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10 DEFENDANT ROBERT MCFARLAND

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SACRAMENTO

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

Plaintiff,

v.

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

Defendants.

Case No.: 34-2012-00130439

**DEFENDANT ROBERT MCFARLAND'S  
INDEX OF EXHIBITS IN SUPPORT OF  
RETURN ON ORDER TO SHOW CAUSE  
RE: PRELIMINARY INJUNCTION**

DATE: March 29, 2013

TIME: 2:00 p.m.

DEPT: 53

Complaint Filed October 1, 2013

Trial Date: None

Defendant ROBERT MCFARLAND hereby submits the following list of exhibits in support of  
his Return On Order to Show Cause Re: Preliminary Injunction:

<u>Exhibit No.</u>	<u>Description</u>
A.	Articles of Incorporation of the California State Grange
B.	California State Grange Executive Committee Report dated January 24, 2012
C.	California State Grange Executive Committee Minority Report dated January 25, 2012

<u>Exhibit No.</u>	<u>Description</u>
D.	Letter from Edward Luttrell to Bob McFarland dated August 1, 2012 re: suspension of Bob McFarland
E.	California State Grange Board of Directors' Resolutions
F.	Minutes from October 11, 2012 Annual Meeting
G.	Letter from Luttrell to California State Grange members dated March 1, 2013, requesting that dues be paid to the National Grange
H.	Letter form Steven Verrill to Bob McFarland dated February 19, 2013, requesting \$10,000 for "Grange Trial"
I.	Letter from Steven Verrill to Bob McFarland dated February 27, 2013, setting the "Grange Trial" for March 14, 2013
J.	Letter from William Lapcevic to Martin Jensen dated March 8, 2013, providing notice of ex parte hearing on March 12, 2013
K.	Letter from Martin Jensen to William Lapcevic dated March 1, 2013, confirming discovery extension to March 18, 2013
L.	Letter from William Lapcevic to Martin Jensen dated March 1, 2013, objecting to "Grange Trial" and requesting a stay or abatement
M.	Letter from Martin Jensen to William Lapcevic dated March 4, 2013, rejecting the proposal to stay or abate the "Grange Trial"
N.	Complaint filed by the National Grange on October 1, 2012
O.	Order Denying National Grange's Motion for Preliminary Injunction, dated October 17, 2012
P.	March 12, 2013 Order Granting Ex Parte Application for Temporary Restraining Order
Q.	Email from Steve Verrill dated March 13, 2013 re postponement of "Grange Trial"

1 Dated: March 13, 2013

2 ELLIS LAW GROUP, LLP

3 By

4 William A. Lapcevic

5 Attorney for

6 DEFENDANT ROBERT MCFARLAND

## **EXHIBIT A**

FROM PAYMENT OF  
MINIMUM FRANCHISE TAX

1-7-46 By telephone

FILED

In the office of the Secretary of State  
of the State of California

ARTICLES OF INCORPORATION

OCT 7 - 1946

210454

-OF-

By

"CALIFORNIA STATE ORANGE."

KNOW ALL MEN BY THESE PRESENTS: That we, the

undersigned, GEORGE SEHLMAYER, CELIA M. HARDING, HARRY BARNES,  
W. L. SMITH and WEELE MENSENBERG, have this day voluntarily  
associated ourselves together for the purpose of forming a  
non-profit corporation under the laws of the State of Califor-  
nia.

AND WE DO HEREBY CERTIFY:

1. That the name of this corporation is:

"CALIFORNIA STATE ORANGE."

2. That the purposes for which this corporation is formed  
are the following:

(a) To incorporate and take over all existing unincor-  
porated association known as "California State Grange."

(b) To purchase, hold, lease, grant real and per-  
sonal property, and have power to make contracts, sue and be  
sued, and otherwise acquire, sell, convey, transfer, lease to  
others, and otherwise dispose of, mortgage or otherwise encum-  
ber, real or personal property.

(c) To develop a better and higher manhood and  
womanhood among the members; to enhance the comforts and attrac-  
tions of the homes of the members, and to strengthen the attach-  
ment of the members to their pursuits; to foster mutual under-  
standing and cooperation; to maintain inviolate our laws and  
to emulate each other in labor; to reduce the expenses, both  
individual and corporate; to buy less and produce more, in or-  
der to make farms self-sustaining; to diversify the crops of

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members and to crop no more than the members can cultivate;  
to condense the weight of the members' exports, selling less  
in the bushel and more on hoof and in fleece, less in lint,  
and more in warp and woof; to systematize the work of members  
and calculate intelligently on probabilities; to discountenance  
the credit system, the mortgage system, the fashion system, and  
every other system tending to prodigality and bankruptcy.

(d) To meet together, talk together, work together,  
buy together, sell together, and in general act together for  
the mutual protection and advancement of members, as occasion  
may require; to avoid litigation as much as possible by arbitra-  
tion in the orange; to strive to secure entire harmony, good-  
will, vital brotherhood among its members and to make the same  
perpetual; to suppress personal, local, sectional and national  
prejudices, all unhealthy rivalry and selfish ambition.

(e) To bring producers, consumers, farmers and manufac-  
turers into the most direct and friendly relations possible;  
to dispense with a surplus of middlemen; to work for the bene-  
fit of the producer and consumer, and for all other interests  
that tend to bring these two parties into speedy and economical  
contact.

(f) To advocate for every State the increase in every  
practicable way of all facilities for transporting cheaply to  
the seaboard, or between home producers and consumers, all the  
productions of our country; to open out the channels in nature's  
great arteries, that the life-blood of commerce may flow freely.

(g) To oppose such spirit and management of any cor-  
poration or enterprise as tends to oppress the people and rob  
them of their just profits; to advocate the removal of antago-  
nism between capital and labor by common consent, and by an  
enlightened statesmanship worthy of the twentieth century.

(h) To advance the cause of education among its members and their children, by all just means within its power; to advocate for our agricultural and industrial colleges, that practical agriculture, domestic science, and all the arts which adorn the home, be taught in their courses of study; and to do all things formerly done by the State Grange, a voluntary association.

3. This corporation from time to time may do any one or more of the acts and things, or carry out any one or more of the purposes herein set forth, and may transact business in the State of California, in other States, in the District of Columbia, in the Districts, Dependencies and Colonies of the United States, and in Foreign Countries.

4. That the principal office for the transaction of the business of this corporation is to be located in the County of Sacramento, State of California.

5. That all members of the California State Grange, a voluntary association, at the date hereof, shall be members of the CALIFORNIA STATE GRANGE, a Corporation.

6. That this corporation does not contemplate the distribution of gains, profits or dividends to the members thereof.

7. That the organization of the CALIFORNIA STATE GRANGE, a corporation, shall be and remain as now existing, until otherwise changed or modified according to the rules and regulations of said Order.

8. That the Constitution of the CALIFORNIA STATE GRANGE, a voluntary association, shall be and remain the Constitution of this corporation, until otherwise amended or altered in the mode provided by said instrument.

9. That the present By-Laws of the CALIFORNIA STATE GRANGE, a voluntary association, shall constitute the By-Laws of the

corporation hereby created, subject to be altered and amended as provided in the same. That any amendments made to said Constitution and By-Laws shall conform to the Constitution of the United States and of this State.

10. That the CALIFORNIA STATE GRANGE may hold its annual and call meetings in any County in the State of California, and the proceedings of such meetings shall have the same force and effect in this State, as if said meetings were held and proceedings had in the County of Sacramento.

11. That the authorized number and qualifications of members of this corporation, the property, voting and other rights and privileges of membership, and the liability of each to dues or assessments, and the method of collection thereof, shall be set forth in the By-Laws of this corporation.

12. That there shall be five (5) directors; that the names and addresses of the persons who are appointed to act as the first directors are as follows:

NAME	ADDRESS
George Sehlmeier	2900 Regina Way, Sacramento, California;
Celia M. Harding	Route 1 Box 112, Fowler, California;
Harry Barnes	53 E. Santa Clara Avenue, San Jose, California;
W. L. Smith	Route 1 Box 15, Patterson, California;
Merle Mensinger	Escalon, California.

In witness WHEREOF, we have hereunto set our hands and seals this 20th day of September, 1946.


<u>W. L. Smith</u> (W. L. Smith)	<u>George Sehlmeier</u> (George Sehlmeier)
<u>Merle Mensinger</u> (Merle Mensinger)	<u>Celia M. Harding</u> (Celia M. Harding)
	<u>Harry Barnes</u> (Harry Barnes)




1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF SACRAMENTO )

4 on this 20<sup>th</sup> day of September, A. D., 1948, before  
5 me, CHARLES O. BUSTICK, a Notary Public in and for the County  
6 of Sacramento, State of California, personally appeared  
7 GEORGE SEELMEYER, CELIA M. HARDING, HARRY BURNES, W. L. SMITH  
8 and MARLE WENINGER, known to me to be the persons named as  
9 directors in the within instrument, and whose names are sub-  
10 scribed thereto, and severally acknowledged to me that they  
11 executed the same.

12 IN WITNESS WHEREOF, I have hereunto set my hand and  
13 affixed my official seal at my office in the City of Sacra-  
14 mento, County of Sacramento, State of California, the day  
15 and year in this certificate first above written.

16   
17 Notary Public in and for the County  
18 of Sacramento, State of California.

19 On motion duly seconded and carried, the Secretary  
20 was directed to file the Articles of Incorporation in the  
21 Office of the Secretary of State of the State of California,  
22 and also file a certified copy of said Articles of Incorpora-  
23 tion, duly certified to by said Secretary of State, in the  
24 Office of the County Clerk of the County of Sacramento, State  
25 of California. There being no further business the meeting  
26 adjourned.

27  
28   
29 Secretary of Preliminary Meeting of Organizers  
30 of California State Grange, Incorporated.

AFFIDAVIT

STATE OF CALIFORNIA )

County of Sacramento (SS)

On this 1st day of October 1946

Before me, CHARLES O. BUSICK, a Notary Public in  
and for the said County and State, residing therein, duly com-  
missioned and sworn, personally appeared GEORGE SEHLMAYER

and CELIA M. HARDING, who, being sworn, each for himself,  
deposes and says:

That the said GEORGE SEHLMAYER  
is the Master of California State Grange

and that the said CELIA M. HARDING is the Secretary  
of California State Grange.

