

VIRGINIA:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

THE AMERICAN TRADITION
INSTITUTE, and
THE HONORABLE DELEGATE ROBERT
MARSHALL

Petitioners,

v.


RECTOR AND VISITORS OF THE
UNIVERSITY OF VIRGINIA,

Respondent.

Civil Docket No. CL 11-3236

Affidavit of Chris Horner

AFFIDAVIT OF CHRISTOPHER C. HORNER

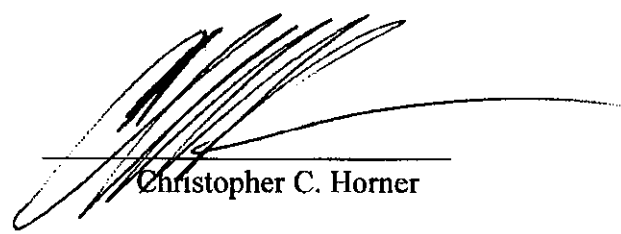
FILED
2011 OCT 24 PM 12: 28
CIRCUIT COURT CLERK'S OFFICE
PRINCE WILLIAM COUNTY, VA
BY  DEPUTY

On this day, Christopher C. Horner personally appeared before me, a certified Notary Public in and for the Commonwealth of Virginia, and after first being duly sworn to tell the truth, testified as follows:

1. My name is Christopher C. Horner. I am licensed to practice law in the District of Columbia (D.C. Bar No. 440107), am admitted to appear before the United States District Court for the District of Columbia, United States Court of Appeals for the District of Columbia, and the United States Supreme Court and am subject to the District of Columbia Rules of Professional Conduct established by the U.S. Court of Appeals for the District of Columbia.
2. I am a Senior Fellow for American Tradition Institute (ATI), as well as Director of Litigation for ATI's Environmental Law Center. I also serve as a senior fellow with the Washington DC think tank the Competitive Enterprise Institute.
3. Neither ATI nor CEI is a competitor of the University of Virginia (UVA), Pennsylvania State University (PSU) or any of their faculty associated with global warming and climate change. Neither ATI nor CEI offers products or services in competition with UVA or PSU. Neither ATI nor CEI is a competitor for research grants, professional publications, scientific research or any other normal element of a UVA or PSU faculty member or the universities at large. Neither ATI nor CEI makes company decisions that affect contracts, marketing, employment, pricing, product design, or any decisions that reflect similar or corresponding activities by UVA or PSU.
4. I do not participate in ATI or CEI decision-making with regard to contracts, marketing, employment, pricing, product design, or research grant proposals of the kind

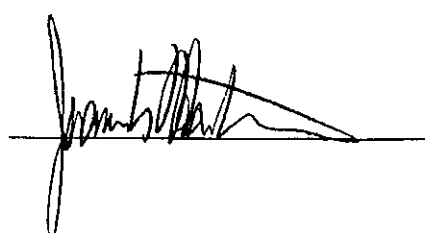
similar to those decisions made by UVA or PSU. Nor do I participate in ATI or CEI decision-making with regard to contracts, marketing, employment, pricing, or product design. My function with each organization involves legal and policy analysis, case selection and litigation.

5. I have agreed to comply with the Protective Order issued by the Court in this matter, have signed an agreement to that effect and have previously reiterated my commitment to honor this duty, both in line with the Court's Order and under the District of Columbia Rules of Professional Conduct. I reiterate this commitment again today in this sworn affidavit.



Christopher C. Horner

Seen to and subscribed before me on this 19th day of October, 2011.



My commission expires: 04/30/2013

JEREMIAH HARTMAN
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES APR. 30, 2013
COMMISSION # 7270837

County/City of Albemarle
Commonwealth/State of Virginia
The foregoing instrument was acknowledged before
me this 19th day of October, 2011
by Christopher C. Horner
(name of person seeking acknowledgement)
Notary Public
My Commission Expires: 04/30/2013