

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

TELESCOPE MEDIA GROUP, a  
Minnesota corporation, CARL  
LARSEN and ANGEL LARSEN, the  
founders and owners of TELESCOPE  
MEDIA GROUP,

Plaintiffs,

vs.

Civ. No. 16-CV-04094 (JRT-LIB)

**DECLARATION OF  
JANINE KIMBLE**

REBECCA LUCERO, in her official  
capacity as Commissioner of the  
Minnesota Department of Human  
Rights; KEITH ELLISON, in his  
official capacity as Attorney General of  
Minnesota,

Defendants.

I, Janine Kimble, declare under penalty of perjury as follows:

1. I submit this declaration in support of Defendants' Memorandum in Opposition to Plaintiffs' Motion for Voluntary Dismissal with Prejudice in the above-referenced matter.

2. On December 12, 2019, Defendants served initial disclosures via U.S. mail. Plaintiffs served their initial disclosures on December 16, 2019. Plaintiffs and Defendants exchanged correspondence in January, February, and March 2020 regarding Plaintiff's request that Defendants amend their initial disclosures. Plaintiffs served supplemental initial disclosures on February 26, 2020. Defendants served supplemental initial disclosures on March 2, 2020, and March 12, 2020. Plaintiffs have served three documents along with their initial disclosures; Defendants have served no documents.

Following Plaintiffs' March 2, 2020 letter serving supplemental initial disclosures, Defendants are aware of no steps that Plaintiffs have taken to prosecute this action.

3. On October 19, 2020, Defendants inquired whether Plaintiffs would consent to email service of Defendants' first set of discovery. On October 21, 2020, Plaintiffs proposed delaying discovery until the court had a Rule 16 conference. However, Defendants had already served their first set of requests via U.S. mail earlier in the day on October 21 and declined Plaintiffs' proposal. A true and correct copy of Defendants' first set of discovery requests is attached as **Exhibit 1**. I contacted the magistrate judge's chambers on October 26, 2020, to request a Rule 16 conference and a scheduling order, but was informed via a subsequent voicemail that the court considered the case closed. In light of Plaintiffs' request to dismiss this case, Defendants have agreed to multiple extensions of time to respond to the discovery requests. As a result, Plaintiffs have not responded to the requests.

4. In a November 5, 2020 email from Plaintiffs' counsel to Defendants' counsel, Plaintiffs' counsel stated that Plaintiffs wanted to voluntarily dismiss the action, because they had faced "some unique business pressures recently and been negatively affected by the COVID-19 pandemic." They stated that Plaintiffs had left the wedding field and were exploring new business opportunities, some of which may lead them to move out of Minnesota. Plaintiffs' counsel circulated a proposal for dismissal, and on November 20, 2020, Defendants' counsel circulated a response. A true and correct redlined copy of Defendants' proposed stipulation and dismissal order are attached as **Exhibit 2** (proposed stipulation) & **Exhibit 3** (proposed order); all redlined edits reflect

Defendants' proposed edits. In a December 16, 2020 email, Plaintiffs' counsel stated the parties were "too far apart" and they would move to dismiss the action. Plaintiffs' counsel did not state what terms were or were not agreeable to Plaintiffs. Defendants' counsel stated they would not consent to voluntary dismissal.

5. Attached as **Exhibit 4** is a true and correct copy of the Telescope Media Group webpage, [www.telescopemediagroup.net](http://www.telescopemediagroup.net), captured on February 27, 2020. At the bottom, there is a statement: "Telescope Media Group exists to glorify God through top-quality media production. Because of TMG's owners' religious beliefs and expressive purposes, it cannot make films promoting any conception of marriage that contradicts its religious beliefs that marriage is between one man and one woman, including films celebrating same-sex marriages." The statement did not appear on the website as of February 14, 2020. Attached as **Exhibit 5** is a true and correct copy of the Telescope Media Group webpage, [www.telescopemediagroup.net](http://www.telescopemediagroup.net), captured on February 14, 2020. I visited [www.telescopemediagroup.net](http://www.telescopemediagroup.net) on January 7, 2021, and did not see the statement.

6. Although public promotion of all videos was allegedly mandatory, Plaintiffs have posted only two wedding videos to their website and YouTube. I have visited Plaintiffs' website ([www.telescopemediagroup.net](http://www.telescopemediagroup.net)) multiple times since November 9, 2019, and have reviewed images that were captured from the website. I am aware of only two wedding videos which were posted to the website: (a) one titled "Korissa and Jon"; one titled "Hannah and Sam." (See **Exhibit 6**, a true and correct copy of the Telescope Media Group webpage, [www.telescopemediagroup.net-weddings](http://www.telescopemediagroup.net-weddings), captured on February 27, 2020.) Attached as **Exhibit 7** is a true and correct copy of

Telescope Media Group's YouTube channel, captured on February 27, 2020, which shows those two videos posted. Those two wedding videos are still available at <https://www.youtube.com/channel/UCKYrf5VHBuf-Se1e7ANEVpQ> (last accessed January 7, 2021).

7. Because Plaintiffs have not served answers to Defendants' discovery requests, Defendants do not know where or when the wedding videography services described in Paragraph 6 were provided or the level of control over content Plaintiffs had. Although the opening sequences in both videos state, "A Telescope Media Group Film," and the closing sequences state "Directed by Carl & Angel Larsen" and copyright Telescope Media Group 2020, Defendants have no way of knowing how the videos were created or who was part of the process.

8. Plaintiffs continued to advertise their wedding video services until October 2020. As of October 23, 2020, Plaintiffs' website still had a wedding tab, which included the two wedding videos described above. Attached as **Exhibit 8** is a true and correct copy of the Telescope Media Group webpage, [www.telescopemediagroup.net-weddings](http://www.telescopemediagroup.net-weddings), captured on October 23, 2020. Attached as **Exhibit 9** is a true and correct copy of the Telescope Media Group webpage, [www.telescopemediagroup.net](http://www.telescopemediagroup.net), captured on October 23, 2020. As of October 30, 2020, the website no longer contained a wedding tab. Attached as **Exhibit 10** is a true and correct copy of the Telescope Media Group webpage, [www.telescopemediagroup.net](http://www.telescopemediagroup.net), captured on October 30, 2020. As of December 4, 2020, the statement in Paragraph 5 was still on the website. Attached as

**Exhibit 11** is a true and correct copy of the Telescope Media Group webpage, www.telescopemediagroup.net, captured on December 4, 2020.

9. Defendants are unaware of any other marketing efforts made by Plaintiffs between entry of the preliminary injunction on November 4, 2019, and October 30, 2020. Defendants are unaware whether Plaintiffs have attended any wedding fairs.

10. Attached as **Exhibit 12** is a true and correct copy of an opinion written by Attorney General Keith Ellison and Minnesota Department of Human Rights Commissioner Rebecca Lucero, published on the Star Tribune website on October 2, 2019.

11. Through January 5, 2021, the Attorney General's Office has spent 887.7 hours on this matter. Based on the hourly rate of each timekeeper, that is more than \$114,000.

FURTHER YOUR DECLARANT SAYETH NOT.

I declare under penalty of perjury that the foregoing is true and correct.

DATE: January 8, 2020

s/ Janine Kimble  
JANINE KIMBLE

#4869809-v1

# **KIMBLE DECLARATION EXHIBIT 1**

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Telescope Media Group, a Minnesota corporation, Carl Larsen and Angel Larsen, the founders and owners of Telescope Media Group,

Civ. No. 16-CV-04094 (JRT-LIB)

Plaintiffs,

vs.

**DEFENDANTS' FIRST SET OF  
INTERROGATORIES, DOCUMENT  
REQUESTS, AND REQUESTS FOR  
ADMISSIONS TO PLAINTIFFS**

Rebecca Lucero, in her official capacity as Commissioner of the Minnesota Department of Human Rights and Keith Ellison, in his official capacity as Attorney General of Minnesota,

Defendants.

TO: The above-named Plaintiffs, through their counsel Renee K. Carlson, Carlson Law, PLLC, 855 Village Center Drive, Suite 259, St. Paul, Minnesota, 55127; Jeremy D. Tedesco, Jacob Paul Warner, Jonathan A. Scruggs, Alliance Defending Freedom, 15100 N. 90th Street, Scottsdale, Arizona, 85260.

PLEASE TAKE NOTICE that Defendants demand and you are required to furnish answers to the following interrogatories, requests for production of documents, and requests for admissions (collectively, the "First Discovery Requests") to the Defendants' attorneys within thirty (30) days from the date of service hereof pursuant to Fed. R. Civ. P. 33, 34, and 36.

The First Discovery Requests are deemed continuing pursuant to Fed. R. Civ. P. 26(e). Should the Plaintiffs or their attorneys obtain additional information that would

add to, modify, or qualify the answers or responses supplied herein, you are directed to give timely notice and full disclosure of such information and furnish the same to the Defendants and their attorneys without delay pursuant to Fed. R. Civ. P. 26(e).

