

1 EXPEDITE
2 No hearing is set
3 Hearing is set
4 Date: January 13, 2011
5 Time: 11 a.m.
6 Judge/Calendar: Hon. Paula Casey/
7 Hon. Christopher Wickham

8 SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY

9 KENT L. and LINDA DAVIS; JEFFREY
10 and SUSAN TRININ; and SUSAN
11 MAYER, derivatively on behalf of
12 OLYMPIA FOOD COOPERATIVE,

13 Plaintiffs,

14 v.

15 GRACE COX; ROCHELLE GAUSE;
16 ERIN GENIA; T.J. JOHNSON; JAYNE
17 KASZYNSKI; JACKIE KRZYZEK;
18 JESSICA LAING; RON LAVIGNE;
19 HARRY LEVINE; ERIC MAPES; JOHN
20 NASON; JOHN REGAN; ROB
21 RICHARDS; SUZANNE SHAFER; JULIA
22 SOKOLOFF; and JOELLEN REINECK
23 WILHELM,

24 Defendants.

No. 11-2-01925-7

DECLARATION OF JON HABER
OPPOSING DEFENDANTS'
SPECIAL MOTION

25 I, Jon Haber, declare under penalty of perjury of the laws of the State of Massachusetts
26 that the following statements are true and correct and based on personal knowledge:

1. I am over the age of 18, have knowledge of the facts set forth below, and am
competent to testify thereto.

2. I am an American writer in Lexington, Massachusetts. I have written extensively
on the subject of divest-from-Israel campaigns and their impact on civil institutions such
as municipalities, religious institutions and schools. I am the creator of the organization
Somerville Middle East Justice, which chronicled the three-year battle in Somerville,

1 Massachusetts against municipal divestment from Israel, and the website
2 www.divestthis.com, which chronicles the ongoing failure of divest-from-Israel
3 campaigns across the United States.

4 3. Articles I have written on the subject of divest-from-Israel campaigns have been
5 published in the Jerusalem Post as well as newspapers in the United States.

6 4. I am familiar with the Olympia Food Cooperative and the enactment in July 2010
7 by its Board of Directors of a policy boycotting and divesting from Israel.

8 5. No matter where they have been pursued, efforts to organize boycotts of and
9 divestment from Israel have failed in the United States. In short, policies boycotting
10 and/or divesting from the State of Israel have never been "nationally recognized" in this
11 country. Among food cooperatives alone, the record is stark: every food cooperative in the
12 United States where such policies have been proposed has rejected them. These include
13 the Madison Market (Central Co-op) in Seattle, Washington; the Port Townsend
14 (Washington) Food Co-op; the Sacramento (California) Natural Foods Co-op and the
15 Davis (California) Food Co-op (which declared that a boycott of Israel would contradict
16 the Rochdale Principles upon which the co-op movement was founded) .

17 6. Similarly, despite numerous campaigns and a host of misrepresentations to the
18 contrary, there is not one college or university in the country that has adopted such
19 policies. (False claims about divestment by Harvard, and Hampshire College have long
20 since been debunked.) Nor was any major religious organization in the United States
21 taking such a position by July 2010, and none has done so since. (A divestment policy
22 adopted in 2004 by the Presbyterian Church was abandoned at the first opportunity, in
23 2006, by a vote of 95% to 5%; every proposal to revive it has been rejected since then.)
24 Divest-from-Israel campaigns have found no more success in the private sector, where
25 retailers, financial institutions, and other businesses have repeatedly refused to endorse a
26 boycott of and/or divestment from Israel.