That  
California State Grange is an unincorporated  
association and that said association has duly authorized its in-  
corporation.

That George Sehlmyer and  
Celia M. Harding have executed these articles  
of incorporation in their official capacity and by authority of  
such association,

George Sehlmyer  
George Sehlmyer

Celia M. Harding  
Celia M. Harding

Subscribed and sworn to before me this 1st day of  
October 1946.

Charles O. Busick  
Notary Public in and for said  
County of Sacramento

(Seal)



STATE OF CALIFORNIA

OFFICE OF

Franchise Tax Commissioner

SACRAMENTO 14

October 7, 1946

California State Grange  
c/o Hurlink and Borden  
601 Bank of America Building  
Sacramento, California

Gentlemen:

RE: Exemption From Franchise Tax

The claim submitted by your organization for exemption from taxation under the Bank and Corporation Franchise Tax Act is approved. Annual franchise tax returns need not be filed unless the character of the organization, its purposes, methods of operation, sources of income, or methods of distribution of its income, be changed. Changes in any of these particulars must be reported promptly to this department.

Very truly yours,

CHAS. J. MCGOLGAN  
Franchise Tax Commissioner

By

*Charles J. McGolgan*  
Assistant Tax Counsel

MAH:ro

cc - Sec. of State  
cc - Russell

## **EXHIBIT B**

Healdsburg members when I was training her. We changed the dates on the applications to match the paperwork.

Rick Keel  
California State Grange  
Public Relations  
[keelr@californiagrango.org](mailto:keelr@californiagrango.org)  
(916) 454-5805

Forwarded Message: California Executive Committee Report on Delegate Issues

California Executive Committee Report on Delegate Issues

Thursday, December 22, 2011 9:25 AM

From: "Jon Luvaas" <[Jonluvaas@gmail.com](mailto:Jonluvaas@gmail.com)>

To: "Ed Luttrell" <[eluttrell@nationalgrange.org](mailto:eluttrell@nationalgrange.org)>, Ed Luttrell @yahoo.com

Worthy Master Luttrell,

This is to report on the results of the California Grange Executive Committee's examination of point 2 of your October 10, 2011 letter - the State Master's role in seating delegates for the 2011 annual convention. We respond to each of the concerns raised in your letter and in the letter from Amy Self that brought her concerns to your attention.

In investigating each of the concerns and suspicions brought to our attention, we can find no evidence to support a charge that Brother McFarland approved or conspired to seat alternate delegates who were not qualified or that he conspired to recruit delegates who would support his reelection. To the contrary, when staff brought his attention to delegates they questioned, he promptly investigated and resolved those concerns by verifying that they were qualified and properly elected, or were disqualified.

Specifically, when Amy informed Bob that the Corralitos Grange had submitted questionable applications for two alternate delegates, Bob called the Corralitos Master and learned that a member of the Santa Cruz Grange had asked Corralitos to accept two Santa Cruz members as affiliate members and as their alternate delegates. He also learned that the Corralitos Master had approved them, without realizing that they needed to be approved by the membership. As a result of Bob's questioning, the Corralitos Master informed Amy by email that they had not been approved. There is no evidence that Bob recruited or authorized those delegates, contrary to any speculation or assumptions reported to you.

Regarding Richard Roth's demit to the Big Sur Grange, we are aware that Brother Garcia of the Biggs Grange felt pressured by Brother Roth to approve his demit. (We note that a demit may not have been necessary, since the Biggs Grange was inactive.) When Amy told Bob that she questioned this distant affiliation, Bob investigated and learned that Big Sur Grange members had asked Richard to affiliate and to be their alternate delegate because they could not attend and believed that his views are similar to theirs. Big Sur later confirmed that Richard was properly elected as an affiliate member and alternate delegate the evening after his demit was signed. It is unusual for a member to affiliate so far from home, but we find no prohibition in Grange law and no evidence that Bob solicited or facilitated seating this alternate delegate in violation of Grange law.

We are likewise unable to find any evidence that the State Master unlawfully approved, solicited, or conspired to seat alternate delegates for any other Grange in violation of Grange law. We find no Grange law prohibiting a state Master from approving delegate applications for members who are acquaintances, friends or relatives and we are aware that such relationships are common at all levels of the Order. Local Grangers may have sought delegates who share their views about issues or officers, but we find no evidence that our Master solicited delegates, knowingly approved unqualified applicants, or conspired with others to do so.

Although we have been unable to devote sufficient time to confirm that every alternate delegate was qualified, our subcommittee was able to verify a number of them and did turn away applicants from one Grange whose charter was not yet approved by the National Master. Since the convention is behind us and there is no evidence of wrongdoing by Master McFarland, we have determined that our efforts and limited time are best applied now to preventing a recurrence of such confusion in the future.

It is clear, from interviewing our staff, that the unusual number of applications for alternate delegates in the weeks before the convention added to their pre-convention stress and made verification very difficult. It was especially difficult because

McFARLAND - 000050

quarterly reports for the new affiliate memberships were not yet due, so their memberships were not yet recorded in our database and could not be verified in the usual manner. Adding further to their stress and confusion was the sheer volume of newer or newly revitalized Granges, new members, and newly elected Masters and secretaries who don't clearly understand the delegate election, application, and certification process. As a result, many Granges required considerable assistance from our office staff and Master, who were already loaded down with convention preparations. It is understandable that some delegates may not have been properly qualified.

Amy's letter makes clear that she was very uncomfortable with the verification process; didn't understand Grange rules or the rights and procedures for affiliate members to serve as delegates; did not trust Bob's opinion that new affiliate members can become delegates under Grange law; and did not trust him to confirm their qualifications or that their paperwork was in order. We do not question her confusion, but have found no evidence that Grange law was broken or that her suspicions were justified.

We are deeply concerned about these events and determined to develop a clear set of written procedures, training, and notices for our office staff and local officers in order to avoid a recurrence of this year's confusion. This may also include new deadlines, discounts for early applications, early online membership reporting, reorganization within the office, bringing in temporary staff to help pre-convention, etc. All new procedures will fully comply with Grange law and protect the integrity of the delegate seating process, while respecting the right of all members to affiliate with another Grange and be elected as their delegate, if that is the wish of their affiliate Grange.

We believe we have completed our obligation to investigate the actions of Master McFarland in seating alternate delegates to the 2011 convention. If anything remains for us to do in this regard, please advise us at your earliest convenience. We need to put this behind us and focus on the needs of our California Granges as we move forward into the new year.

Sincerely,  
Jon Luvaas, Chair  
California State Grange Executive Committee

## **EXHIBIT C**

January 25, 2012

TO: Ed Luttrell, National Grange Master  
FROM: Shirley Baker, Inger Bevans, Martha Stefenoni, CA State Grange Exec. Comm. Mbrs  
RE: "Updated Final Report from the California State Grange Executive Committee"  
dated January 24, 2012 (copy attached)

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Brother Luttrell,

After significant review of all the events and actions over the past 3.5 months surrounding the investigation you assigned the California State Grange Executive Committee to conduct, regrettably we find we cannot concur with the "Updated Final Report from the California State Grange Executive Committee," dated January 24, 2012 and ask that you consider this a minority report of the committee.

***Please note: for the remainder of this report CSG will refer to the California State Grange and EC will refer to the California State Grange Executive Committee.***

While in California on October 11, 2011 you determined that an investigation was warranted in at least 3 matters: 1) Falsifying Charter Applications and membership applications; 2) Seating of unqualified delegates at the upcoming convention; and 3) Potential harassment of CSG employees. On that date you met with and instructed then EC Chair, Shirley Baker that this investigation should leave no stone unturned. The EC was to diligently follow through on any item uncovered even if not referenced in your October 10, 2011 communication and no interference should be tolerated. Later that same day you met with and informed Overseer, Martha Stefenoni of the investigation to be conducted and again reiterated that you expected a complete, thorough investigation without interference.

As to point 1) *Falsifying Charter Applications and membership applications*, Master McFarland assures the EC that he has worked with National Grange Staff to make the necessary corrections. There is an e-mail from a CSG staff member that he and another CSG staff member changed the dates on the individual membership applications to coincide with the date on the charter as signed by the Master. The question of why the Master allowed the charter applications to be sent to National Grange without verifying that all dates were correct has yet to be fully answered.

Regarding point 2) *"attempting to seat delegates at the CSG Session that are not qualified"*, Executive Committee members Shirley Baker, Leo Bergeron and Martha Stefenoni directed CSG staff to pull the credentials in question and, when those people arrived to register, informed them there was a question about their credential and ask that they speak with one of the 3 EC members. At least 2 of the 3 EC members would greet the members then move away from the crowds to a quiet, inconspicuous place, and explain the dilemma. We asked each member to please call the Secretary of the Grange they were to represent and ask the Secretary to please fax or e-mail a sealed copy of the minutes of the Grange meeting that designated them as the Selected Delegate for that Grange. Most of the questionable credentials arose from a large number of last minute affiliations that occurred during the 3<sup>rd</sup> quarter of 2011 which had not yet been received and processed in the CSG Office. While no one was happy that this process was taking place, many of those we spoke to were able to provide the verification as requested and we were able to give them their credentials. All credentials had not been verified when the Annual Session of the California State Grange opened and, as people continued to arrive we kept trying to verify credentials. Mid-afternoon of the first day, from the floor, a member moved that any member presenting a credential be seated as a delegate. After much heated discussion, the motion passed. The validity of the motion in view of the CSG by-laws was questioned and the chair ruled the motion was in order. At that point, the credential investigations ceased and all who had presented credentials were seated with the exception of those whose Grange charters that had not yet been issued by National Grange.



After convention, attempts to clear up any credential questions continued. Some of the Granges who had delegate credentials questioned did not respond to our requests. Some members who had their credentials questioned provided explanations of why they chose to affiliate with Granges out of their local area. Although we tried, to the best of our abilities, we were not able to completely verify the questionable credentials.

