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9 NICOLE TAUS

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF SOLANO**

12 NICOLE S. TAUS,
13 Plaintiff,

14 vs.

15 ELIZABETH LOFTUS, MELVIN GUYER,
16 CAROL TAVRIS, SHAPIRO
17 INVESTIGATIONS, UNIVERSITY OF
18 WASHINGTON, and ROES 1 through 20,
19 Defendants.

Case No. FCS021557
Assigned for All Purposes to
Judge Scott L. Kays, Dept. 16

**DECLARATION OF JOAN BLACKWELL
IN SUPPORT OF PLAINTIFF NICOLE
TAUS'S OPPOSITION TO DEFENDANTS'
MOTION FOR AWARD OF FEES**

20 I, Joan Blackwell, declare as follows:

- 21 1. Plaintiff NICOLE TAUS is my daughter.
- 22 2. I make this declaration freely and voluntarily and with my full consent. No

23 promise of financial award or other inducements has been made to me for making the factual
24 statements contained in this declaration or for stating the truth about my experiences with
25 defendants ELIZABETH LOFTUS and MELVIN GUYER. Before signing this declaration, I
26 was provided with the opportunity to consult with others regarding the advisability of becoming
27 involved in this proceeding and making this statement. The words used in this statement are my
28 own and the contents are within my personal knowledge.

1 3. In summer of 1997, defendant ELIZABETH LOFTUS called me at home and said
2 that she was in town. She asked me if she could come to see me. A short while later, LOFTUS
3 and MELVIN GUYER came to my home.

4 4. When they arrived at my home, and before she interviewed me, Dr. LOFTUS said
5 to me, "I believe in you" and that she was trying to right the wrong that had been done when
6 NICOLE was removed from my custody during the custody dispute in the 1980's. LOFTUS told
7 me that she was trying to reestablish the broken relationship between my daughter and me.
8

9 5. At that time, I had had little to no contact with NICOLE for many years.

10 6. Dr. LOFTUS then spent time discussing her findings and conclusions including
11 discrepancies she said she and Dr. GUYER had discovered from their investigation of the
12 custody case. They indicated that their work was in the nature of a survey. Dr. LOFTUS
13 informed me that I was victimized by a change in the direction of custody cases granting fathers
14 increased parenting rights and access to their children in divorces. After so many years of living
15 with the pain of being separated from my daughter, Dr. LOFTUS's announcements came as a
16 great relief to me and I cried.
17

18 7. LOFTUS and GUYER then interviewed me. Dr. GUYER tape-recorded the interview.
19

20 8. Neither LOFTUS or GUYER ever mentioned what they intended to do with the
21 information they had obtained or with the information I gave them. Naively, I did not think to
22 question them as to their purpose or intent, other than what they told me. At no time did either of
23 them ever advise me that they would disclose the information I gave them in any way or for
24 publication. I provided LOFTUS and GUYER with poetry that I had written. I gave them the
25 names of people involved in the custody matter so long ago. I did not provide any medical or
26 court records to them.
27
28

1 9. Subsequent to the interview, Dr. LOFTUS informed me by telephone that
2 NICOLE was trying to get her, "was really after her" and trying to stop her from researching. I
3 learned that NICOLE had made a complaint to the UNIVERSITY OF WASHINGTON about the
4 investigation. LOFTUS informed me that she was disappointed in the university and said, "I
5 have been there 29 years and they are not backing me." I was left with the feeling that NICOLE
6 was doing wrong to Dr. LOFTUS.
7

8 10. In other telephone conversations, Dr. LOFTUS repeatedly asked me to go and get
9 records for her, including my own educational records and CPS reports from the time period
10 during the custody dispute. I could not accommodate her requests at the time.
11

12 11. Thereafter, on at least six separate occasions, Dr. LOFTUS advised me not to speak
13 to anyone about my contact with her in these words: "*Don't talk to anyone unless I okay it.*" She
14 said she was trying to protect me. It was clear to me that she did not want me to speak with
15 anybody investigating the case or other attorneys. The last occasion in which Dr. LOFTUS gave
16 me this instruction was in the summer of 2006.
17

18 12. In early 2005, I suffered from a medical condition that had left me close to death.
19 While recovering, I called Dr. LOFTUS to thank her for her support. I then asked her to honor
20 my request not to speak or disclose my medical condition to anyone. She agreed.
21

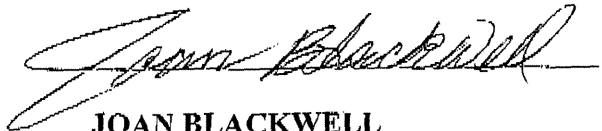
22 13. In April of 2005, I learned that Dr. LOFTUS had purportedly spoken to the press
23 about my medical condition. A story had appeared in a newspaper quoting her disclosing my
24 medical status.
25

26 14. I was very upset by the disclosure. I called Dr. LOFTUS. I reminded her that I had
27 begged her not to disclose my condition. There was a long silence on the other end of the
28 telephone. Then Dr. LOFTUS stated, "I didn't do that. Someone else did that." She then changed
the subject. Dr. LOFTUS's use of information about me, the custody case and my daughter
caused pain and difficulty for me and for NICOLE.

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15. I have never been contacted by anyone from the UNIVERSITY OF WASHINGTON or the UNIVERSITY OF CALIFORNIA concerning Dr. LOFTUS's conduct toward me.

I declare under penalty of perjury under the law of the state of California that the foregoing is true and correct and within my personal knowledge and if called as a witness I could and would competently testify thereto. Executed this 5th day of July 2007 in Modesto, California.


JOAN BLACKWELL