

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

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**KAY STALEY; SCOTT WEITZENHOFFER;  
WILFRED LYON; STACIE GONZALEZ;  
KRISTIN AMES; and FREEDOM FROM RELIGION  
FOUNDATION, INC.,**

**Plaintiffs,**

v.

**Case No: 4: 11-CV-02585**

**TEXAS GOVERNOR RICK PERRY,**

**Defendant.**

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**DECLARATION OF SCOTT WEITZENHOFFER**

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I, Scott Weitzenhoffer, do hereby declare, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following facts set forth below are true and correct to the best of my knowledge:

1. I am one of the plaintiffs in the above-captioned matter and I make this Declaration in support of the plaintiffs' Motion for Preliminary Injunction.
2. I am a non-believer and a member of the Freedom From Religion Foundation, Inc.
3. I am opposed to governmental sponsorship, promotion and endorsement of religion.
4. I am opposed to Governor Perry's initiation, promotion and sponsorship of the prayer rally scheduled for August 6, 2011, at Reliant Stadium in Houston.
5. In conjunction with the prayer rally, Governor Perry has declared August 6, 2011, as an official Day of Prayer and Fasting, a day on which all citizens are expressly encouraged by the Governor to pray to Jesus Christ.

6. In addition to the Governor's official proclamation of a Day of Prayer, in which his prayer rally is specifically promoted, the Governor has been publicly encouraging "praying" citizens to join him at Reliant Stadium on August 6.

7. In fact, unsolicited telephone calls that include Governor Perry's personal promotion of the prayer rally have been received, at least in the Houston area, one of which I have personally heard on July 20, 2011. The Governor's tape recorded invitation to the August 6 prayer rally was included on this telephone call whereby the Governor claims that we need to gather together and invoke God's assistance in solving problems of government. The Governor also encourages praying Christians to join him at the prayer rally at Reliant Stadium.

8. The prayer rally organized and promoted by Governor Perry at Reliant Stadium is clearly intended for believers of the Christian faith.

9. I am upset by the Governor's promotion of a prayer rally because it advances Christianity and it sends a message to me and other non-Christians that we are outsiders in the eyes of the Governor and that evangelical Christians are political insiders.

10. I feel excluded by the Governor's promotion of this Christian prayer rally.

11. By initiating, promoting and sponsoring this prayer rally, Governor Perry sends a message to me that religion is preferred and valued.

12. Governor Perry, in short, has initiated, promoted and sponsored an event that is exclusionary of non-believers, a message made clear in the unsolicited promotional calls that incorporate his invitation to the prayer rally at Reliant Stadium.

Dated this 25th day of July, 2011.

/s/ Scott Weitzenhoffer  
Scott Weitzenhoffer