Lastly, Point 3) "*employee harassment*", is probably, for many reasons, the most difficult. As Chairman Luvaas shared with you in his November 18, 2011 report, the issues involve much more than just differences of personalities. As he so aptly describes we have a "*dysfunctional management and delegation system and lack of procedural clarity and consistency, leaving far too much room for mistakes and disagreement*". Our investigation led us to individually interview each staff member including the Master, who by virtue of the office is also an employee, using a predetermined set of questions. In those interviews it was clear there were two vastly differing opinions of the workplace environment, what was happening within the office and the alleged tape recording of employees. However, there was no follow up interviews to try to determine the true workplace environment atmosphere and events within the office. At the conclusion of these interviews it was decided that workplace mediation was the first step in our attempt to improve the office environment and heal the rift. Participation in mediation on the part of all the staff was voluntary.

The EC met in mid November and as Chairman Luvaas reported to you on Nov. 18, 2011 "*We have concluded that this office desperately needs to recruit and hire an appropriately skilled General Manager to oversee and assign staff to operations and programs, reducing the need for constant oversight and interference by the Master. We will begin recruitment soon and will take a leading role in advising our state Master in the hiring process*". In order to accomplish creating an Executive Manager for the office, the EC would need to create a Duty Statement/Job Description for the position and determine a salary within the 2012 Budget adopted at the 2011 CSG Annual Session. We recognized that in creating this position, we would need to: update the current job descriptions/duty statements for the existing positions; update the Employee Handbook; and create an Office Procedure Manual, thereby providing the tools necessary for the Executive Manager to perform his/her job including performance reviews and evaluations. At this same meeting a report was given on mediator services. A mediator was chosen and the EC desired to begin the mediation ASAP working around the Thanksgiving holiday and would have a status report at the 12/7/11 meeting.

While the EC was arranging for the mediator, Master McFarland requested "an Executive Session of the Executive Committee on December 7 to discuss staffing changes". Upon receipt of this request Chairman Luvaas put on hold engagement of the mediator until after the 12/7/11 meeting.

A mediator was engaged in December and the process as described to the Executive Committee would be: 1) individual phone interviews with each staff members; 2) a restorative circle, which is a face-to-face meeting to air concerns, get feedback from the other participants; put forth ideas for improvement of the workplace environment and develop a plan of action; and 3) a post circle follow-up meeting to assess if the ideas put forth in the restorative circle are effective or if adjustments need to be made. The phone interviews and restorative circle took place in December and the post circle was tentatively scheduled for late February. All employees including Master McFarland took part in the December activities. Chairman Luvaas followed up with the mediator and Master McFarland on the results of mediation.

While the mediation was taking place the EC, recognizing the need to create and fill a Manager position, also realized that the office must be restructured. All tasks that must be completed by the CSG and its employees were compiled. These tasks were compared with the current employee duty statements and new duty statements/job descriptions were created and details are being finalized at this time.

On January 5, 2012, Chairman Luvaas forwarded to the EC an e-mail he received from then CSG Grant Writer, Lisa Burke, who, while doing grant research, had discovered a CSG job posting for an Office Manager position, which she noted looked to be a description for a position currently held by an employee of the CSG. Her question to Chairman Luvaas was: "Can you please provide some info to me on why this job was posted without any notification to the current staff?" Chairman Luvaas asked the EC to respond to his e-mail with any objections to 'his' proposed notice and several objections were raised. In a subsequent e-mail from Chairman Luvaas, it appears he was unaware the job ad had been posted without the advice and consent of the EC to be sure all aspects of this new position had been addressed. Up until this time there had been discussions via e-mail as to the Executive Manager job description, salary, and budget for staff restructuring, but there had not been an EC meeting called to approve the job ad, Executive Manager Duty Statement and/or Executive Manager salary. E-mail correspondence followed regarding outsourcing certain tasks, still no called meeting to discuss and vote upon the salary changes that would be needed to be sure we remained in compliance with the 2012 Budget thus providing accountability to the delegates. On January 6, 2012 Overseer Stefenoni suggested to the Chairman that some if not all of the details of creating a new position at the State Grange should be a part of an EC meeting, complete with minutes recording motions, discussion, and votes providing references to specific sections of the CSG By-laws. On January 7, 2012 in another e-mail to Chairman Luvaas, Overseer Stefenoni implored Chairman Luvaas to place on hold any further action until the EC approved the job description of an Executive Manager and had taken the necessary steps to properly amend the budget. Overseer Stefenoni provided, via e-mail, the text of sections of the By-laws she felt applied to these issues and noted her concerns as they regarded each section. Other members of the EC concurred with calling a meeting to formally take the necessary actions as they applied to the creation of an Executive Manager position. Chairman Luvaas called for a teleconference meeting and on Jan. 11, 2012 a meeting was held to approve the creation, job description and salary for an Executive Manager.

On January 11, 2012 an e-mail was received from Master McFarland regarding the bill from the mediator with a notation that no further services were being asked of the mediator at this time. When questioned as to why there would be no post-circle meeting, Master McFarland responded that two employees did not want to participate, one is no longer employed, one would participate, one either had not been asked or had not responded and he indicated he did not wish to participate in a post circle meeting. In the mediation summary received from Master McFarland the week following the restorative circle mediation session he indicated that a date was discussed for a post circle session. He (Master McFarland) was unsuccessful in persuading the mediator to delay that decision until after the mediator had reported to the EC. After further discussion he had the feeling that the mediator was not planning to report to the EC. Master McFarland left the mediation to attend another meeting.

Also on January 11, 2012 Master McFarland sent a Confidential – Intended for Executive Session e-mail in which he detailed in timeline fashion (almost daily) performance related issues with two employees over several months. Master McFarland, since his election to office, has chosen to manage the office staff himself but has presented no performance evaluations recommendations and follow up to the EC. The EC is very concerned with the items brought to our attention but believes that the office realignment, hiring of an Executive Manager, up-to-date Duty Statement/Job Descriptions, an up-to-date Employee Handbook and an Office Procedure Manual will provide staff with tangible, measurable expectations of their performance which they have not had in the past.

During the last two weeks the EC has completed development of a Duty Statement/Job Description for an Executive Manager, interviewed candidates for the position, and ultimately hired an Executive Manager who we anticipate beginning the week of January 25<sup>th</sup>. An agreement was reached on office alignment, and Duty Statements/Job Descriptions are in the final stages of approval. Ads have been posted for these positions.

This minority report is presented because we cannot agree that this "concludes our final report and this assignment is complete" as asserted by Chairman Luvaas. We make this statement based on the following reasons:

1) At the conclusion of the EC staff interviews there was no further investigation of the vastly differing accounts of events that took place in the office including the possibility of office conversations being taped without the employee(s) knowledge. There were many contradictory accounts of office events that lead to the dysfunctional workplace. Even though Master McFarland's and one other employee's accounts were vastly different from the other 4 employees, there was no further questioning to discern what was the most accurate account of the events that were raised. While we did recommend and offer mediation to the employees, at the conclusions of the EC interviews.

2) Master McFarland has failed to respect the process and procedures the EC set forth to try and improve the office environment by:

- interrupting the mediation process with his request for Executive Session to discuss staffing changes;
- posting the Executive Manager job ad before the Duty Statement/Job Description was completed and approved thus requiring a teleconference meeting to record the motions and votes regarding creation of an Executive Manager position, the Job Description/Duty Statement and salary.

These intrusions into the work of the CSG EC to improve the office environment at the CSG could be construed as interference on the part of Master McFarland.

3) Master McFarland's impediment of the engagement of a mediator; his unsuccessful attempt to persuade the mediator to delay the decision to schedule a post circle follow-up and his decision to not participate in a post circle meeting bring into question his sincerity in trying to help improve the office environment. His repeated attacks on the credibility and integrity of the work of the CSG staff without having previously exercised proper management and supervision could be viewed as retaliation toward the staff for bringing to the forefront questionable practices within the office. All but one of the employees in the office are Grange members as well as employees. Our 4<sup>th</sup> Degree obligation holds Grangers to a standard that says a Granger "will not knowingly wrong or defraud a Brother or Sister of the Order in word or deed."

1) Master McFarland has failed to claim ownership or accept any personal responsibility for any of the points the EC was charged to investigate but rather has, throughout this entire process chosen, to blame the employees.

We submit this minority report for your consideration as you determine if the investigation, you charged the EC to conduct on October 11, 2011 has been completed to your satisfaction.

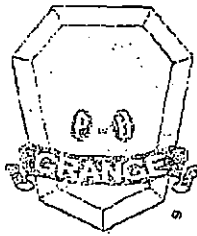
*Inger Bevans*

Shirley Baker

Inger Bevans

Martha Stefenoni

## **EXHIBIT D**



# NATIONAL GRANGE

## OF THE ORDER OF PATRONS OF HUSBANDRY

1616 H ST. NW, WASHINGTON, DC 20006 | PHONE (202) 628-3407 | FAX (202) 347-1019

*Unio. - a. Valuer. Hometown Roots.*

August 1, 2012

Brother Bob McFarland,

It is with heavy heart that I find I must exercise the authority vested in me by Section 4.10.7 of the National Grange Digest of Laws (Digest). I hereby suspend you from your duties as Master of the California State Grange.

Specifications of the Complaint required by 4.10.7 (B) (2) of the Digest are:

1. With regard to transactions involving the Vista (California) Grange:

A. On December 7, 2009 you violated 1.4.1 which reserves the right to issue Charters to the National Grange and 6.2.3 which deals with the process of reinstating the Charter in the matter of reinstating the Charter of Vista Grange which had been legally revoked, by signing the settlement agreement (Settlement Agreement) between Vista Grange and the California State Grange, specifically item 1 and failing to file the required paperwork.

B. On December 7, 2009 by signing the Settlement Agreement you violated the procedures set forth in Chapter 12 of the Digest in that item 2 of the Settlement Agreement "lifted" the legal Grange judgment against Hank Hitt and made it "of no force." Such action also violated your obligation as Master of the California State Grange, "I will support the Constitution and ByLaws of the National Grange, and of this State Grange, and I will inculcate a strict obedience to all laws.." by knowingly exceeding your authority.