### **DEFINITIONS**

Unless otherwise defined in the First Discovery Requests, the following terms shall have these meanings:

1. “Plaintiffs” means the plaintiffs named in the case caption above.
2. “You” or “your” means Plaintiffs, and any of their attorneys, agents, or assigns.
3. “Defendants” means Rebecca Lucero, in her official capacity as Commissioner of the Minnesota Department of Human Rights and Keith Ellison, in his official capacity as Attorney General of Minnesota.
4. The word “document” or “documents” has the broadest meaning under Rule 34 of the Federal Rules of Civil Procedure and includes electronically stored information and tangible things.
5. “Person” means any natural person, or any corporation, partnership, limited liability company, non-profit association, or association of persons.
7. “Statement” means: (1) a written statement signed or otherwise adopted or approved by the person making it; or (2) a contemporaneous stenographic, mechanical, electrical, or other recording, or a transcription thereof, that recites substantially verbatim the person's oral statement.
8. “Identify” or “Identity” means the following:

a. when used in reference to a natural person means to state: (1) the person's full name; (2) the person's present or last known address; and (3) the person's present or last known telephone number;

b. when used in reference to an artificial person or entity such as a corporation, partnership, or non-profit means to state: (1) the organization's full name and trade name, if any; (2) the address and telephone number of its principal place of business; and (3) the names and titles of those officers, directors, managing agents or employees who have knowledge or under Fed. R. Civ. P. 30(b)(6) would be designated to testify with respect to the matters involved in the Interrogatory;

c. when used in reference to a document means to: (1) state the type of document (e.g., letter, memorandum, print-out, report, newspaper, etc.); (2) state the title and date, if any, of the document; (3) state the author's name and address; (4) state the addressee's name and address; (5) provide a brief description of its contents; (6) indicate the present location of the document; and (7) provide the name and address of the person or persons having custody over the document. If any such document was, but is no longer, in your possession, custody, or subject to your control, state what disposition was made of it. In all cases where you are requested to identify particular documents, in lieu of such identification you may supply a fully legible copy of the document in question. This permission, however, shall in no way prejudice the Defendants' right to require production and allow inspection of all records in your possession.

d. with respect to oral communications means to set forth the following information: (1) the substance of the communication; (2) the date and time of the

communication; (3) the place of origin of the communication; and if different, as in the case of telephone communications, the place at which the communication was received; (4) the identification of each originator and recipient of the communication; and (5) the identification of all persons present at the place of origin, and if different, the place of receipt of the communication at the time the communication took place; and

e. when used in reference to a factual situation or allegation means to state with particularity and specificity all facts known which bear upon or are related to the matter which is the subject of the inquiry, using the simplest and most factual statements of which you are capable.

9. “Telescope Media Group” means Telescope Media Group, a Minnesota corporation; Telescope Media Group, Inc.; and all predecessors and successors.

### INSTRUCTIONS

1. Pursuant to Fed. R. Civ. P. 34(b), please produce all electronically-stored information (except electronic mail) as a searchable PDF or natively if a PDF is unwieldy. Electronic mail should be produced as native files, or in a format consistent with loading into a document review tool, including static images, native documents, extracted text, and associated metadata. The metadata fields should include the following:

Bates_Begin	The bates label of the first page of the document
Bates_End	The bates label of the last page of the document
Attach_Begin	The bates label of the first page of a family of documents ( <i>e.g.</i> , email and attachment)
Attach_End	The bates label of the last page of a family of documents
File_Size	Size of the original file processed, regardless of whether the file is produced in native format
File_Extension	The file extension of the original file produced, regardless of

	whether the file is produced in native format
Sent_Date	For email, the sent date of the message
Sent_Time	For email, the sent time of the message
Date Received	For email, the date the message was received
Time Received	For email, the time the message was received
Create_Date	For e-files or attachments, the document's creation date or operating system creation date
Create_Time	For e-files or attachments, the document's creation time or operating system creation time
Modified_Date	For e-files or attachments, the document's last modified date or operating system last modified date
Modified_Time	For e-files or attachments, the document's last modified time or operation system last modified time
Author	The author of a stand-alone e-file or attachment
From	The sender of an email message
To	The recipient(s) of an email message, in a semi-colon delimited multi-value list
CC	The copy(ies) of an email message, in a semi-colon delimited multi-value list
BCC	The blind copy(ies) of an email message, in a semi-colon delimited multi-value list
Email Message ID	Microsoft Outlook or similar number in other message systems
Email Subject	Email subject
File Name	File Name of Native/Original file
Document Title	Title of native file extracted from file properties
Custodian	The custodian in whose file the document was found
Duplicate Custodian	Other custodians with same document prior to deduplication
Original_Filepath	The path to the email in the mailbox or stand-alone e-file
MD5	The calculated MD5 hash value of the document
Native_File	The file path to the location of the native file, if produced
Conf_Desig	The confidentiality designation, if any, for the document pursuant to any protective order in the case.
Text_Path	The file path to the location of the text file in the production
Has Redactions	Yes/No if document has been redacted
Pages	Number of pages in a document
SHA1 Hash	Identifying value of an electronic record assigned using algorithm

2. The information demanded should always be interpreted to be inclusive rather than exclusive, including interpreting the following as appropriate: the singular form of a word as plural, and vice versa; “and” to include “or,” and vice versa; the past tense to include the present tense, and vice versa.

3. If you are unable to answer an interrogatory or request fully, submit as much information as is available, explain why your answer is incomplete, and state the source or sources from which a complete answer may be obtained. If an accurate answer cannot be obtained from book and records, your best estimate, so identified, should be submitted indicating the source of the estimate.

4. If you object to any information demanded in whole or in part on the basis of any claimed privilege or protection, identify the privilege or protection you claim, as well as each statement or communication for which you claim the privilege or protection, and provide the following information:

- a. Date of the communication or document;
- b. The author and all addresses and recipients of the communication or document (including BCC, or “blind carbon copies,” if known);
- c. The names of all persons present during the communication or to whom the communication or document was made available;
- d. The subject matter of the communication or document;
- e. The location of any documents concerning the communication; and
- f. The factual basis on which you claim the privilege or projection.

**REQUESTS FOR ADMISSIONS**

**REQUEST NO. 1.**

Admit that Defendants never threatened Plaintiffs with any legal action.

**REQUEST NO. 2.**

Admit that Defendants never began an investigation into Plaintiffs.

**REQUEST NO. 3.**

Admit that Defendants have never communicated with Plaintiffs.

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## **INTERROGATORIES**

### **INTERROGATORY NO. 1.**

Identify each person known to you (or known to any person acting on your behalf) to have personal knowledge of any facts or matters at issue in this lawsuit. Include a description of the facts or matters as to which you believe each person has personal knowledge.

### **INTERROGATORY NO. 2.**

Identify all messages conveyed through a wedding video created by Telescope Media Group, and the identity of the person who conveys each message.

### **INTERROGATORY NO. 3.**

For the video of Korissa and Jon (posted at <https://www.telescopemediagroup.net/weddings>), identify all messages conveyed through that wedding video, the identity of the person who conveyed each message, the location of the wedding, and the location where the video was edited and produced.

### **INTERROGATORY NO. 4.**

For the video of Hannah and Sam (posted at <https://www.telescopemediagroup.net/weddings>), identify all messages conveyed through that wedding video, the identity of the person who conveyed each message, the location of the wedding, and the location where the video was edited and produced.

### **INTERROGATORY NO. 5.**

Provide full names and contact information (telephone and address) for all couples in wedding videos featured on <https://www.telescopemediagroup.net/weddings>, from

November 4, 2019, to the present, including but not limited to Korissa and Jon; and Hannah and Sam.

**INTERROGATORY NO. 6.**

Identify all customers of Telescope Media Group, from January 1, 2016, to the present, and the nature of the work provided for each.

**INTERROGATORY NO. 7.**

Identify all people who have submitted wedding inquiries to Plaintiffs, from November 4, 2019, to the present, including but not limited to wedding inquiries submitted to the contact form at <https://www.telescopemediagroup.net/contact>.

**INTERROGATORY NO. 8.**

Identify all LGBTQ+ customers Telescope Media Group has served in any capacity, that Plaintiffs know of.

**INTERROGATORY NO. 9.**

Identify and describe all actions Plaintiffs have taken to market Telescope Media Group's wedding video services, from November 4, 2019, to the present.

**INTERROGATORY NO. 10.**

Identify all the ways (that Plaintiffs know of) that a potential customer could learn that Telescope Media Group provides wedding video services.

**INTERROGATORY NO. 11.**

Identify all projects or jobs Plaintiffs have declined to do because it related to same-sex marriage in some way.

**INTERROGATORY NO. 12.**

Identify all projects or jobs Plaintiffs have declined to do because they concluded the project was inconsistent with their religious beliefs.

**INTERROGATORY NO. 13.**

Identify all messages Plaintiffs have declined to convey for a customer because Plaintiffs concluded the message was inconsistent with Plaintiffs' religious beliefs.

**INTERROGATORY NO. 14.**

State the dollar amount of income and percentage of the total gross income attributable to wedding video services for Telescope Media Group in calendar year 2019 and year-to-date 2020.

**INTERROGATORY NO. 15.**

Identify all services Telescope Media Group offers, from January 1, 2016, to the present, including but not limited to wedding services.

**INTERROGATORY NO. 16.**

Identify all videos posted to Telescope Media Group's website from January 1, 2016, to the present.

**INTERROGATORY NO. 17.**

Describe in as much detail as possible what Plaintiffs' "Biblical beliefs about the definition of marriage" are. (*See* Am. Compl. ¶ 254; *see also* Am. Compl. page 46 (referring to "beliefs about marriage".))

**INTERROGATORY NO. 18.**

Describe in as much detail as possible what “historic, biblically-orthodox definition of marriage” means to Plaintiffs. (*See* Am. Compl. ¶¶ 3, 5, 15, 116, 122.)

**INTERROGATORY NO. 19.**

Identify and describe in detail all the relief Plaintiffs seek in this lawsuit and describe all facts that relate to the relief Plaintiffs seek.

