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FILED
ENDORSED

13 FEB 28 PM 2:52

LEGAL PROCESS #6

Attorneys for Plaintiff and Cross-Defendants
THE NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY
and EDWARD L. LUTTRELL

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN THE COUNTY OF SACRAMENTO

THE NATIONAL GRANGE OF THE ORDER
OF PATRONS OF HUSBANDRY, a
Washington, D.C. nonprofit corporation,

Case No. 34-2012-00130439

Plaintiff,

**NATIONAL GRANGE'S AND EDWARD L.
LUTTRELL'S DEMURRER TO EACH OF
THE CAUSES OF ACTION IN
MCFARLAND'S CROSS-COMPLAINT**

vs.

THE CALIFORNIA STATE GRANGE, a
California nonprofit corporation, and ROBERT
McFARLAND, JOHN LUVAAS, GERALD
CHERNOFF and DAMIAN PARR,

[Code Civ. Proc., §§ 430.10, 430.30, 430.50]

Defendants.

Date: May 14, 2013

Time: 2:00 p.m.

Dept.: 53

RESERVATION #1804368

ROBERT MCFARLAND, an individual,

Cross-Complainant,

vs.

THE NATIONAL GRANGE OF THE ORDER
OF PATRONS OF HUSBANDRY, a
Washington, D.C. nonprofit corporation, and
MARTHA STEFENONI, an individual, and
EDWARD L. LUTTRELL, an individual, and
ROES 1 through 10, inclusive,

Cross-Defendants.

Cross-Defendants The National Grange of the Order of Patrons of Husbandry (hereafter "The
National Grange") and Edward L. Luttrell hereby demur to the Cross-Complaint filed by Robert
McFarland on the following grounds:

1 (1) As to the First Cause of Action for defamation against the National Grange, the factual
2 allegations fail to state a cause of action; in addition, the demurrer as to the first cause of action should
3 be sustained for lack of certainty regarding the contents of the February 7, 2012, letter;

4 (2) As to the Second Cause of Action for public disclosure of private facts against the National
5 Grange and Luttrell, the factual allegations fail to state a cause of action;

6 (3) As to the Third Cause of Action for intrusion against the National Grange and Luttrell, the
7 factual allegations fail to state a cause of action;

8 (4) As to the Fourth Cause of Action for intentional interference with contractual relations
9 against the National Grange, the factual allegations fail to state a cause of action;


10 (5) As to the Fifth Cause of Action for intentional interference with prospective business
11 relations against the National Grange, the factual allegations fail to state a cause of action; and

12 (6) As to the Sixth Cause of Action for infliction of emotional distress against the National
13 Grange and Luttrell, the factual allegations fail to state a cause of action.

14 Date: February 28, 2013

PORTER SCOTT
A Professional Corporation

15
16 By



Martin N. Jensen
Thomas L. Riordan
Attorneys for Plaintiff and Cross-Defendants
THE NATIONAL GRANGE OF THE ORDER
OF PATRONS OF HUSBANDRY

3 **DECLARATION OF SERVICE**

4 I am a citizen of the United States and a resident of Sacramento County, California. I am over
5 the age of eighteen years and not a party to the within above-entitled action. My business address is 350
6 University Avenue, Suite 200, Sacramento, California. I am familiar with this Company's practice
whereby the mail, after being placed in a designated area, is given the appropriate postage and is
deposited in a U. S. mailbox in the City of Sacramento, California, after the close of the day's business.

7 On the below date, I served a copy of the following document(s):

8 **NATIONAL GRANGE'S AND EDWARD L. LUTTRELL'S DEMURRER TO EACH OF**
9 **THE CAUSES OF ACTION IN MCFARLAND'S CROSS-COMPLAINT**

10 on all parties in the said action as addressed below by causing a true copy thereof to be:

- 11 ☒ **By Mail.** I caused such envelope with postage thereon fully prepaid to be placed in the United
States mail at Sacramento, California.
- 12 ☐ **By Personal Service.** I caused such document to be delivered by hand to person(s) listed below.
- 13 ☐ **By Overnight Delivery.** I caused such document to be delivered by overnight delivery to the
office of the person(s) listed below.
- 14 ☐ **By Facsimile.** I caused such document to be transmitted by facsimile machine to the office of
the person(s) listed below.
- 15 ☐ **By E-Mail.** I caused such document to be transmitted by electronic format to the office of the
person(s) listed below.

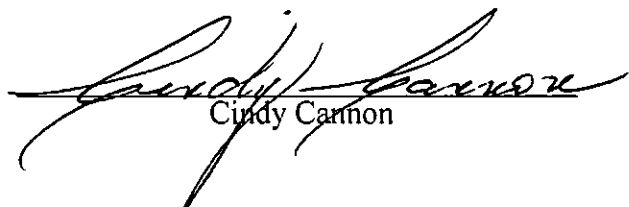
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23 I declare under penalty of perjury that the foregoing is true and correct. Executed at Sacramento,
24 California on February 28, 2013

25 
26 Cindy Cannon
27
28