C. On December 7, 2009, by signing the Settlement Agreement you violated 4.11.1 (A), (B), (C), (D), (E), and (F) of the Digest in that item 4 of the Settlement Agreement surrendered the responsibility of the California State Grange Master and the California State Grange Executive Committee (CSGEC) for required oversight of the sale of real estate of a California Grange.

D. On December 7, 2009, by executing the Settlement Agreement, you violated 4.11.1 (G) and (H) by signing the settlement agreement in that item 5 of the Settlement Agreement surrendered the responsibility of the CSGEC to provide required oversight in the collection, management, and dispersal of Grange funds received as a result of the sale of Vista Grange real property.

2. On numerous occasions you violated your obligations as Master of the California State Grange and as a Patron by omitting and misrepresenting facts about the Settlement Agreement to both the National Grange Executive Committee and some or all of the members of the CSGEC. In particular, you advised both Committees inaccurately of facts pertaining to the Settlement Agreement, and then filed in the minutes of the CSGEC a document purportedly spelling out the

terms of the settlement which in fact are significantly different from the terms in the Settlement Agreement.

3. Over the past two years you have shown a pattern of behavior that is contrary to the proper conduct of the Master of a State Grange by:

A. By submitting incorrect Chartering dates or being a party to such action on two Charter applications (Petaluma and Healdsburg Ballet.)

~~B. Allowing and/or encouraging members to affiliate with the purpose of becoming alternate delegates to the 2011 California State Grange Session.~~

C. Allowing a motion that suspended the By-Laws of the California in regard to the seating of delegates to the 2011 California State Grange.

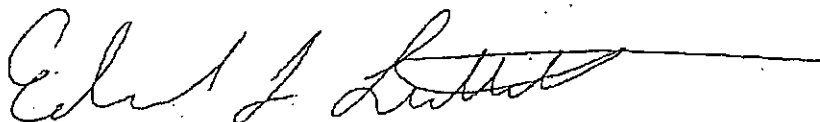
~~D. By bullying and allowing the bullying and intimidation of Grange members.~~

E. Either approving or failing to attempt to stop public misrepresentation of facts in reference to the Complaint filed against you in 2012 by four Grange members of the California State Grange and the subsequently Grange judicial process which resulted in your conviction for violation of the Digest.

This letter shall serve as the Complaint required pursuant to 4.10.7 (B) (2).

This Complaint will be referred to the Overseer of the National Grange who will recommend an Arbitration Panel and who, if necessary will recommend a Grange Trial Court.

Fraternally Yours,



Edward L. Luttrell, Master

The National

~~cc: Jimmy Gentry, Overseer of the National Grange~~

Martha Stefenoni, Overseer of the California State Grange

## **EXHIBIT E**

# California State Grange

*A California Corporation*

## Executive Committee Minutes

September 24, 2012

Sacramento, California

1 Regular meeting of the California State Grange Executive Committee was called to order by Chairman  
2 Jon Luvaas at 9:15 a.m. Those present were Master Bob McFarland, Executive Committee officers Jon  
3 Luvaas, Buzz Chernoff, and Damian Parr, Recording Secretary Kathy Bergeron, and Executive Manager  
4 Jeannie Gillespie. Absent were Executive Committee officers Shirley Baker, Inger Bevans and Overseer  
5 Martha Stefenoni.

6  
7 Also attending were Grange members Bob & Nancy Alvaraz – Yankee Hill Grange, Sylvia Sloan – Durham,  
8 Sherry Morehouse – Thermalito, Takashi Yogi – Marshall, Lew Neil – State Grange, Mike Green –  
9 Sacramento Pomona, Kaylynne Thone – Sebastopol, Gary Abreim – Sebastopol, Yannick Philips –  
10 Sonoma, Leo "T" Bergeron – Greenhorn, Glenn Destatte – Sacramento 850, Barbara Wallace –  
11 Sacramento Community, and Jan Saxton – Aromas.

12  
13 John explained that Bob McFarland and the CSG have been suspended by National Master Ed Luttrell.  
14 The Executive Committee does not believe this is legal as the CSG is a California corporation, and its  
15 Board of Directors is entitled and required to meet under the laws of this state. No action can be taken  
16 by the NG that is contrary to the laws of the State for California. We believe that we are in full  
17 compliance with all laws and that the national master is out of compliance.

18  
19 That is the plan for the annual convention as well. The law requires our membership meet annually.  
20 Calling that meeting off would be a violation of state law. We are all very clear that we want to be a  
21 Grange. We would like to negotiate everything to a good resolution, however we are not optimistic.  
22 We are operating as a Grange and a California Corporation.

### 23 24 Approval of Agenda:

25  
26 *It was moved by Buzz, seconded by Bob to approve the Agenda as revised. Motion carried. 4 in favor,*  
27 *0 opposed, 3 absent.*

### 28 29 Financial Management: Presented by Jeannie

30  
31 2011/12 Audit has been completed and approved. Just waiting on the final draft from our auditor. It  
32 took about six weeks to complete.

33  
34 Asset management accounts -All current and past interest has been paid, w/penalties, bringing all  
35 Grange and loan interest payments current for several quarters.

36  
37 Grange hall loan funds – Overview – most are doing very well. Dows Prairie - working with. East Lake -  
38 no payment since 2006. Bob asked to reaffirm that the memo of understanding to the East Lake Grange  
39 that they will pay down this loan with fund raising to the best of their ability and also put into place a  
40 \$1.00 per month payment Bob/Damian. Motion withdrawn.



42 *It was moved by Bob, seconded by Buzz that a triple net lease be offered to East Lake Grange ,*  
43 *including taxes and insurance and rent of \$1.00 per year to be paid monthly, with the option of buying*  
44 *title of the building for the balance of the loan, currently \$49,694.00. Motion carried. 4 in favor, 0*  
45 *opposed 3 absent.*

46  
47 Lake Earl makes payment, just not every month. San Luis Obispo Grange is struggling, six quarters  
48 behind in dues and 15 months behind in payments.

49  
50 Leo asked – regarding the completion of a two year audit by a professional auditor and the in-house  
51 bookkeeper, were there any improprieties and have they been rectified? Jeannie responded that there  
52 were improper procedures employed by staff prior to the audit but reported no improprieties. The  
53 system is now working with proper professional accounting procedures.

54  
55 Approval of the Minutes – Approve 8/5/2012 minutes, Bob proposed changes. Discussion.

56  
57 *It was moved by Buzz, seconded by Bob to approve the 8/5/21 minutes as amended. Motion carried. 4*  
58 *in favor, 0 against, 3 absent.*

59  
60 *It was moved by Buzz, seconded by Bob to approve the minutes of the 8/25/2012 meeting. Motion*  
61 *carried. 4 in favor, 0 opposed, 3 absent.*

62  
63 *It was moved by Buzz, seconded by Bob to approve the minutes of the 9/5/2012 meeting. Motion*  
64 *carried. 4 in favor, 0 opposed, 3 absent.*

65  
66 Back to Financials – Property Management – Jeannie

67  
68 Parking fees collected = \$7,600 year-to-date for 2012.

69  
70 Grange Dues Report: 139 of 180 paid Granges on quarterlies. Sent 14 letters w/statements to Granges  
71 two or more quarters behind that they may lose their delegate seat/s at convention.

72  
73 Jeannie reported that bank reconciliations had not been performed since 2006. After recently  
74 completing reconciling of all accounts from 2006 to date, the restricted funds owe the CSG \$52,688.33.  
75 Request funds reimbursement to bring us current to 2011.

76  
77 *It was moved by Bob, seconded by Damian to reimburse the CSG \$52,688.33 owed from the restricted*  
78 *funds from 2006 to 2011. Motion carried 4 in favor, 0 opposed, and 3 absent.*

79  
80 Asset Management ~ Jeannie

81  
82 Costa Mesa Grange requested distribution of balance \$165,139.81. No report received yet from Inger.  
83 Request was postponed to next EC meeting. A request will be made to Inger to communicate with them  
84 regarding their request. Discussion. Bob will send a letter to Costa Mesa Grange.

85  
86 Clovis Sanger Fowler requested \$6,950.00 – They will be putting up a new fence. All paperwork has  
87 been submitted.

88

89 *It was moved by Buzz, seconded by Bob to distribute \$6,950.00 to the Clovis Sanger Fowler Grange for*  
90 *fence asphalt and maintenance. Motion carried. 4 in favor, 0 opposed, and 3 absent.*

91  
92 Aptos Grange requested \$30,000.

93  
94 *It was moved by Buzz, seconded by Jon to distribute \$30,000 to the Aptos Grange for paving parking*  
95 *lot, water service and significant landscaping. Motion carried. 4 in favor, 0 opposed and 3.*

96  
97 Rosedale Grange requested \$10,000 for scholarships.

98  
99 *It was moved by Jon, seconded by Damian to request the Rosedale Grange provide the CSG its criteria,*  
100 *number, and amounts for awarding their scholarships and also suggest they consider donating funds*  
101 *to the CSG Foundation for awarding scholarships in their area. Motion carried. 4 in favor, 0 opposed 3*  
102 *absent.*

103  
104 Wisteria Interest – Jeannie stated all asset management and Wisteria interest is paid and current.

105  
106 Approve 2012 Reverted Funds Disposition

107  
108 *It was moved by Bob, seconded by Jon that the CSG abide by Resolution 11-002, which does not*  
109 *restrict the use of reverted funds in the year 2012 to be applied to a specific debt of the CSG. Motion*  
110 *carried. 4 in favor, 0 opposed 3 absent.*

111  
112 *It was moved by Buzz, seconded by Bob to task the CSG staff with providing a list of long term debts*  
113 *that could be paid with the 2012 reverted funds. Motion carried. 4 in favor, 0 against, 3 absent. This*  
114 *issue will be revisited at next EC meeting on 10/10/2012.*

115  
116 Following a ten minute recess, the meeting was reconvened.