**INTERROGATORY NO. 20.**

State the name, web address, email address, and/or user name for all blogs, online forums, social media, or social networking websites that Plaintiffs have belonged to or used from January 1, 2013, to the present, including without limitation Facebook, Instagram, Twitter, Google Plus, MySpace, LinkedIn, Snapchat, or YouTube.

**INTERROGATORY NO. 21.**

Identify all employees of Telescope Media Group (including position title, general description of duties, and current employment status), from November 4, 2019, to the present.

**INTERROGATORY NO. 22.**

Identify each and every person who was consulted for information in the preparation of the answers to these Interrogatories.

**INTERROGATORY NO. 23.**

State whether Plaintiffs have obtained statements as that term is defined by Fed. R. Civ. P. 26(b)(3)(C) concerning this action or its subject matter from any persons. If your answer is yes, identify the persons who gave such statements and the persons to whom

such statements were given, state the date, time, and location of the statements, and indicate whether such statements were written or oral.

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**REQUESTS FOR PRODUCTION**

**REQUEST NO. 1.**

Produce all documents identified or referred to in your initial disclosures.

**REQUEST NO. 2.**

Produce all documents that refer or relate to any of the Interrogatories served or to be served by Defendants in this lawsuit.

**REQUEST NO. 3.**

Produce all statements pursuant to Fed. R. Civ. P. 26(b)(3)(C).

**REQUEST NO. 4.**

Produce each and every document or thing referring or relating to the allegations made in the Amended Complaint.

**REQUEST NO. 5.**

Produce all documents reviewed, consulted, or referenced in your Answers to Interrogatories.

**REQUEST NO. 6.**

Produce all evidence you may or intend to offer as exhibits at hearing or at trial.

**REQUEST NO. 7.**

Produce all documents or things that refer or relate to the relief you seek in this matter.

**REQUEST NO. 8.**

Produce all documents and things provided to any expert who may testify in this matter.

**REQUEST NO. 9.**

Produce all documents received through service of third-party subpoenas under Fed. R. Civ. P. 45.

**REQUEST NO. 10.**

Produce fully executed contracts for all wedding video services, from November 4, 2019, to the present (including but not limited to contracts for the wedding videos for Korissa and Jon; and Hannah and Sam).  
<https://www.telescopemediagroup.net/weddings>

**REQUEST NO. 11.**

Produce all documents related to all contracts for wedding video services (including performance of the contracts), from November 4, 2019, to the present, including but not limited to correspondence, scheduling, travel, handwritten notes, invoices, and the complete un-edited footage of all weddings.

**REQUEST NO. 12.**

Produce documents sufficient to show income and expenses for Telescope Media Group from January 1, 2016, to the present, including the amounts attributable to wedding video services.

**REQUEST NO. 13.**

Produce all documents relating to the Larsens' "desire to use their filmmaking skills" as described in Paragraph 130 of the Amended Complaint, from January 1, 2010, to December 6, 2016.

**REQUEST NO. 14.**

Produce all documents related to plans to enter the wedding video market, including but not limited to business plans, business organization forms/filings, and license applications, from January 1, 2016, to the present.

**REQUEST NO. 15.**

Produce scripts from all wedding video projects.

**REQUEST NO. 16.**

Produce scripts from all non-wedding video projects, from January 1, 2016, to the present.

**REQUEST NO. 17.**

Produce copies of all videos created by Telescope Media Group, from January 1, 2016, to the present.

**REQUEST NO. 18.**

Produce all documents related to wedding inquiries identified in response to Interrogatory No. 7.

**REQUEST NO. 19.**

Produce all documents related to Telescope Media Group marketing its wedding video services.

**REQUEST NO. 20.**

Produce any and all diaries, calendars, journals, notes, correspondence, whether handwritten, electronically stored, or in other form kept, taken, or received by Plaintiffs,

or otherwise in Plaintiffs' possession, that pertain in any way to the subject matter of this lawsuit.

**REQUEST NO. 21.**

Produce copies of any and all correspondence, whether handwritten, electronically stored, or in any form, between Plaintiffs and any other person, other than privileged correspondence with Plaintiffs' attorney(s), which in any way pertains to the subject matter of this lawsuit.

**REQUEST NO. 22.**

From January 1, 2016, to the present, for any blogs, online forums, and/or social networking websites identified by Plaintiffs in Interrogatory No. 20, including without limitation Facebook, Instagram, Twitter, Google Plus, MySpace, LinkedIn, Snapchat, or YouTube, produce copies of any and all posts, comments, tweets, messages (including DM's and PM's) in any form written, made, kept, sent, received, tagged, taken, or forwarded to or by Plaintiffs, or otherwise in Plaintiffs' possession, which in any way refer to or pertain to the subject matter of this lawsuit and the allegations made in the Amended Complaint, including without limitation any pictures, videos, recordings, webpage links, notes, written posts, comments, updates, status updates, or graphic materials of any kind.

**REQUEST NO. 23.**

Produce the final videos of Korissa and Jon; and Hannah and Sam (posted at <https://www.telescopemediagroup.net/weddings>), including all meta-data.

**REQUEST NO. 24.**

Produce profit and loss statements for Telescope Media Group, from January 1, 2016, to the present.

**REQUEST NO. 25.**

Produce balance sheets for Telescope Media Group, from January 1, 2016, to the present.

**REQUEST NO. 26.**

Produce documents sufficient to show all of Telescope Media Group's business expenses related to wedding videos, from January 1, 2016, to the present.

Dated: October 21, 2020

Respectfully submitted,

KEITH ELLISON  
Attorney General  
State of Minnesota

s/ **Janine Kimble**  
\_\_\_\_\_  
LIZ KRAMER (#0325089)  
Solicitor General

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ATTORNEYS FOR DEFENDANTS

#4792055-v1

# **KIMBLE DECLARATION EXHIBIT 2**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

TELESCOPE MEDIA GROUP, a  
Minnesota corporation, CARL  
LARSEN and ANGEL LARSEN,  
the founders and owners of  
TELESCOPE MEDIA GROUP,

Plaintiffs,

vs.

REBECCA LUCERO, in her official  
capacity as Commissioner of the  
Minnesota Department of Human  
Rights, and KEITH ELLISON, in  
his official capacity as Attorney  
General of Minnesota,

Defendants.

Case No. 0:16-cv-04094-JRT-LIB

Chief Judge John R. Tunheim

Magistrate Judge Leo I. Brisbois

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STIPULATION OF DISMISSAL

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WHEREAS, Plaintiffs initiated this pre-enforcement lawsuit on  
December 6, 2016. (ECF No. 1.);

WHEREAS, on January 13, 2017, Plaintiffs filed an Amended  
Complaint and a motion for preliminary injunction. (ECF Nos. 13 & 14.)  
Plaintiffs alleged they wanted to “us[e] their media production and  
filmmaking talents to tell stories of marriages between one man and one  
woman.” (Am. Compl., at ¶ 5.) Plaintiffs alleged the Minnesota Department  
of Human Rights interprets the Minnesota Human Rights Act to prohibit  
Plaintiffs from “declin[ing] to create expressive wedding-related services  
celebrating same sex weddings.” (Am. Compl., at ¶ 8.);

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WHEREAS, Defendants moved to dismiss the Amended Complaint and opposed Plaintiffs' motion for preliminary injunction. (ECF Nos. 31 & 35.) One basis was Defendants' argument that Plaintiffs lacked standing, in part because they had not begun making wedding video services available to the public. (ECF No. 34, at 6; see also ECF No. 35, at 27 n.14.);

WHEREAS, on September 20, 2017, the district court granted Defendants' motion to dismiss, and denied Plaintiffs' motion for preliminary injunction as moot. (ECF No. 53.);

WHEREAS, Plaintiffs appealed to the Eighth Circuit. (ECF No. 55.) The Eighth Circuit affirmed in part, reversed in part, and remanded; the Eighth Circuit directed the district court to consider whether Plaintiffs were entitled to a preliminary injunction. (ECF No. 61, at 27.);

WHEREAS, the parties stipulated to entry of a preliminary injunction, which permitted Plaintiffs to "produc[e] films (a) promoting marriage exclusively as an institution between one man and one woman, and (b) declin[e] to create films that express ideas that conflict with their beliefs about marriage." (ECF No. 64; see also ECF No. 63.);

WHEREAS, the district court entered the preliminary injunction on November 4, 2019. (ECF No. 69.) The injunction "remain[s] in effect until further order of this Court." (*Id.*, at 3.);

WHEREAS, after entry of the preliminary injunction, Plaintiffs added the following statement to their website: "Telescope Media Group exists to glorify God through top-quality media production. Because of TMG's owners' religious beliefs and expressive purposes, it cannot make films promoting any

conception of marriage that contradicts its religious beliefs that marriage is between one man and one woman, including films celebrating same-sex marriages.”;

WHEREAS, Plaintiffs alleged they planned to publicize wedding videos they create on their website. (Am. Compl. ¶ 136.) They also alleged “[p]ublic promotion of the wedding videos . . . will be mandatory in every wedding videography contract into which the Larsens enter.” (Am. Compl. ¶ 138.);

WHEREAS, between November 4, 2019, and the present, Plaintiffs have posted only two wedding videos on their website;

WHEREAS, as of November 5, 2020, Plaintiffs state that they have faced some unique business pressures recently and been negatively affected by the COVID-19 pandemic; and,

WHEREAS, as of November 5, 2020, Plaintiffs state that they have left the wedding field and are exploring new business opportunities, some of which may lead them to move out of Minnesota.

