK OF THE SUPERIOR COURT  
 By A. SALTA Deputy

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

10  
 11 IN RE SEARCH WARRANT ISSUED  
 DECEMBER 12, 2009

12  
 13 DECLARATION OF MARY RATCLIFF IN  
 SUPPORT OF MOTION TO QUASH  
 SEARCH WARRANT AND RETURN  
 PROPERTY  
 14  
 15  
 16  
 17



1 leading Black newspaper in the Bay Area. Having thoroughly searched the Internet for Oscar Grant  
2 coverage, I can attest that the most comprehensive coverage I came across was at *Indybay*. Many  
3 photojournalists posted top quality photos to *Indybay*, and those taken by "Dave Id," David Morse's  
4 nom de plume, immediately caught my attention. Had Morse's work not been published to *Indybay*,  
5 I probably never would have found it.

6 6. In the intervening year and a quarter, Morse has stayed on the Oscar Grant story, consistently  
7 posting to *Indybay* reports, photographs and recordings of meetings of the groups formed to keep  
8 Oscar Grant's death (and the social issues many feel it represents) in the public eye. He has also  
9 covered for *Indybay* a large number of press conferences, court appearances, demonstrations and  
10 other events related to Oscar Grant's death. Available to *Indybay* readers and for republication by  
11 other media like ours, his coverage is top quality and packaged accessibly, with, for example, a  
12 separate captioned photo and a recording of each speaker. *The Bay View* has republished at least  
13 dozens of Morse's postings, and likely many more.

14 7. David Morse has compiled an extraordinary volume of his own work and, adding to it the  
15 work of others on the topic, has created a special Oscar Grant section on *Indybay*, to which I have  
16 referred other interested journalists around the country. To everyone concerned about police  
17 misconduct, whether as a journalist, academic, legal or law enforcement professional, policy or law  
18 maker, historian or student, this archive will be invaluable for decades to come.

19 I declare under penalty of perjury of the laws of the State of California that the foregoing is  
20 true and correct and executed this 15<sup>th</sup> day of April, 2010 in San Francisco, California.

21  
22  
23  
24 By: Mary Ratcliff  
25 Mary Ratcliff  
26  
27  
28