117  
118 Legal issues involving the CSG

119  
120 *It was moved by Jon, seconded by Damian that the CSG Executive Committee take the following*  
121 *positions:*

- 122 1. *That the CSG EC considered all charges brought by National Master Ed Luttrell against CSG*  
123 *Master Bob MCFarland on August 1, 2012 and finds no cause to suspend the CSG Master based*  
124 *upon those charges.*
- 125  
126 2. *That the EC does not recognize any authority for Master Luttrell to suspend the CSG Master*  
127 *because Grange law prohibits any action under Grange law contrary to the laws of the land*  
128 *governing our Grange. Under the California Corporations Code governing our Grange, no*  
129 *body other than the members who elected a corporate director may remove that director from*  
130 *office.*
- 131  
132 3. *That the EC does not recognize Overseer Martha Stefenoni as the Acting Master of the CSG*  
133 *because Master McFarland's suspension by the National Master was unlawful under both*  
134 *Grange and California law and because she has a conflict of interest.*

136 4. *That the EC does not recognize Master Luttrell's authority to suspend the CSG Charter because*  
137 *doing so is contrary to the laws of the State of California governing our California Corporation.*  
138

139 5. *That the EC demands a cessation of harassment by the National Master against the CSG and*  
140 *its duly elected corporate directors.*  
141

142 6. *That, in any action taken by this EC, the officers or members of the Grange, or the National*  
143 *Master, the EC reserves the rights of the CSG to defend itself under Grange law and the laws of*  
144 *our state and nation.*  
145

146 7. *That the Annual Meeting (Convention) of the members of our nonprofit mutual benefit*  
147 *corporation will proceed on schedule, as required by the California corporations Code.*  
148

149 *Motion carried. 4 in favor, 0 opposed 3 absent.*  
150

151 *It was moved by Buzz, seconded by Damian that the position of the CSG EC be published to state*  
152 *grange members via e-mail, web site and hard copy to all Granges. Also, to provide a copy to the High*  
153 *Priest of the Assembly of Demeter and chairman of the EC of the National Grange. Motion carried. 4*  
154 *in favor, 0 opposed 3 absent.*  
155

156 *It was moved by Buzz, seconded by Jon to designate \$52,688.33, received from reimbursed funds from*  
157 *restricted accounts, to be deposited in a special trust account for legal expenses with our legal firm.*  
158 *Motion carried. 4 in favor, 0 opposed 3 absent.*  
159

160 Leo – taking care of corporate business. Complaints have been filed. Requests that officers be  
161 suspended from their positions until such time their actions have been found not destructive to the  
162 corporation.  
163

164 Per request of the Chair, Bob reported charges have been filed against Martha, Shirley & Leslie.  
165 Arbitration panels have been assigned for each.  
166

167 *It was moved by Jon, seconded by Buzz that the CSG EC finds that the complaint filed against Martha*  
168 *Stefenoni, in compliance with the California Corporations Code and the Digest of Laws of the California*  
169 *State Grange, section 14.13, Suspension of Officers, states sufficient grounds to justify immediate*  
170 *suspension from of her the office of Overseer and she will be tried pursuant to the rules and*  
171 *procedures for Grange trials. Motion carried. 4 in favor, 0 opposed, 3 absent.*  
172

173 *It was moved by Buzz, seconded by Damian that the CSG EC finds that the complaint filed against*  
174 *Leslie Parker, in compliance with the California Corporations Code and the Digest of Laws of the*  
175 *California State Grange, section 14.13, Suspension of Officers, states sufficient grounds to justify*  
176 *immediate suspension of her from the office of Secretary and she will be tried pursuant to the rules*  
177 *and procedures for Grange trials. Motion carried. 4 in favor, 0 opposed, 3 absent.*  
178

179 *It was moved by Damian, seconded by Jon that the CSG EC finds that the complaint filed against*  
180 *Shirley Baker, in compliance with the California Corporation Code, with the Digest of Laws of the*  
181 *California State Grange, section 14.13, Suspension of Officers, states sufficient grounds to justify*  
182 *immediate suspension of her from the office of Executive Committee and she will be tried pursuant to*  
183 *the rules and procedures for Grange trials. Motion carried. 4 in favor, 0 opposed, 3 absent.*

184

185

Reconvened after lunch recess.

186

187

*Morgan Stanley investment funds including asset management, restricted fund and foundation funds.*

188

*Wells Fargo CSG operating accounts. It was moved by Buzz, seconded by Damian to authorized new*

189

*signers on the Morgan Stanley investment funds and Wells Fargo CSG operating accounts who will be*

190

*Bob McFarland, Jeannie Gillespie, Marion Nichols and John Luvaas. Motion carried. 4 in favor, 0*

191

*opposed, 3 absent.*

192

193

Bob shared a letter from the National Grange.

194

195

Jeannie received a letter of intent from UC Davis to rent the 2101 Stockton Blvd. building.

196

197

Restricted Funds - previously managed by Inger. Clarification is needed about nature of restrictions.

198

199

*Contingency Funds - Discussed an appropriate amount to set aside and generally agreed it should be*

200

*5%-10% of the operating budget. To be further discussed at Convention.*

201

202

Grange Ag school update - Damian reported Little Lake has been putting together a proposal that they

203

are excited about. They will have report at convention. Discussion.

204

205

IRS Compliance for Granges. Discussion.

206

207

The National Grange per capita dues were paid on time for the first time in ten years. Appreciation

208

expressed by all

209

210

Meeting adjourned at 2.30pm


Respectfully submitted,

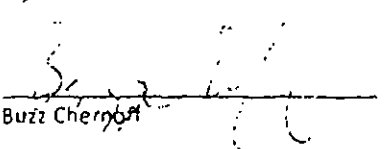
Kathy Bergeron

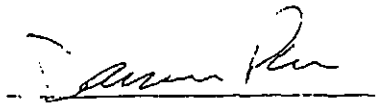
Recording and Past Secretary, CSG

Approved:

  
John Luvaas, Chair

  
Bob McFarland

  
Buzz Chernoff

  
Damian Parr

## **EXHIBIT F**

**California State Grange  
140<sup>th</sup> Annual Membership Convention**

**Thursday, October 11, 2012**

**9:30 AM Budget Presentations:** Cheri Bunker; welcome and please turn to your budget. Our income is up due to rentals of 2101 Stockton, and a change in funding of the deputy program. We are in the black at \$194,438.00.

**Master Bob:** We will open in the 6<sup>th</sup> degree. Anyone not sixth degree, you must leave the hall until we lower to the 4<sup>th</sup> degree.

**10:00 AM Session opens in the 6<sup>th</sup> degree of the California State Grange:** Officers will help open this session in the 6<sup>th</sup> degree.

**Bob McFarland:** Close session in 6<sup>th</sup> degree and will open in the 4<sup>th</sup> degree.

**Procession of State Officers**

**10:18 AM Session opened in the 4<sup>th</sup> degree.** This is the annual meeting of the CA State Grange; I stand ready to serve you until you otherwise decide. My name is Bob McFarland. We gather as we have for over 140 years. For these few precious days, while we gather let's bring a spirit of fraternity and friendship. Let's keep our spirits tuned to accomplishment and friendship. I would like to introduce Karina and Anne.

I am Karina McAbee Cottler, master of Little Lake Grange, welcome to Willits and our hall. We have been busy this last year getting ready and hope you enjoy the space. It's our honor to have you all here in our hall. Last night was really inspiring, we are a divergent group and we are coming together to work and have fun.

I am Anne Waters; I am your de-facto housekeeper this year. This is the zero waste convention, please be attentive to your waste stream. Please use one per day if possible, also a pitch for our youth selling stainless water bottles filled with filtered cold water. Parking, we would love to see people carpool from your hotel. Turn off cell phones. Youth have snacks for sale.

**Guests Present:** Are there any guests from National Grange? No.

**Roll call of officers:**

Bob McFarland, Master, Present  
Martha Stefenoni, Overseer— Cathy Bergeron Pro-Tem  
BJ Fitzpatrick, Lecturer, Present  
Bill Thomas, Steward, Present  
Brandon Nebitt, Assistant Steward, Present  
Miranda Moog, Lady Assistant Steward, Present  
Barbara Geiger, Chaplin— Diane Darling Pro-Tem  
Marian Nichols, Treasurer, Present  
Leslie Parker, Secretary— Cyndee Logan, Pro-Tem  
Bob Alvarez, Gatekeeper Present

Alicia Nieves, Ceres—Nancy Alvarez, Pro Tem  
Tiffany Leigh-Logan, Flora—Tara Logan, Pro-Tem  
Sylvia Sloan, Pomona, Present  
Lillian Booth, Musician—Ken Donnell pro-tem  
Buzz Chernoff, Executive Committee, Present  
Shirley Baker, Executive Committee—Leo Burgeon, Pro-Tem  
Inger Bevans, Executive Committee—Jerry Allen, pro-tem  
Jon Luvaas, Executive Committee, Present  
Damian Parr, Executive Committee, Present.

#### **Session Lowers to the 4<sup>th</sup> Degree**

**Welcome and Introduction by Jon Luvaas, Executive Committee Chair:** Thank you for coming, this has been one of the hardest years of my life. It has really been hard for Bob, I am proud of him for holding up. National Grange has been very hard on us. When the Grange was founded in 1870 it was founded to protect people from railroads, large corporations and an indifferent Capitol. California is one of the exceptions to Grange membership loss that are turning the Grange around. Many of our newer member's ideas are going back to our roots, which we have fallen away from over the years. Many States Members of National Grange have fallen away from our roots. We never expected the rules made to protect us would be used against us. California State Grange is theoretically acting under a suspension, and we were obligated to hire attorneys to protect our status: National Grange Law requires every grange to follow the laws of the nation. California was incorporated in the 1940's to protect our members. We called upon the laws of the state of CA to become a corporation. With a CA corporation, an elected director can only be removed from office by the members that elected that director. In attempting to remove our state director, the National Grange has violated the laws of the land, which we are by oath required to follow. We stood up for Bob and did not accept the National Grange order for him to leave. It is unfortunate CA law conflicts with National Grange Law. On Sept. 17 the CA State Grange Charter was suspended, with an order to turn over CA assets to the National Grange. We must hold our annual meeting by October 16 as per Grange law, plus we need to have our annual State Corporation meeting. If we did not meet, we would be in violation of the law. Since National Grange says we must follow the law of the land, we would also be in violation of National Grange law. Keep in mind; we are a fraternal organization to work in charity, hope, faith and fidelity. I look forward to our deliberations here and look forward to serving you.