NOW, THEREFORE, Plaintiffs Telescope Media Group and Carl and Angel Larsen and Defendants Rebecca Lucero and Keith Ellison stipulate under Federal Rule of Civil Procedure 41(a)(1)(ii-), as follows:

(a) the Clerk shall open this case in order to enter the parties’ proposed order, which is attached as Exhibit A;

(b) that this action be dismissed with prejudice as to all claims, causes of action, and parties, leaving nothing more to be resolved in this case, with each party bearing their own costs and attorney’s fees;

(c) that the Court shall vacate the preliminary injunction and judgment (ECF Nos. 69 & 70);

(d) Plaintiffs agree that, not later than three (3) days after the Court vacates the preliminary injunction, they will remove the following statement from their website: “Because of TMG’s owners’ religious beliefs and expressive purposes, it cannot make films promoting any conception of marriage that contradicts its religious beliefs that marriage is between one man and one woman, including films celebrating same-sex marriages.” See <https://www.telescopemediagroup.net/>. Following removal of the statement from their website, Plaintiffs agree not to use or publicize the statement at any time in the future;

(e) Plaintiffs agree not to re-enter the wedding business in Minnesota for a period of at least five (5) years from the signing of this stipulation;

(f) Plaintiffs agree to comply with the Minnesota Human Rights Act, with respect to any and all of their Minnesota businesses; and,

(g) the parties acknowledge that this Stipulation does not preclude Defendants from seeking to vacate or otherwise modify the Eighth Circuit’s opinion in this matter.

Dated: November 6, 2020

By: \_\_\_\_\_

OFFICE OF THE ATTORNEY GENERAL  
STATE OF MINNESOTA

By: /s/ Jeremy D. Tedesco

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Jonathan A. Scruggs, AZ 030505\*

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*\*Admitted Pro Hac Vice*

*Attorneys for Plaintiffs*

# **KIMBLE DECLARATION EXHIBIT 3**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

TELESCOPE MEDIA GROUP, a  
Minnesota corporation, CARL  
LARSEN and ANGEL LARSEN,  
the founders and owners of  
TELESCOPE MEDIA GROUP,

Plaintiffs,

vs.

REBECCA LUCERO, in her official  
capacity as Commissioner of the  
Minnesota Department of Human  
Rights, and KEITH ELLISON, in  
his official capacity as Attorney  
General of Minnesota,

Defendants.

Case No. 0:16-cv-04094-JRT-LIB

Chief Judge John R. Tunheim

Magistrate Judge Leo I. Brisbois

---

ORDER OF DISMISSAL

---

Based on the stipulation of Plaintiffs Telescope Media Group and Carl and Angel Larsen and Defendants Rebecca Lucero and Keith Ellison under Federal Rule of Civil Procedure 41(a)(1)(ii), (ECF No.     ), (a) the Clerk shall open this case to permit entry of this Order; (b) this action is DISMISSED WITH PREJUDICE as to all claims, causes of action, and parties, leaving nothing more to be resolved in this case, with each party bearing their own attorney's fees and costs; (c) the preliminary injunction and judgment are hereby vacated (ECF Nos. 69 & 70). The Clerk is directed to close the file case.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: \_\_\_\_\_

---

Hon. John R. Tunheim  
United States District Judge  
District of Minnesota

# **KIMBLE DECLARATION EXHIBIT 4**



# WE BELIEVE IN OUR WORK.

Our work is personal, custom, and top-notch.

LEARN MORE

**URL**

<https://www.telescopemediagroup.net/>

**Timestamp**

Thu Feb 27 2020 08:43:49 GMT-0600 (Central Standard Time)

WHAT WE BELIEVE IN

# We put our heart and soul into everything we do.

At Telescope Media Group, we tell stories that matter. We promote messages that endure by creating custom content that moves people to do things... feel things, believe things, change things. We put ourselves in everything we make.



**URL**  
<https://www.telescopemediagroup.net/>

**Timestamp**  
Thu Feb 27 2020 08:43:49 GMT-0600 (Central Standard Time)



---

WHAT WE MAKE

We produce stories  
that magnify meaning.

From the first day we opened up shop, we've said,  
"Telescope Media Group exists to glorify God through top-quality media production."  
And that's still what drives us today.

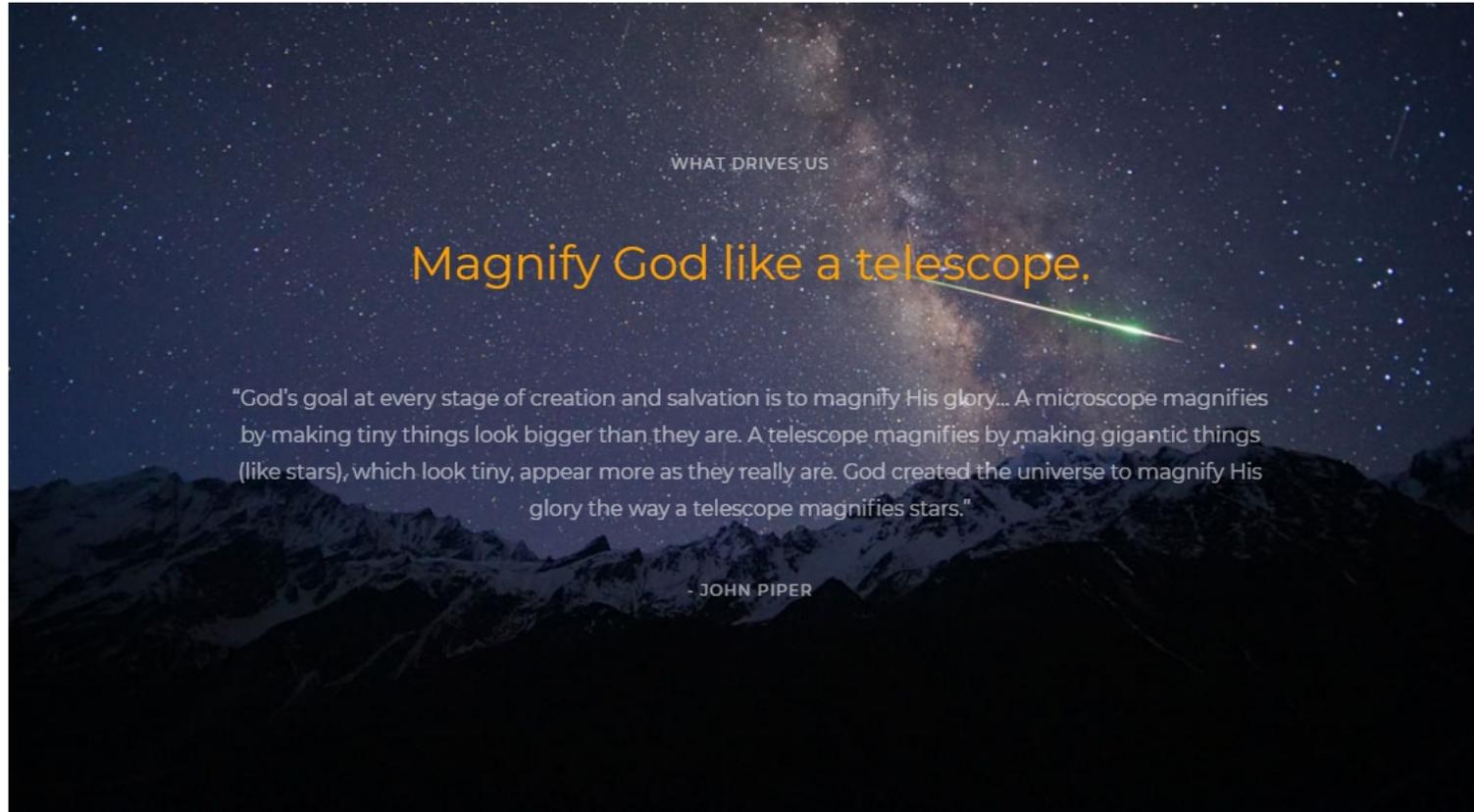
We work with brands, companies, organizations and ministries

**URL**

<https://www.telescopemediagroup.net/>

**Timestamp**

Thu Feb 27 2020 08:43:49 GMT-0600 (Central Standard Time)



WHAT DRIVES US

## Magnify God like a telescope.

"God's goal at every stage of creation and salvation is to magnify His glory... A microscope magnifies by making tiny things look bigger than they are. A telescope magnifies by making gigantic things (like stars), which look tiny, appear more as they really are. God created the universe to magnify His glory the way a telescope magnifies stars."

JOHN PIPER

WHAT WE ARE BEST AT

## Our Services

**URL**

<https://www.telescopemediagroup.net/>

**Timestamp**

Thu Feb 27 2020 08:43:49 GMT-0600 (Central Standard Time)



## Production

Plan, shoot, edit, animate, deliver & amaze - this is what we do. It doesn't matter if it's single camera, multi-camera, AE, or 3D, we create stories daily.



## Events

The most meaningful stories are told among friends - a few hundred or several thousand. We direct events to be sure the story lands with impact.



## Consulting

There will always be more to do than we can do ourselves. Let us share our experiences with your team and expand our reach together.

LOOKING FOR MORE? CONTACT US!

CONTACT US

---

TEAM

## Meet the crew



**URL**

<https://www.telescopemediagroup.net/>

**Timestamp**

Thu Feb 27 2020 08:43:49 GMT-0600 (Central Standard Time)

As a husband and wife team,  
Carl and Angel make sure the job gets done  
the right way right on time...

...And they have a lot of fun doing it.



Carl Larsen

Carl thrives on variety.

