

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

JOHN C. EASTMAN, *et al.*,

Plaintiffs,

v.

BENNIE G. THOMPSON, *et al.*,

Defendants.

Civil Action No.: 8:22cv99

CORRECTED DECLARATION OF JOHN C. EASTMAN

I, John C. Eastman, declare as follows:


1. I have personal knowledge of the following facts:
2. I was employed as a law professor at the Dale E. Fowler School of Law until January 14, 2021.
3. In addition to my teaching duties, I engaged in the practice of law, both as a supervising attorney for a constitutional jurisprudence clinic and on behalf of outside clients, whom I typically represented pro bono through my affiliation with the Claremont Institute's Center for Constitutional Jurisprudence. Those outside representations were expressly acknowledged and approved by Chapman University in my employment contract, a true and correct copy of which is attached hereto as Exhibit A. In the course of this practice, I made incidental use of my Chapman email address. This use included privileged communications and attorney work product.
4. Professors engaging in part time law practice was encouraged by the University. Professors maintaining an outside law practice was considered favorably by the University in making promotion and compensation decisions.
5. During the period covered by the subpoena I represented retained clients, pro bono clients,

and clients represented by the law school's Constitutional Jurisprudence Clinic. With respect to all of these representations, I made incidental use of law school email and other law school resources. It is my understanding attorney client communications and attorney work product produced through these representations remains in the custody of Chapman.

6. In the aftermath of the 2000 presidential election, I was involved in some of post-election litigation, was called as an expert witness by the Florida Legislature's Select Joint Committee on the 2000 Presidential Election, and even retained by the Florida Legislature to advise it in the drafting of a resolution that would protect its electoral votes. For all of these matters, I utilized my professional Chapman University email and office address, and with the enthusiastic support of the Chapman law school Dean, also utilized the research services of the Chapman law library and Chapman law students, as this work was clearly in line with my scholarly endeavors and my contractual obligations for public interest service. No one ever suggested that such use of Chapman's resources was "unauthorized"; quite the contrary, the University touted that work at the time as an indication of my nationally-recognized expertise and the phenomenal opportunity it afforded to the students who were able to work with me on the matter.
7. In making this declaration, it is not my intent to waive any previously asserted privileges including the Fifth Amendment.

Executed on January 22, 2022 in New Mexico.

/s/ John C. Eastman



John C. Eastman

Respectfully submitted,

/s/Anthony T. Caso

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