**Introduction of Honored Guests:** Past Master and First Lady: Leo Bergeron and Kathy Bergeron. The Grange is a family farm fraternal organization, which is important. A few years back the farm word was taken out of our local Grange, and that goes back to the journey the Grange has taken away from our original roots. We were created to aid and assist the family farm. It has been a long time since the Grange has had a meeting where we could say most of the people had a connection to a family farm. We are getting back to our roots. There are diverse lifestyles and ideas in this process, but we are all people and our history dictates to us that we can meet, converse, present ideas, and disagree, but when the day is over, we can all stand together and be friends. Years ago big agricultural was the demon, and many people did not understand how difficult it was to be in the agricultural business. In our community, we have people in need of good fresh milk. They have a cow, they all take care of the animal, and now they can't do that. A regulation says raw milk cannot be moved around even if you own the cow. The family farms have been affected by anti-small farm regulations of the past 20 years. We gather here as a sifting ground to make sure things are done correctly, and as nature prescribed.

**Chaplin:** Short prayer in light of this moment.

**Approval of Standing Rules; Moved and seconded. Standing rules Adopted**

**Approval of Schedule.** Changes Saturday night Movie Dirt instead of Mr. Cottler; Friday Pancake Breakfast will Start at 8AM. Saturday after lunch will be a presentation by the Thermalito Grange. **Motion to approve schedule as changed and 2nd. Motion approved and adopted.**

**Approval of Executive Committee Minutes 2011-2012. Motion to approve Executive committee minutes and 2<sup>nd</sup>. Motion approved.**

**2102 Treasurers report, by Marian Nichols.** Worthy Members of the California State Grange, these have been trying times for the CSG, but we are still a great organization, with grand goals. We are champions of community service and we are also the leading in sustainable agriculture. The budget seems to be balanced and the Grange Stockton Blvd. property and parts of the GBO building are now rented. This should help some with our income. I know I have said this before but it needs repeating: Grangers should support agriculture, be active in rural and urban communities, protect the environment, and Volunteer. Volunteers don't get paid, not because they are worthless but because they are priceless. It has been a pleasure to serve as your CA State Grange Treasurer.

**Approval of 2013 Budget.** Jerry Allen, **Motion to accept the 2013 budget, 2<sup>nd</sup> by BJ Fitzpatrick.** Jon Luvaas, motion to amend the budget to include \$10,000.00 for grant writing as a line item in the 2013 budget. **Seconded by Cheri Bunker. Vote on Amendment, Amendment carries.**

Buzz Chernoff made a motion to amend the 2013 budget to provide an affordable health insurance medical package for our employees. **Seconded by BJ Fitzpatrick. Vote on 2<sup>nd</sup> amendment regarding 2013 annual budget: Motion Carries.**

**A Motion by Lanny Cottler to allocate \$10,000.00 to educate all Granges in all states of the rift between National and State Grange, and seconded by Gary Abram. Discussion on #3 amendments continues. Vote on amendment #3, Motion Failed.**

**Vote on 2013 budget. Approved as amended by #1 and #2 Motion Approved.**

**Partial Credentials Reports: 69 out of 197 granges in attendance, this shows us at 39% attendance and we have a quorum.**

**11:38 AM** Lanny Cottler introduces **Jon Jevons, speaker.** Jon, I am here to talk about the need for an agricultural school in Willits, and California. Willits was one of the last communities in CA that lost agricultural self-sufficiency. To quote Albert VonZint "Discovery consists in seeing what everyone has seen and thinking what nobody has thought" Alan Chadwick spoke of growing the spiritual properties of plants and that the quality will take care of itself. The garden grows the gardener. We need a farming school. There is as little as 32 years of farmable soil left in the world. The entire planet will be a desert in 68 years. Every time we eat 1lb of food grown by conventional farming practices 6lbs of soil are ruined. Each person eating all conventional farmed foods creates an annual loss of 6 tons of farmable soil. For CA the soil loss is 22 tons per year per person. Mayans did neighborhood bio intensive gardening. That is the reason they survived while other cultures crashed, but they did not do it sustainably, that is why they eventually collapsed.



Chinese used to call their farmers digging libraries. In the future, which is now, the new gold is farmable soil. Prices of farmable land are going up tenfold in Canada and Uruguay. Water will be the new Oil. The UN states 10 years from now, 10million people will not have the water to survive humanely. Japan imports 70 percent of its food, and Mexico imports 60 percent of food. Food for the future is now, and is in acting and doing. Gro-Bio intensive gardening uses 33 percent of the water conventional agriculture uses. All crops are not equal in caloric production; potatoes produce 19x the calories of wheat per area of production. The challenge I give to you is to grow 65 square feet of potatoes and 65 square feet of Jerusalem artichokes. Grow 60 percent of your garden calories in compost crops. Did you know organic gardening and farming is 50-84 percent not sustainable because of importing outside inputs—we need to close that loop. Most people in the world will have only 4000 sq. ft. to grow their food on, 1/8<sup>th</sup> the area we have become used to. Check out the positive things you can do to help as a Grange; public tool libraries; seed exchanges; demonstration orchards; Mini agricultural centers for learning and training how to grow food. The Grange agricultural School can be the re-greening of Willits valley. Most farmers work 60-80 hours a week, with an average net of \$6000.00 per year. Currently it Costs ¼ million to capitalize a farm. Average income in US is about \$45,000.00 per year. You can make that amount of money in a small area and produce all your food. I have a gift for the Grange Library, which consists of most of our publications. Get your public libraries to carry the publications. Did you know you can have complete diet two acre farms that produce food for 20 families? We must be the change we wish to see in the world. I want to see contests on who can grow the most calories, most compost or most money and have good prizes, people like competing in a friendly way. Cereal rye in average soil puts out 3 miles of roots a day with 387 miles of roots in one season. That plant is double digging for you. Roots are 8 times better than compost for your soil.

**12:06PM Anne:** Lunch is pasta with local meat from Fords ranch. Everything is organic and as local as we could get it. Master Bob; meeting adjourned until 1:10PM.

**12:10 PM** First Timers Lunch-CA State Grange

**Announcement:** Please contact me, Greg Krouse if you are interested in being in the Varsity show.

**1:20PM** Meeting reconvened in the 4<sup>th</sup> degree.

**1:20 PM Resolution Processing Instructions;** We ask a limit of 2 minutes to speak to a resolution per person, and please do not repeat exact statements of others. To get a new resolution on the floor now, it must go to the committee chair. You can make a motion at any time. Please go to a microphone to speak to a resolution or you will not be recognized.

#### **Resolution Processing**

**Resolutions:** Marian Nichols, Chairman of the Community committee. We are combining COM12-004 and COM 12-002 and COM12-001 into **COM12-001 - State Grange Mission Statement Amendment 2012**. The committee gives this a favorable recommendation for COM12-001.

Jim Crawford, Motion to amend the committee report: 1st Amendment Passed.

Motion by Liam Occoughrahal would like to add 2<sup>nd</sup> change to COM 12-004 and reject COM 12-001. Seconded. Motion Fails.

Damian, 3rd amendment Motion to add "and sovereignty," to the mission statement. Seconded. Vote: Motion carries on amendment about adding word sovereignty. Vote: Committee report as amended adopted. **Resolution COM 12-001 passed.**

**Resolution COM 12-001**

*Resolved: that The California State Grange Mission Statement be amended in 2012 to read as follows:*

*The California State Grange provides opportunities to improve the health and quality of life in our families and communities by encouraging local food security and sovereignty, small farms, food production, farmland preservation, education, and grassroots legislative action.*

Marion Nichols: The committee gives a favorable recommendation on **COM 12-003 - Affirmation of Diversity**. Motion by Lanny Cottler to accept the committee report and seconded. Motion Passed. **Resolution COM 12-003 passed.**

**Resolution COM-12-003**

*Resolved: That the California State Grange apologize to the Japanese American community for the Grange's participation in the injustices suffered by Japanese Americans during World War II and convey the apology via the Japanese American Citizens League and the Grange News. Let it be further*

*Resolved: That the California State Grange declare that it will not discriminate on the basis of race, religion, political affiliation, or sexual orientation.*

**1:54 PM Lester Roget:** Presented an autobiography to Bob McFarland and the CA State Grange. Proceeds of sales go to FFA and 4H and a youth camp.

Cathy: Raffle baskets tickets on sale at the back of the room.

Bill Thomas, Chairman of Grange Law committee, **GLA 12-003 - Continuing Support for CSG Granges**, the committee reports unfavorable. Kathy Bergeron moved and Cheri Bunker seconded to approve the recommendation to reject the resolution.

Vote: The Committee report as unfavorable passed. **Resolution GLA 12-003 failed.**

**GLA 12-005** has been withdrawn by the author; **GLA 12-006** has been withdrawn by the author; **GLA 12-007** has been withdrawn by the author; **GLA 12-008** has been withdrawn by the author; **GLA 12-009** has been withdrawn by the author; **GLA 12-014** has been withdrawn by the author.

**GLA 12-016 - CSG Officer Membership Requirement.** Committee reports resolution as unfavorable. Cheri Bunker, moved to accept the committee report, seconded. **The committee report as unfavorable passes. Resolution GLA 12-016 failed.**

Cheri Bunker, Chairperson Water committee; **WA 12-001 - Access to Potable Water is a Human Right.** Committee finds this unfavorable. Vote WA 12-001. **Committee report as unfavorable rejected.**

Buzz Chernoff made a motion, Damian seconded, to substitute the resolution for the committees report. Vote to accept resolution WA 12-001. **Resolution WA12-001 Passes.**

**Resolution WA12-001**

***Resolved: That the California State Grange supports, through legislative process, education, and publicity, that access to safe, sufficient, affordable water for daily human needs is a human right in California.***

**2:44PM Bob McFarland:** called Jim McDaniel on the phone to say hello from the convention.

**Buzz Chernoff: History of the Grange.** Back in 2002 a bunch of Grangers got together to ask what will the Grange be in 10 years. This is it! A group of grangers, that are interested and active in community agriculture and health. We have young people, working people and elders. In my experience we have always been top heavy with elders and lacking farmers.