He's equally at home in the edit bay, director's  
chair, or out in the field. He enjoys making



Angel Larsen

Angel excels at seeing the big picture.

She keeps everything on track, makes sure  
each project runs smoothly, and is always



Strategic Partners

We weren't meant to do this alone.

Big or small, every project is unique. Our team  
works based on the needs of the story. We

**URL**

<https://www.telescopemediagroup.net/>

**Timestamp**

Thu Feb 27 2020 08:43:49 GMT-0600 (Central Standard Time)

chair, or out in the field. He enjoys pushing buttons, is constantly learning, and always has a smile on his face. When he's not doing the work he loves, he can be found kayaking, skiing or playing with his nine amazing children.

each project runs smoothly, and is always excellent producer, a constant encourager, and somehow finds time to homeschool the kids as well.

grows based on the needs of the story. Jib, daily, practices on a full-blown TV crew, we'll make sure to have the right team for the project.

---

Take the next step.

Do we sound like a great fit? Contact us today!

START NOW

**URL**

<https://www.telescopemediagroup.net/>

**Timestamp**

Thu Feb 27 2020 08:43:49 GMT-0600 (Central Standard Time)



Copyright 2020 - Telescope Media Group

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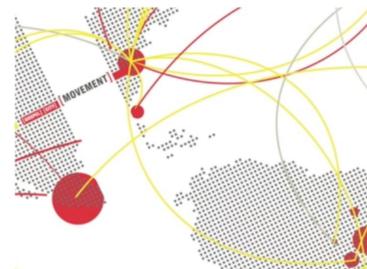
**URL**

<https://www.telescopemediagroup.net/>

**Timestamp**

Thu Feb 27 2020 08:43:49 GMT-0600 (Central Standard Time)

# **KIMBLE DECLARATION EXHIBIT 5**



### Meet the Crew

As a husband and wife team, Carl and Angel make sure the job gets done the right way right on time.



**Carl Larsen**  
Owner & Founder

Carl is equally at home in the edit bay, director's chair, or out in the field. He enjoys pushing buttons while learning and educating in the production world. When he's not doing the work he loves, he can be found kayaking, water skiing or playing with his seven amazing children.



**Angel Larsen**  
Owner & Founder

Angel excels at seeing the big picture and making sure that junk gets done. On top of that, she's an excellent producer and guarantees that whenever you stop by some sort of delicious snack will be waiting in the edit bay for you.

### Telescope Media Group exists to glorify God through top-quality media production.

#### We believe in our work.

**Telescope is based on this reality:**

"God's goal at every stage of creation and salvation is to magnify His glory... A microscope magnifies by making tiny things look bigger than they are. A telescope magnifies by making gigantic things (like stars), which look tiny, appear more as they really are. God created the universe to magnify His glory the way a telescope magnifies stars."

- John Piper Dangerous Duty of Delight

As much as it depends on us, we aim to make God look more like He really is through our lives, business, and actions.

**We want to magnify Christ like a telescope.**



#### We're small, dedicated, and we like it that way.

One of the best things about being a small shop is that we're nimble. Day to day we run a pretty lean operation, but we can also scale quickly to meet the needs of just about any production.

Need a single camera interview? We've got that. Need a multi-camera event production team? We can cover that too. Give us a call and let's see what we can imagine together.

### What we do

Plan. Shoot. Edit. Animate. Deliver. Amaze.



#### Events

Live events are an integral part of our business, we don't just make the commercials to get people to come to your event, we do live presentation, video capture, directing, and web streaming.

#### Production

Great events require a solid plan for both before and after the show date.

Need to promote your event? We can help. How about producing the content that will play at the event? We can do that too.

When you have the same company planning and executing your event, it guarantees that we tell your story well from beginning to end.

#### Connect with us

Name  Email Address

Phone  Business/Organization

Website

Briefly describe the nature of your business/organization:

Tell us about the nature and purpose of your project and event and how TMG can help make it a reality:

9 + 4 =

# **KIMBLE DECLARATION EXHIBIT 6**

A large, dark, semi-transparent image of a couple in a wedding scene. The bride is on the left, wearing a white dress, and the groom is on the right, wearing a dark suit. They are both looking towards each other. The background is dark and out of focus, suggesting an outdoor setting with trees.

# ENTER INTO THE GREATEST STORY.

**URL**

<https://www.telescopemediagroup.net/weddings>

**Timestamp**

Thu Feb 27 2020 08:42:26 GMT-0600 (Central Standard Time)

WHY MARRIAGE STORIES

A bride. A groom. A sacred union:  
Marriage stories are a foretaste of forever.

"Real love, the Bible says, instinctively desires permanence."

-TIM KELLER

---

WE BELIEVE

ALL OF  
CREATION

**URL**

<https://www.telescopemediagroup.net/weddings>

**Timestamp**

Thu Feb 27 2020 08:42:26 GMT-0600 (Central Standard Time)

# CREATION IS TELLING ONE GRAND MARRIAGE STORY.

YOUR WEDDING IS ONE OF THE MOST SACRED  
EVENTS OF YOUR LIFETIME.

WE TAKE THE PRIVILEGE OF TELLING THAT STORY SERIOUSLY.

---



**URL**

<https://www.telescopemediagroup.net/weddings>

**Timestamp**

Thu Feb 27 2020 08:42:26 GMT-0600 (Central Standard Time)



## About you

Our clients are committed to stepping into the marriage story together.

They love each other and the people around them fiercely. They're excited about the wedding day, but even more excited for their new life chapter.

They value professionalism, artistic expression, and want to create a unique wedding film that reflects their journey.

## About us

After 18 years of marriage, 9 kids, and countless film projects together, we're a powerful team committed to telling stories that matter. We've seen the sum of all these life experiences unexpectedly merge into something truly beautiful. Our life is nothing like what we expected, but it's better than we could have ever imagined.

---

## Marriage Stories

WE WOULD LOVE THE PRIVILEGE OF CELEBRATING YOUR MARRIAGE STORY WITH YOU.  
CONTACT US TO SETUP AN INTERVIEW.



**URL**

<https://www.telescopemediagroup.net/weddings>

**Timestamp**

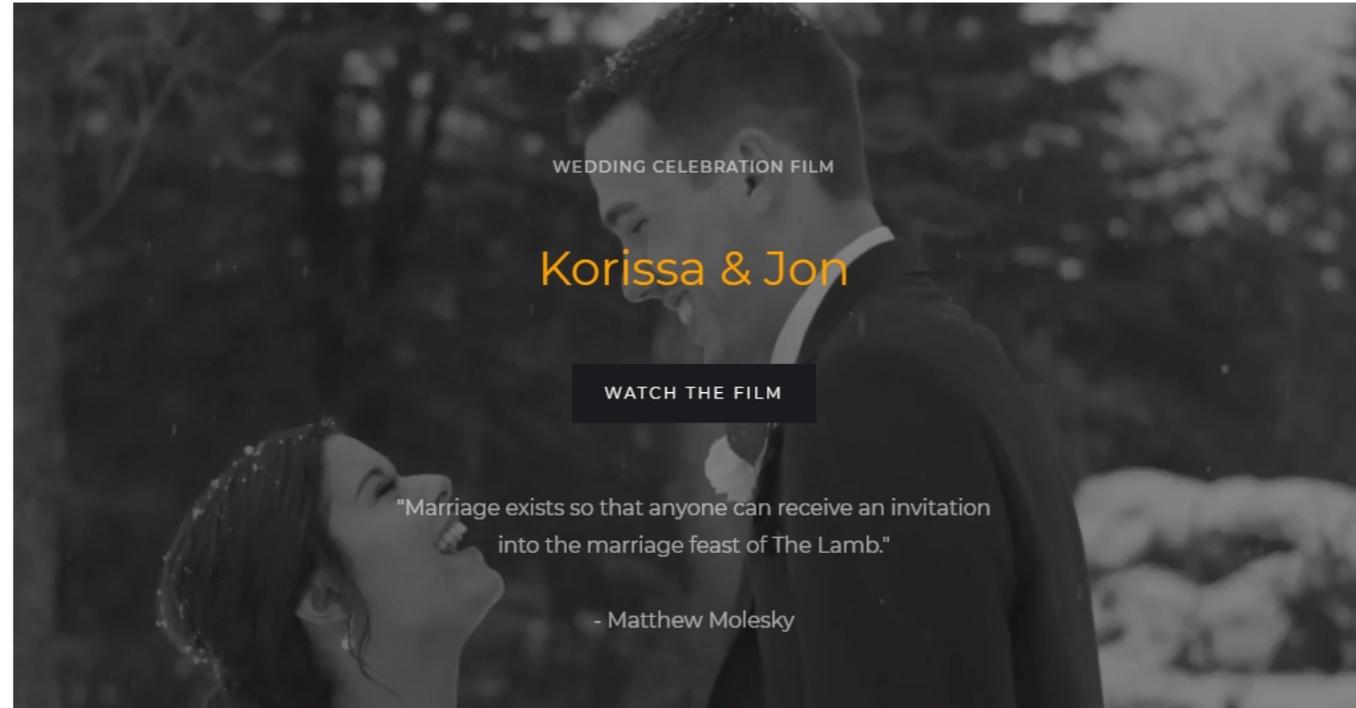
Thu Feb 27 2020 08:42:26 GMT-0600 (Central Standard Time)

Together, we plan, shoot, edit & deliver a custom wedding celebration film. Your day, our vision, God's glory. This is the backbone of our marriage storytelling services.

Add on to your wedding celebration film to fully enjoy the day. Options include "introducing us" pre-wedding films, Social media highlight edits, and other custom commissions.

