

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS – EASTERN DIVISION**

JOSE CRUZ,

Plaintiff,

v.

REYNALDO GUEVARA, et al.,

Defendants.

Case No. 23-cv-04268

Honorable Georgia N. Alexakis

Mag. Judge Gabriel A. Fuentes

DECLARATION OF MARGARET BYRNE

I, Margaret Byrne, on oath, state as follows:

1. I am an adult over the age of 18, competent to testify and have personal knowledge of the facts set forth in this declaration.
2. I am the director of *To Catch a Case* (the “Film”). The Film is a documentary feature focused on the post-conviction process in Cook County. The Film is currently in post-production, although I am still doing interviews and engaging in other reporting activities relating to the Film.
3. In the Film, I follow retired detective Bill Dorsch’s quest to uncover wrongful murder convictions connected to former police officer Reynaldo Guevara. The Jose Cruz case may or may not be discussed in the Film because the subject matter of the Film is much broader than the Jose Cruz case and editing is ongoing.
4. The Film is being produced by Beti Films, which is an independent film company that specializes in visually rich, socially minded content.
5. I founded Beti Films in 2004, and I am the Director, Producer, and Cinematographer. I am the only full-time employee of Beti Films.

6. I have been working on the Film for more than six years. I am the principal camera person for the Film, and I captured all of the sound recordings with the assistance of a sound person.

7. In the course of reporting and researching the Film, I have done approximately 100 interviews. I have recorded approximately 1,000 hours of video footage and 1,000 hours of audio.

8. If I were directed to collect the materials called for in the subpoena, I estimate it would take me approximately 40 hours to go through the film, audio recordings, and written materials to collect responsive materials.

9. I understand from the Motion to Compel that Mr. Guevara seeks information relating only to Mr. Cruz. If I were to limit my search to materials relating to Mr. Cruz, I estimate it would take me approximately 20 hours to go through the film, audio recordings, and written materials to collect responsive materials.

10. Storing the film alone requires nearly 100 terabytes of storage.

11. Although there is a burden on Beti Films and me in terms of time and resources devoted to collecting and producing responsive materials, I also believe that being forced to disclose materials and information I collected through reporting would put a burden on my reporting activities.

12. My relationships with sources are built on trust, and I believe those relationships would be damaged if sources knew that information they provided me, whether in the form of documents or interviews, would be disclosed to parties in litigation. I realize that nonconfidential sources understand that portions of their interviews may be incorporated into publicly distributed documentaries, but that does not mean that they would be comfortable with my being used as a

conduit for a law firm to collect information. I believe that would materially detract from my ability to report both for the Film and for future films.

13. If my relationships with sources and subjects are damaged, that may also affect their willingness to participate in social impact campaigns for the Film and other Beti Films documentaries.

14. Social impact campaigns are integral to Beti Films' mission, as they involve direct collaboration with documentary participants during the outreach and distribution phases. All Beti Films productions, including *Raising Bertie* and *Any Given Day*, have actively engaged participants in impact campaigns, which include speaking engagements and panel discussions during screenings.

15. This involvement is crucial, because it honors the lived experiences of the participants and allows audiences to hear from those directly affected by the subject matter. The issuance of subpoenas, however, could create barriers to their participation, hindering the distribution of the films and preventing Beti Films from fully executing an effective impact and engagement plan. Without the active involvement of film subjects, Beti Films cannot effectively share its narratives with wider audiences, which is essential for achieving the intended social impact.

16. I have no first-hand knowledge regarding the murder for which Mr. Cruz was convicted and ultimately exonerated, the investigation of that murder, or Mr. Cruz's trial. I was not present for any of those events. To the best of my knowledge, the only documents Mr. Cruz provided to me regarding his cases are already in the public record.

17. In addition, Mr. Guevara states in his Motion to Compel that Mr. Cruz may have told me about his communications with his lawyer Fred Cohn. I do not recall Mr. Cruz ever discussing his conversations with Mr. Cohn.

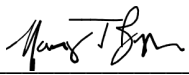
18. Prior to receiving this subpoena, Beti Films did not have legal counsel for the Film. I reached out to the Reporters Committee for Freedom of the Press for assistance, and they connected me to Mr. Healey.

19. Mr. Healey is representing me pro bono because neither I nor Beti Films have the funds to pay a lawyer. We are a small operation, and what limited funds we do have go toward the films we create. We also do not have insurance coverage for subpoena responses.

20. I have served as the director or cinematographer on several award-winning films. Here is a partial list: *American Promise*, Emmy Nominated and Winner of the Jury Award at the 2013 Sundance Film Festival; *All the Queen's Horses*, Winner Best Documentary Run & Shoot Filmworks Martha's Vineyard African American Film Festival 2017; *Raising Bertie*, Winner Best Documentary Feature 2016 Atlanta Docufest; and *Any Given Day*, Named Best Film of Hot Docs 2021 Toronto Film Critique Association.

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

Executed on 10 / 16 / 2024



Margaret Byrne