145 years of history in 10 minutes or less: CA State Grange was started by Oliver Hudson Kelley. He was from Boston, not a farmer by birth, really interested in soil and collecting data. Started Benton society in Minnesota, and really had his roots in agriculture and was tuned into the farmers. At that time farming was doing well. This was right at the beginning of the industrial revolution. Benton worked with the forming of USDA, and surveyed the south and found dismal conditions. He found that he could be accepted into new areas by being a member of a fraternal society (Masons) he came back from his travels with the idea of an agricultural fraternal society, talked to the founders of the National Grange and worked toward the formation of the CA state Grange. Utah Phillips states bankers loan an umbrella when it's not raining, then when it rains want the umbrella back. Kelly saw farming transport costs become high; and that farmers were having a really hard time. Benton had the knowledge of what was needed. The farmers used the Grange to get together to solve the problems of their day, the meetings of that day were pretty wild. This was a group of activists. The Pilot Hill Grange was the first Grange in CA. This was chartered in 1870. Baxter of Napa was appointed a deputy of Grange in 1871 CA. At the start of a Farmers Meeting on May 5, 1873, in San Francisco the Grange was talked about, people were so impressed with the Grange fraternity, the union was not further discussed and the Grange really got going. This farmer meeting, lead to the CSG being organized in July 1873. 35 Granges came from that meeting. At the first state convention, 104 granges, attended in San Jose.

Early Grange activism included: Outlawing Corporations with Antitrust laws; regulation of rail, cart and shipping rates, nationalization of the railroad, shipping, meat packing, oil and telegraph industries supported unions, state run programs for unemployment insurance and old age pensions and an end to child labor. What we are dealing with now is not new, but a great part of the history of the Grange. We started out as activists.

**Read into minutes: Letter of May 17, 2012, REPRIMAND on the National Grange letterhead, unsigned.**

***"The National Review Board directs that this reprimand be read during the next meeting of the Prunedale Grange #388 and the California State Grange and placed in the minutes of each.***

***The Trial Court of the National Grange, meeting on March 31, 2012 found Bob McFarland, Master of the California State Grange, guilty of two charges of violation of the Digest of Laws of the National Grange.***

***Charge One-Violation of Article IV, Section 4.43, "If the consolidating Granges fail to submit a proposal which includes the sale of real property owned by the dissolving Granges, then, in that event the said real property shall revert to the State Grange having jurisdiction and the Master with the advice and consent of the Executive Committee of said Grange shall determine the disposition of said real property for uses in accordance with the general purposes of the Order."***

*Bob McFarland clearly did not intend to follow the digest as the motion approved by the Executive Committee clearly stated that to gain approval of the consolidation it was incumbent on both the principal and interest being held by the State Grange and thus prohibiting the interest from the invested fund from going to the local Grange. The proposals offered by the Grange wishing to consolidate were thus not acceptable due to the illegal motion. Though the suggested concept for the use of the money was good it was clearly in violation of the Digest. Compliance with the Digest of Laws of the National Grange is of utmost importance for all members of the Grange. A State Master not only should set the example but also is responsible for seeing that the Digest is followed by members of his state."*

Cheri Bunker Water Committee Chairperson, **WA 12-002 CA - Support Desalinization Plants in Southern California and San Francisco Bay Area**, committee votes in favor of the resolution with their changes. No one seconded. The committee withdraws changes to the original verbiage, to go forward as their recommendation. Motion, reject committee recommendation of favorable on WA 12-002. Seconded. Vote: Reject committee recommendation passes. **Resolution WA 12-002 failed.**

Cheri Bunker Water committee chairperson, **WA 12-003 - Stop The Bay Delta Conservation Plan**, Committee reports favorable. Motion by Kent Westwood and seconded by Bob Alvarez to accept the committee's recommendation. Vote: Accept the committee's recommendation. **Resolution WA 12-003 passed.**

**Resolution WA 12-003**

***Resolved: that the California State Grange should oppose The Bay Delta Conservation Plan on all levels and protect the residents, the farmers and the Bay Delta, the great inland waterway from being tampered with by the government of the State of California, the Federal Government or any private interests.***

**WA 12-004 - California Canals and Water Storage.** Committee recommends favorably. Motioned by Carlene, seconded by Bill Thomas to accept committee's recommendation. Motion by Ken Donald to amend the resolution, "to complete this system with all current environmental laws and regulations and conforming to modern hydrological science. And strike the last resolved. Seconded by Liam Occoghrall. Vote on amendment passes. Vote on favorable recommendation of Water committee as amended fails. **Resolution WA 12-004 failed.**

**Recess called until 3:40 PM.**

**3:55 PM meeting reconvened.**

**Legislative Director Mike Green:** We are making progress with CA State legislature, you have to be in the building and be able to say your piece. I will be happy to answer your questions after the talk. At the 139<sup>th</sup> meeting last year, 159 voting delegates passed 20 resolutions. The resolutions passed lay the foundation for what we act on during the year. Nine resolutions you passed last year were National resolutions and 14 were State resolutions. Of the 9 sent to National, none were adopted. Of the 14 state resolutions, 5 were of particular importance: Labeling of GMO foods, reduction of organic farmer fees, Banning neo-nicotine pesticides which cause colony collapse, another regarding GMO's and one on food sovereignty. We met with legislative staff when legislation regarding Grange resolutions were talked about at the committee level. We also send letters to legislators. We sent out to Grangers requests by email to contact legislators about key issues as the appropriate times to act came up. If a Grange favored bill passes, we meet with the Governor's staff to discuss the bill. Of the 20 adopted last year, 3 were adoptees for legislation. Res 28 called for fees if farmers wanted to transition to organic farming, this passed through assembly and senate. AB1625 was sent for Governor's signature which he declined. Res 53 banned neo-nicotine pesticides. The hearing on the resolution was not

even discussed, and was very disappointing. Res 54, the local food sovereignty resolution provided for sales from producers to consumers. AB 1616 CA homemade food act passed assembly and senate appropriations on Aug 30, and sent to Governor on Sept 21 was signed and will go into effect. Prop 37, included the collection of over one million signatures to put on the ballot the labeling of GMO foods. This is now on the ballot for this November. Are there any questions? Why did the Governor not sign a zero cost to the state bill that had passed through Assembly and Senate? He did not give an answer to that.

Resolution: Lanny Cottler chairman GOV committee. **GOV 12-001 - Support a Constitutional Amendment to Limit Corporate Power**, committee finds the resolution favorable. Damian Parr motion to accept, seconded. Jim Crawford, while I agree, I move to amend the last part of last sentence to end at "natural persons only and not corporations." Seconded by Cheri Bunker. Vote on amendment, Amendment failed.

Laura O'Donnell motioned to amend as follows: After natural persons only "that money should not be a factor gaining rights to free speech" Seconded by Cheri Bunker. Vote on wording as amended. Amendment failed. Question called. **Vote on resolution GOV 12-001 passed.**

#### **Resolutions GOV-12-001**

**Resolved: That the National Grange supports an Amendment to the Constitution of the United States of America to clarify that the rights enumerated in the Constitution are for natural persons only and that money is not equal to free speech.**

**GOV 12-002 - Support Immediate International Support and Assistance to Japan**, committee recommends in favor of this resolution. Motion to amended by Rich Saxe, change wording to show National Grange and CA State Granges urgently supports a plea for international action seconded Liam Occougharall. Vote on amendment passed. **Vote on GOV 12-002 as amended passed.**

#### **Resolution GOV 12-002**

**Resolved: That the California State Grange and National Grange urgently supports a plea for international action, and calls upon the United States to take the lead in pressing for Japan to accept immediate international assistance and support, and be it further;**

**Resolved: That the California State Grange, National Grange and all Grangers be urged to contact their state and federal representatives to demand their immediate nonpartisan action to address the continuing threat of the nuclear disaster at Fukushima.**

**GOV 12-003 - Return the Federal Domain Lands to the States Where They Belong.** Committee votes favorable on GOV 12-003. Marian Nichols moved accept the resolution and was seconded. Jerry Allen, moved for an amendment to return Federal lands to respective Native American tribes from which they were stolen, motion seconded. Vote on amendment. Amendment fails. **Vote on GOV 12-003 resolution failed.**

**GOV 12-004 - "Sharia Law".** Lanny Cottler Chairperson, Sharia Law has no legal standing in the state of California, committee vote is unfavorable. Vote on unfavorable report for GOV 12-004. Committee report Passed. **The resolution GOV 12-004 failed.**

**GOV 12-005 - Rights and Liberties.** Committee report unfavorable. Kathy Bergeron moved to postpone indefinitely and seconded. Vote to postpone indefinitely, passed. **GOV 12-005 postponed indefinitely.**

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**GOV 12-006 - Pay as You Go Public Retirements.** Committee finds favorable. Liam Occoughall move to accept, and seconded. Vote: Accept the committee favorable recommendation. Failed. **Resolution GOV 12-006 failed.**

**5:18 PM Labors of the day are closed.**

**End Thursday, October 11 session**

## **Friday October 12, 2012**

**9:35 AM Meeting opened in the 4<sup>th</sup> degree.**

**Master Bob:** This convention has the best food ever. Applause for kitchen crew and special thanks to Anne Waters

**Roll call of officers:**

Bob McFarland, Master, Present  
Martha Stefanoni, Overseer absent, Cathy Bergeron--Pro-Tem  
BJ Fitzpatrick, Lecturer, Present  
Bill Thomas, Steward, Present  
Brandon Nebitt, Assistant Steward Present  
Miranda Moog, Lady Assistant Steward, Present  
Barbara Geiger, Chaplin absent-- Diane Darling—pro-tem  
Marian Nichols, Treasurer, Present  
Leslie Parker, Secretary absent-- Cyndee Logan, Pro-Tem  
Bob Alvarez, Gatekeeper Present  
Alicia Nieves, Ceres absent-- Nancy Alvarez-- Pro Tem  
Tiffany Leigh-Logan, Flora, absent--Susan Wilford--Pro-Tem  
Sylvia Sloan, Pomona, Present  
Lillian Booth, Musician, absent--Ken Donnell--pro-tem  
Buzz Chernoff, Executive Committee, Present  
Shirley Baker, Executive Committee, absent--Leo Bergeron Pro-Tem  
Inger Bevans, Executive Committee, absent—Jerry Allen-- pro-tem  
Jon Luvaas, Executive Committee, Present  
Damian Parr, Executive Committee, Present

**Reading of summary minutes of October 11, 2012.** Full text of resolutions and presentations not read. Summary minutes accepted as changed and with an addition to add more info about Jim McDaniel. **Moved to accept by Bill Allen and seconded. Vote approval as amended. Approved Minutes of October 12, 2012.**

**Credential report:** 63 out of 171 community granges and 11 out of 27 Pomona Granges for a total of 38% which is a quorum.