INVESTMENTS BEGIN AT \$4000. CONTACT US FOR AN EXACT QUOTE.

CONTACT US

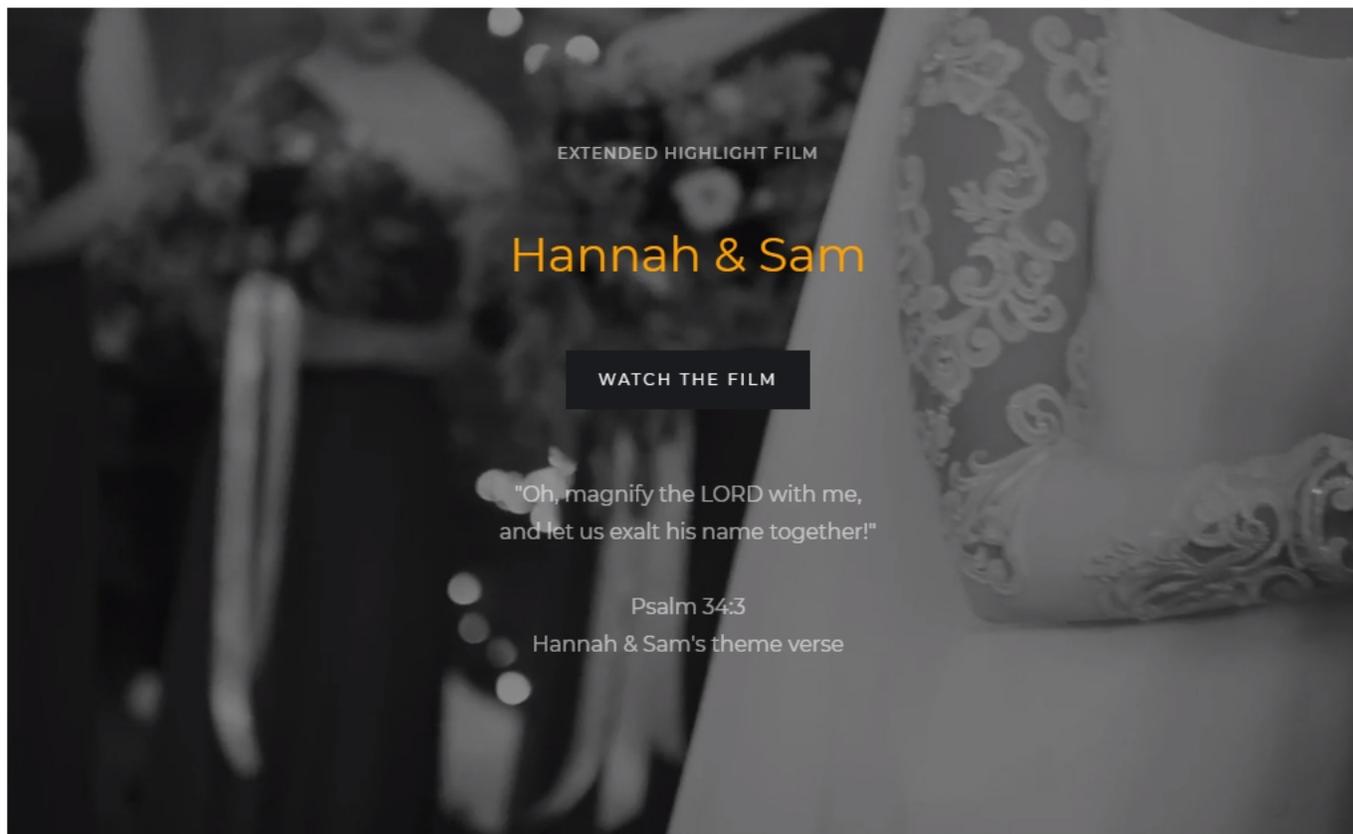


**URL**

<https://www.telescopemediagroup.net/weddings>

**Timestamp**

Thu Feb 27 2020 08:42:26 GMT-0600 (Central Standard Time)



**URL**

<https://www.telescopemediagroup.net/weddings>

**Timestamp**

Thu Feb 27 2020 08:42:26 GMT-0600 (Central Standard Time)

# Take the next step.

Do we sound like a great fit? Contact us today!

START NOW



Copyright 2020 - Telescope Media Group

Telescope Media Group exists to glorify God through top-quality media production. Because of TMC's owners' religious beliefs and expressive purposes, it cannot make films promoting any conception of marriage that contradicts its religious beliefs that marriage is between one man and one woman, including films celebrating same-sex marriages.

**URL**

<https://www.telescopemediagroup.net/weddings>

**Timestamp**

Thu Feb 27 2020 08:42:26 GMT-0600 (Central Standard Time)

# **KIMBLE DECLARATION EXHIBIT 7**

- Home
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- Subscriptions

- Library
- History

Sign in to like videos, comment, and subscribe.

SIGN IN

BEST OF YOUTUBE

- Music
- Sports
- Gaming
- Movies
- TV Shows
- News
- Live
- Fashion
- Spotlight
- 360° Video
- Browse channels



Telescope Media Group

2 subscribers

SUBSCRIBE

- HOME
- VIDEOS
- PLAYLISTS
- CHANNELS
- DISCUSSION
- ABOUT

Uploads PLAY ALL

SORT BY



Korissa and Jon Wedding Celebration Film  
323 views • 6 days ago



Hannah Sam Wedding Highlight Film  
298 views • 6 days ago



Beautiful Hope Film  
7 views • 1 month ago



Youth For Christ  
4 views • 1 month ago



Beautiful Hope Trailer  
4 views • 1 month ago



TMG Reel 3  
9 views • 1 month ago



TMG Reel 1  
2 views • 1 month ago



TMG Reel 2  
2 views • 1 month ago

URL  
https://www.youtube.com/channel/UCKYrf5VHBuf-Se1e7ANEVpQ/videos

Timestamp  
Thu Feb 27 2020 08:45:06 GMT-0600 (Central Standard Time)



360° Video



Browse channels

**URL**

<https://www.youtube.com/channel/UCKYrf5VHBuf-Sete7ANEVpQ/videos>

**Timestamp**

Thu Feb 27 2020 08:45:06 GMT-0600 (Central Standard Time)

# **KIMBLE DECLARATION EXHIBIT 8**



# ENTER INTO THE GREATEST STORY.

WHY MARRIAGE STORIES?

A bride. A groom. A sacred union: Marriage stories are a foretaste of forever.

"Real love, the Bible says, instinctively desires permanence."  
-TIM KELLER

WE BELIEVE

# ALL OF CREATION IS TELLING ONE GRAND MARRIAGE STORY.

YOUR WEDDING IS ONE OF THE MOST SACRED EVENTS OF YOUR LIFETIME.

WE TAKE THE PRIVILEGE OF TELLING THAT STORY SERIOUSLY.



## About you

Our clients are committed to stepping into the marriage story together.

They love each other and the people around them fiercely. They're excited about the wedding day, but even more excited for their new life chapter.

They value professionalism, artistic expression, and want to create a unique wedding film that reflects their journey.

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## Marriage Stories

WE WOULD LOVE THE PRIVILEGE OF CELEBRATING YOUR MARRIAGE STORY WITH YOU. CONTACT US TO SETUP AN INTERVIEW.



### Wedding Celebration Film

Together, we plan, shoot, edit & deliver a custom wedding celebration film. Your day, our vision, God's glory. This is the backbone of our marriage storytelling services.

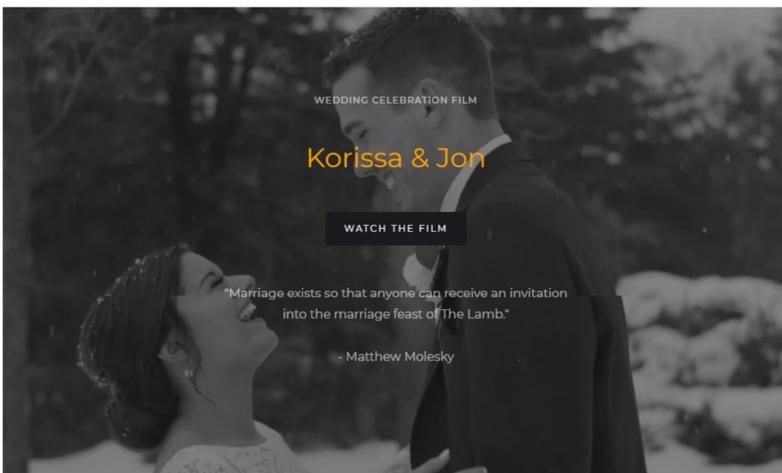


### Accent Films

Add on to your wedding celebration film to fully enjoy the day. Options include "introducing us" pre-wedding films, Social media highlight edits, and other custom commissions.

INVESTMENTS BEGIN AT \$4000. CONTACT US FOR AN EXACT QUOTE.

