

prevailing statutory and common law. I have declared regularly and openly that the same force that is lawfully used to defend innocent human beings from violence and death may be lawfully and morally used to defend children in the womb.

11. Because many people appear to be philosophically challenged in this area, I have often explained how one can be an apologist for certain conduct without advocating it. I have regularly and publicly analogized the decision to use force to protect unborn children with the decision of a missionary to risk the life of his family by taking them to a dangerous land to preach the Gospel. Both courses of action would be morally justifiable and permissible, but not mandatory. I can thus be an apologist for such action without advocating it or urging others to do it.
12. I have never publicly or privately advocated or encouraged anyone to commit violence against abortionists or their facilities, in spite of the evil they commit every day. My comments are always directed to clarifying the truth concerning the humanity of children in the womb, and to exposing the untenable double standard that permeates the law since the "legalization" of abortion.
13. I believe that my inclusion as a defendant in the Oregon Case served the abortionists' strategic purpose of inflaming the jury with my record as an anti-abortion felon and with my views (as opposed to threats or conduct) regarding the use of force in defense of the innocent.

#### **LIABILITY AND DAMAGES ISSUES STILL PENDING IN NINTH CIRCUIT**

14. The Ninth Circuit held oral argument again in the Oregon Case on July 12, 2005.
15. Contrary to the representations of Plaintiffs' counsel in this action, the attorneys representing me and the other defendants in this appeal challenged not only the excessive