

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 17-cv-00210-RBJ

LIST INTERACTIVE, LTD. D/B/A UKNIGHT INTERACTIVE,
LEONARD S. LABRIOLA,
Plaintiffs,

v.

KNIGHTS OF COLUMBUS,
Defendant.
KNIGHTS OF COLUMBUS,
Counterclaim Plaintiff

v.

LIST INTERACTIVE, LTD. D/B/A UKNIGHT INTERACTIVE,
LEONARD S. LABRIOLA, WEBSINC.COM, STEPHEN S. MICHLIK, JONATHAN S.
MICHLIK, AND TERRY A. CLARK,
Counterclaim Defendants.

AFFIDAVIT OF JAVIER S. MARTINEZ

I, Javier S. Martinez, being duly sworn, state:

1. I am over 18 years of age and understand the obligations of an oath. I have personal knowledge of the facts stated herein. The statements herein are true and correct and based on my personal knowledge.
2. I became a member of the Knights of Columbus in 1990.
3. In 2015, I became an employee of the Knights of Columbus. Prior to becoming an employee of the Knights of Columbus I held various leadership positions in the State of Texas. Beginning on July 1, 2008 and continuing through June 30, 2010 I served as the State Deputy of the State of Texas. In August 2009 I was elected to serve on the Board of Directors, reelected in August 2012 and again in August 2015. While on the Board of Directors I served on

several committees, including the Membership Committee, the Appeals Committee, the Bylaws Committee and others.

4. In June 2015 I was hired by the Knights of Columbus as an Assistant to our Supreme Knight for Hispanic Development. Since my employment I have conducted research into reaching the Hispanic Catholics in the United States. In addition to my research, I have traveled extensively to various States, with a focus on our southwestern United States.

5. The Knights of Columbus is highly motivated to reach out to Hispanic Catholics and have dedicated extensive resources to trying to grow the Order's membership among the Hispanic community.

6. I believe the Knights of Columbus' heart for the Hispanic community comes from the Order's own history, as it was established to be a source of strength and encouragement to vulnerable Irish Catholic immigrants.

7. I believe that the Knights of Columbus' outreach to Hispanic Catholic is also a faithful response to Pope Francis' teaching about refugees and immigrants.

8. Pope Francis has taught, "It's hypocrisy to call yourself a Christian and chase away a refugee or someone seeking help, someone who is hungry or thirsty, toss out someone who is in need of my help. If I say I am Christian, but do these things, I'm a hypocrite."

9. When Pope Francis visited the United States in 2015, he said to Catholic bishops, "No American institution does more for immigrants than your Christian communities. Now you are facing this stream of Latin immigration which affects many of your dioceses. Not only as the Bishop of Rome, but also as a pastor from the South, I feel the need to thank and encourage you. Perhaps it will not be easy for you to look into their soul; perhaps you will be challenged by their diversity. But know that they also possess resources meant to be shared. So do not be afraid to

welcome them. Offer them the warmth of the love of Christ and you will unlock the mystery of their heart. I am certain that, as so often in the past, these people will enrich America and its church.”

10. To be a member of the Knights of Columbus, a man must be over 18 years of age and a practical Catholic.

11. We have members in many countries other than the United States, and we allow members to transfer their membership to their new local council if they move to a new state or to a new country.

12. Immigration status is irrelevant to membership in the Knights of Columbus, just as it is irrelevant to one's status as a human being or as a Catholic. As such, the Knights of Columbus never asks its members or prospective members about their immigration status.

13. We do not require members or potential members to disclose whether they are citizens of the United States.

14. We do not require members or potential members to disclose whether they are legal residents in the United States.

15. We do not require members or potential members to provide a valid Social Security number.

16. When we collect identifying information from potential members, such as their full names and current addresses, we assure them that this information will not be disclosed to others.

17. In my travels on behalf of the Knights of Columbus, I have spoken to and listened to countless Hispanic Catholics. I have also personally conducted recruitment drives at many Catholic parishes.

18. My conversations with Hispanic Catholics have included a variety of issues. But when I ask Hispanic Catholics about joining the Knights of Columbus, the major question I am asked has to do with their immigration status.

19. Many Hispanic Catholics have told me that they will not join the Knights of Columbus because they fear that the information they provide the Order may be disclosed to others and could be lead to their deportation.

20. When Hispanic Catholics ask what is going to be done with their information, I have promised them that any information they provide to the Order will be maintained private and not made available to others outside the Order.

21. A great deal of my success in my recruiting efforts is dependent on my ability to convince Hispanic Catholics to trust me and trust the Knights of Columbus.

22. Based on my years of experience, I believe that if the Knights are forced to disclose their membership list, many Hispanic Catholics will leave the Order, many of the councils I helped establish may close, and it will be much harder to convince Hispanics to join the Order in the future.

[Handwritten Signature]
Javier S. Martinez

Delaware)
STATE OF CONNECTICUT)
New Castle) ss.
COUNTY OF NEW HAVEN)

October 11, 2017

Subscribed and sworn to before me on ~~October 10, 2017~~, by Javier S. Martinez.

WITNESS MY HAND AND OFFICIAL SEAL.

[Handwritten Signature]
Notary Public

My Commission expires: June 12, 2019