CONTACT US



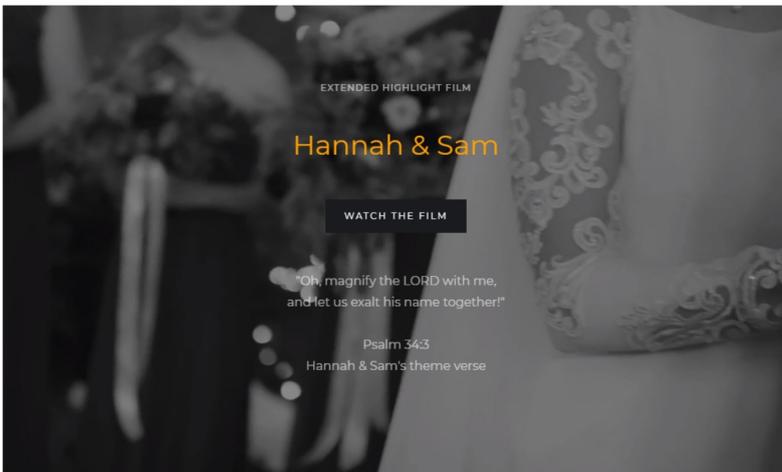
WEDDING CELEBRATION FILM

## Korissa & Jon

WATCH THE FILM

"Marriage exists so that anyone can receive an invitation into the marriage feast of The Lamb."

- Matthew Molesky



EXTENDED HIGHLIGHT FILM

## Hannah & Sam

WATCH THE FILM

"Oh, magnify the LORD with me, and let us exalt his name together!"

Psalm 34:3  
Hannah & Sam's theme verse

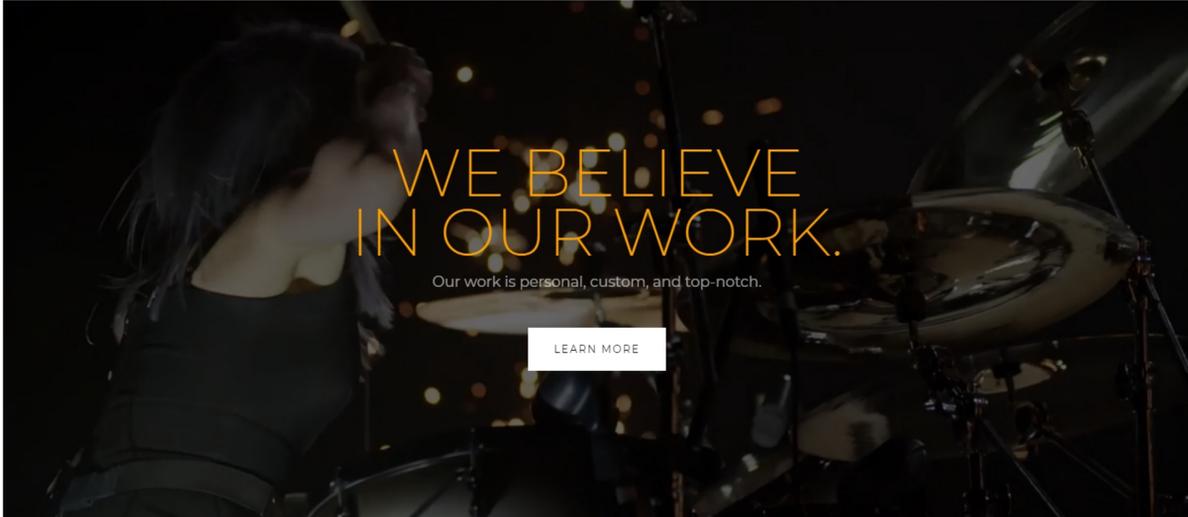
Take the next step.

Do we sound like a great fit? Contact us today!

START NOW



# **KIMBLE DECLARATION EXHIBIT 9**



# WE BELIEVE IN OUR WORK.

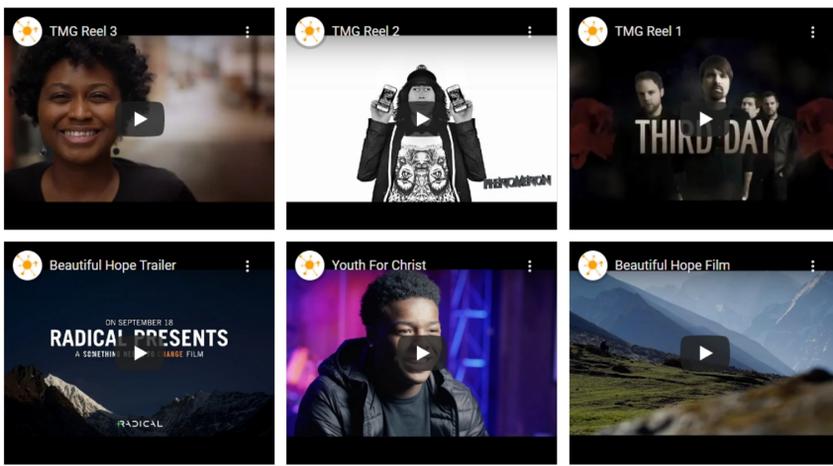
Our work is personal, custom, and top-notch.

LEARN MORE

## WHAT WE BELIEVE IN

### We put our heart and soul into everything we do.

At Telescope Media Group, we tell stories that matter. We promote messages that endure by creating custom content that moves people to do things... feel things, believe things, change things. We put ourselves in everything we make.

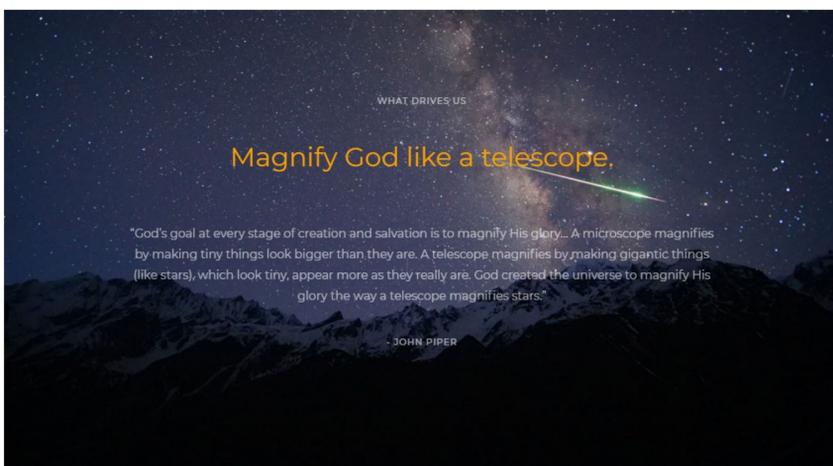


## WHAT WE MAKE

### We produce stories that magnify meaning.

From the first day we opened up shop, we've said, "Telescope Media Group exists to glorify God through top-quality media production." And that's still what drives us today.

We work with brands, companies, organizations and ministries to help them tell their story better than they can tell it themselves.



## WHAT DRIVES US

### Magnify God like a telescope.

"God's goal at every stage of creation and salvation is to magnify His glory... A microscope magnifies by making tiny things look bigger than they are. A telescope magnifies by making gigantic things (like stars), which look tiny, appear more as they really are. God created the universe to magnify His glory the way a telescope magnifies stars."

- JOHN PIPER

## WHAT WE ARE BEST AT

### Our Services



#### Production

Plan, shoot, edit, animate, deliver & amaze - this is what we do. It doesn't matter if it's single camera, multi-camera, AE, or 3D, we create stories daily.



#### Events

The most meaningful stories are told among friends - a few hundred or several thousand. We direct events to be sure the story lands with impact.



#### Consulting

There will always be more to do than we can do ourselves. Let us share our experiences with your team and expand our reach together.

LOOKING FOR MORE? CONTACT US!

CONTACT US

## TEAM

### Meet the crew

As a husband and wife team, Carl and Angel make sure the job gets done the right way right on time...

...And they have a lot of fun doing it.



#### Carl Larsen

Carl thrives on variety.

He's equally at home in the edit bay, director's chair, or out in the field. He enjoys pushing buttons, is constantly learning, and always has a smile on his face. When he's not doing the work he loves, he can be found kayaking, skiing or playing with his nine amazing children.



#### Angel Larsen

Angel excels at seeing the big picture.

She keeps everything on track, makes sure each project runs smoothly, and is always honing in on the story. On top of that, she's an excellent producer, a constant encourager, and somehow finds time to homeschool the kids as well.



#### Strategic Partners

We weren't meant to do this alone.

Big or small, every project is unique. Our team grows based on the needs of the story. Jib, dolly, steadicam, or a full-blown TV crew, we'll make sure to have the right team for the project.

### Take the next step.

Do we sound like a great fit? Contact us today!

START NOW



# **KIMBLE DECLARATION EXHIBIT 10**



# WE BELIEVE IN OUR WORK.

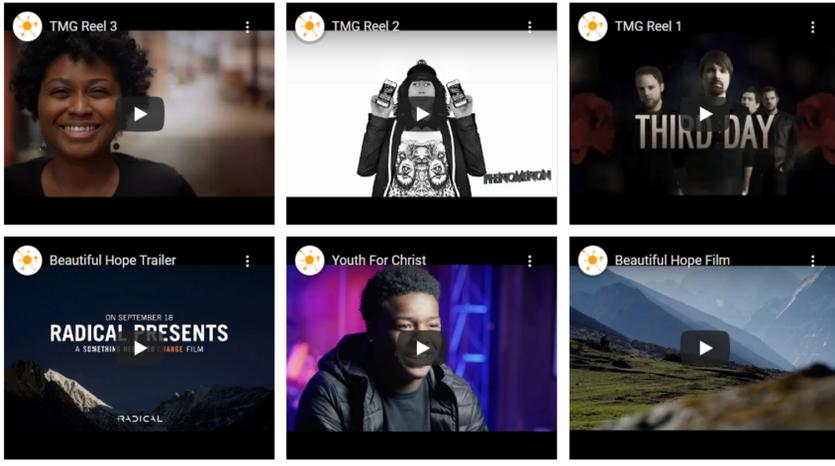
Our work is personal, custom, and top-notch.

LEARN MORE

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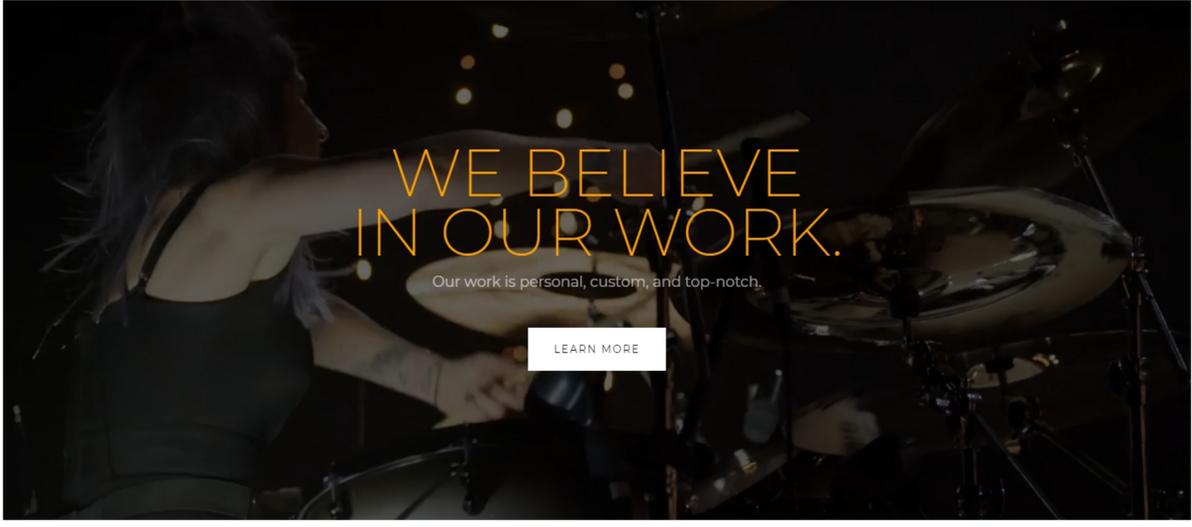
### Take the next step.

Do we sound like a great fit? Contact us today!

START NOW



# **KIMBLE DECLARATION EXHIBIT 11**



# WE BELIEVE IN OUR WORK.

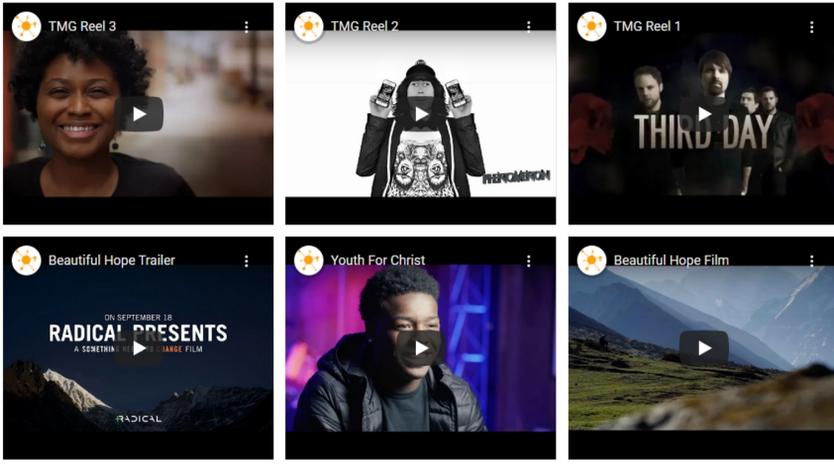
Our work is personal, custom, and top-notch.

LEARN MORE

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## WHAT DRIVES US

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## WHAT WE ARE BEST AT

### Our Services



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Plan, shoot, edit, animate, deliver & amaze - this is what we do. It doesn't matter if it's single camera, multi-camera, AE, or 3D, we create stories daily.



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The most meaningful stories are told among friends - a few hundred or several thousand. We direct events to be sure the story lands with impact.



#### Consulting

There will always be more to do than we can do ourselves. Let us share our experiences with your team and expand our reach together.

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## TEAM

### Meet the crew

As a husband and wife team, Carl and Angel make sure the job gets done the right way right on time...

...And they have a lot of fun doing it.



#### Carl Larsen

Carl thrives on variety.

He's equally at home in the edit bay, director's chair, or out in the field. He enjoys pushing buttons, is constantly learning, and always has a smile on his face. When he's not doing the work he loves, he can be found kayaking, skiing or playing with his nine amazing children.



#### Angel Larsen

Angel excels at seeing the big picture.

She keeps everything on track, makes sure each project runs smoothly, and is always honing in on the story. On top of that, she's an excellent producer, a constant encourager, and somehow finds time to homeschool the kids as well.



#### Strategic Partners

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Big or small, every project is unique. Our team grows based on the needs of the story. Jib, dolly, steadicam, or a full-blown TV crew, we'll make sure to have the right team for the project.

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# **KIMBLE DECLARATION EXHIBIT 12**

OPINION EXCHANGE

# Keith Ellison, Rebecca Lucero: We will prove LGBTQ discrimination is not free speech

Appealing the wedding videographer case right now could result in a loss with dire consequences. So we'll go back to trial to protect everyone's rights.

By Keith Ellison and Rebecca Lucero | OCTOBER 2, 2019 — 6:10PM

Minnesotans are decent people. We think everyone, no exceptions, should be able to live with the same dignity and respect we want for ourselves and our families. But that common decency is under attack in court.

Last month, the federal appeals court for the Eighth Circuit — in a divided 2-1 ruling with a strong dissent — ruled that, in at least one narrow, hypothetical case, a business in Minnesota that offers services to the general public can use the owners' personal beliefs to discriminate against same-sex couples.

We don't think that's right. Business owners' free speech and beliefs are already fully protected under the First Amendment. What they want is a license to discriminate against LGBTQ folks. But that's a can of worms that has unintended consequences for everyone, no matter who you are.

As Minnesota's chief legal officer and the commissioner charged with enforcing the Minnesota Human Rights Act, respectively, our task is to respect everyone's right to their personal beliefs, no matter how much we may disagree with them — and also to protect everyone's right to be free from discrimination in public.

The facts of the case are these. A video business in St. Cloud called Telescope Media says it wants to start making wedding videos. Unlike any wedding videographer we've ever heard of, this company claims it will exercise complete creative control over wedding videos, so that any couple getting married will be essentially merely actors in the videographers' short film. Telescope wants the right to explicitly exclude LGBTQ couples from this highly unusual service.

Refusing to provide that service would be against the law. The Minnesota Human Rights Act doesn't tell people what they can believe. No law can — that's fully protected for every American under the First Amendment to the U.S. Constitution. The law just says that if someone offers a service to the general public, they have to offer it to everyone.

With good reason. Imagine if a tax preparer refused to do your taxes because they disapprove of your marital status or think a woman shouldn't work outside the home. Imagine if a convenience-store clerk wouldn't let you pump gas because they don't believe in a religious symbol you're wearing or the color of your skin offends them. Imagine if your doctor or nurse denied you medical care — even in an emergency room — because of where you worship, what color your skin is, what gender you are or who you love, for example.

In some states, medical providers are already trying to do this, and the federal government is trying to make it easier for them. But the law in Minnesota is clear — it's illegal to do so.

People have the right to believe whatever they want to believe. What they don't have is the right to deny you the same service they're offering to everyone else. No Minnesotan should be afraid that might happen to them. The Human Rights Act protects all of us from that.

When Telescope sued in federal district court to be able to explicitly exclude LGBTQ folks from the wedding-video services they want to offer, the judge rightly dismissed the suit. He said that because Telescope offers services to the Minnesota public, it has to



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The authors say Telescope Media's fight to use personal beliefs to discriminate against same-sex couples is a case that has far-reaching,

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offer the same service to all Minnesotans. But when Telescope appealed, two out of three judges found that because of Telescope's highly unusual claim that the videographers would retain full creative control of customers' wedding video, it can hide behind "free speech" to discriminate against LGBTQ couples.

This ruling, while narrow for now, amounts to a license to discriminate against LGBTQ folks. As Judge Jane Kelly wrote in her strong dissent, "... what may start in the wedding business — 'we don't do interracial weddings,' 'we don't film Jewish ceremonies,' and so on — likely will not end there." It wasn't that many decades ago that segregated lunch counters were legal. Thankfully, we've moved beyond that ugly past. But letting this decision go unchallenged is the beginning of the path back to it.

We're not letting it go unchallenged.

We could appeal this decision to the U.S. Supreme Court, but the current makeup of that court means we're not likely to win, because the court would have to accept Telescope's fairy tale as true, since there are no other actual facts on record at this early stage of the case. A loss there would make this kind of discrimination against LGBTQ people the law everywhere in America. An appeal to the Supreme Court at this point in the case is exactly what Telescope and the extremist legal-advocacy group that represents it want.

Instead, the best path forward is to take the case back to federal district court. There, we'll be able to help the trial court establish a set of facts based in reality. Then, if it ends up on appeal again, including before the Supreme Court, the appellate courts will have to accept those facts as true, not Telescope's fanciful story.

In the meantime, we're going to keep honoring the First Amendment, which allows everyone to believe what they want, and keep enforcing the Human Rights Act, which allows every Minnesotan to receive the same services in public no matter who they are. Making sure everyone can live with the same dignity and respect we want for ourselves is just common decency. That's the side we're on.

Keith Ellison is attorney general of Minnesota. Rebecca Lucero is commissioner of the Minnesota Department of Human Rights.

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