**GOV-12-007 - Prohibit Legislative Vote Changing.** Government committee chair Lanny Cottler, committee votes favorable. Buzz motioned to remove 2nd resolve. Seconded. Vote, approved amendment. Jon Luvaas, motioned to change "in committees and on the floor" and it was seconded. Vote on amendment, passed. BJ, motioned to send back

to committee, seconded by Leo Bergeron. Vote on motion to send back to committee, failed. **Vote on adopting GOV 12-007, Passed.**

**Resolution GOV-12-007**

***Resolved: that the California State Grange urge our California Lawmakers to prohibit vote changing and vote adding in both houses of our State Legislature after the final vote on the matter has been concluded in committees and on the floor.***

**GOV 12-008 - Drivers Licenses For All.** Lanny Cottler chairman government, committee found favorable with 2<sup>nd</sup> resolve dropped. Charlie Beschart moved to adopt, and it was seconded. Jerry Allen motion to Amendment "to all of age in CA who are of age and legally eligible", seconded by Damian Parr. Vote on amendment. Amendment adopted. **Vote on resolution GOV 12-008 as amended, resolution approved.**

**Resolution GOV-12-008**

***Resolved: That the California State Grange urge the California Governor and Legislature to open driver testing and licensing to all of age and eligible in California , regardless of immigration status.***

**GOV 12-009 - Identifying Highways at Major Interchanges.** Lanny Cottler Government chairperson, committee report favorable. Motion to accept committee report. Seconded by Cheri Bunker. Vote, resolution GOV 12-009 passed. **GOV 12-009 resolution passed.**

**Resolution GOV-12-009**

***Resolved: That the CSG and the National Grange encourage all State road divisions to paint highway lanes with the appropriate highway information including the highway number and direction (North, South, East or West) a minimum of one mile prior to the interchange turnoff at major cities.***

Question to title of GOV 12-002; A change of title by the committee was requested, and agreed upon by the membership. The title for GOV12-002 was changed to: **SUPPORT FOR IMMEDIATE INTERNATIONAL SUPPORT AND ASSISTANCE TO JAPAN.**

Karina Cottler, personal privilege, Fukushima directly affects me as my family lives there. I have been following the radiation streams and this is a mess.

Announcement's: Youth: We have more water bottles to sell; we are also now selling jam and apple butter from Two High ranch. Sunday morning at 9AM there will be the service for passed Grange members of the last year and veterans. Please watch, [www.geneticroulettemovie.com](http://www.geneticroulettemovie.com) this directly relates to Prop. 37. Please watch this and send to your friends, it will be viewable until next Wednesday.

**10:59 AM Masters Report:** Master Bob McFarland. This past year has been very difficult for our executive committee and me to do our job for you. We have had to spend more time on defending ourselves than we have ever wanted to. The following list is not as good as I would wish. We lost 6 granges last year. We should have been able to see this coming and picked up on the signals. In a year like this last year we have not been able to give our struggling granges as much help as we could have had our attention not been elsewhere. We did start 4 new granges. National has not been of help to us. National does not like some of the names of our new Granges, even though they reflect their communities. We turned down millions of dollars in renovation dollars to have a theatre, and still be the Grange, by the

City of Cloverdale. The headline of the local paper said Grange locks out community. We really missed that opportunity to shine. The Sacramento Grange performance arts center in the old GU building is thriving. We do have a new Grange there, the Green Valley Grange. We have been told by National they don't like the content coming out of the theatre. The Biggs Grange, in a Latino community should be a Latino Grange, reflects the community of the Grange, and we started one there, also Coalinga and other Hispanic communities. We have started 37 Granges since my election to office. I see nothing wrong with the communities where a Grange building is becoming the Grange. We have found ways to attract our communities back to our Granges, back to our roots, back to relevance in their communities. I will not have a small unhappy group stop this process. In the Grange the majority of votes tell me what to do, we are a democratic organization. When we joined the Grange we took a sacred oath to abide the laws of the Grange and the State and Nation. When did we ever give up our civil rights? Ultimately you, the members will decide what will happen with California. For example, this convention, we were told we could not conduct business; we are conducting business as a California corporation; and hopefully as a Grange. National hired attorneys in an attempt to take over the office, keys, communications, etc. so we would only hear the voice of the National Master. The judge found in our favor. We will be back in court, over the idea that they own us by our oaths and bylaws. There is a chance our Charter will be revoked. If we are revoked, we will not be able to call ourselves a Grange. The idea that one small part of the National Grange and a few people at State can take that away from us is wrong. The law used to suspend us was just made, last year. California Law says in a membership organization laws that substantially change the rights and privileges of the members must be approved by the members. It is your right to make those decisions.

**11:40 AM** Information about the GREAT program for Grangers in need presented. The Dows Prairie Grange donated \$200.00 to the GREAT program through fundraising at their Grange.

**11:38 AM** Grange placed at ease.

**11:45 AM** GWA coin march.

**Aprons Auction:** Beautiful models for 5 Grange made aprons. A complaint was made by a potential model for not being allowed to model, they were told to have their Grange make one for him next year. \$202.00 made from the auction.

**12:09 PM** Annie Waters: Led song of Grace prior to lunch. Grange placed at rest, for lunch.

**1:16PM** Master Bob called meeting back to order. Grange meeting reconvened.

Cheri Bunker, personal privilege: On Behalf of Butte Co. Pomona, we would like to present this gift of a hot air balloon light.

**Executive Committee Nominations:** This is for the seat Buzz Chernoff vacated, and will be for a three year term.

Nominations: Jon Luvaas nominated Jerry Allen, from Sonoma County. BJ Fitzpatrick nominated Buzz Chernoff, Buzz declined. Buzz Chernoff nominates Takashi Yogi, from El Dorado County. Brother Nichols passed out ballots, balloting team collected ballots.

Motion by Kathy Bergeron, seconded by Buzz Chernoff.

*That the CA state Grange reinstate free membership during the month of April which is "Grange Month".*

**Unanimous approval** by the membership of the California State Grange.



**HEW 12-001 - Reclassification of Cannabis.** HEW Patty Allen chairperson, committee report unfavorable. Patty Allen motioned to accept the committee report, seconded by Kathy Bergeron. Vote to accept committee recommendation. Vote, committee recommendation failed. **Called for division of the house.** Head count: Unfavorable to the committee report: 66, in favor of the committee report: 33.

Leo Bergeron recommends to reject the resolution, and it was seconded. Motion to reject the resolution. Vote, to reject. Motion failed.

Motion to be voted on as it stands. Scott McKeown amendment to strike the 2<sup>nd</sup> resolve and was seconded. Voted on amendment approved.

Scott McKeown, motioned to vote on resolution as amended and was seconded. Vote to approve HEW 12-001 as amended. Motion approved. **HEW 12-001 approved as amended.**

### **Resolution HEW-12-001**

***Resolved: California State Grange actively supports policy that Cannabis/marijuana to be removed from a schedule I (no medical use) to reclassifying Cannabis/marijuana as a schedule 2 - substance having medical use.***

### **Executive Committee Election results.**

EC 1<sup>st</sup> seat; 117 ballots,

Jerry Allen 51

Takishi Yogi 66.

**We have elected Takashi Yogi as Executive Committee member.**

### **Executive Committee Nominations:** Nomination for Shirley Baker's vacated seat.

Cheri Bunker nominates Leo Bergeron, Leo Bergeron declines. John Luvaas nominates Jerry Allen. Jerry Allen, Sonoma County accepts. Wendy McFarland nominates Kathy Bergeron from Siskiyou County. Kathy Bergeron accepts nomination. Brother Nichols passed out ballots, balloting team collected ballots.

Resolution from the floor: Laurence Jaffey, Sonoma County. This is to address Martha Stefenoni. Based on my personal experience I believe Martha Stefenoni has violated our Grange oath. I, Lawrence Jaffey, must at this time make a motion based on the oath we all took; I move to ask Martha Stefenoni to expel herself from our order. Seconded by Damian Parr. Damian, due to her harassment we have not been able to work on the agricultural school as directed at last year's meeting and it received hardly any attention. There was not time for the creative process of our Grange. After taking into the account the charges against Master Bob McFarland, which I took very seriously, and took a long time investigating, out of respect to myself, I will take no more time considering allegations by Martha Stefenoni. I take my time very seriously. I filed three charges against Martha Stefenoni as follows: Charge 1 Violating the right of the Grange to be represented by its duly delegated representative members, Charge 2 wrongfully accusing Bob McFarland. Charge 3 Respondent violated CA law and Grange law by trying to remove State Master and take his pay. Kathy Bergeron, We do have a complaint filed at this time, and have processes to follow. By asking for her to remove herself, as the motion states, this does not interfere with that process. Previous question called. **Voted, motion approved.**

***Motion: Ask Martha Stefenoni to expel herself from our order.***

**Executive Committee Election results.**

EC 2<sup>nd</sup> seat; 112 ballots,

Jerry Allen 52

Kathy Bergeron 70

**Kathy Bergeron is now the new Executive Committee member.**

Nomination for Musician: Chuck Voss, nominate Ken Donnell, as musician. Lanny Cotler nominates Buzz Chernoff as musician, Buzz declined. Gary Abrams nominates Jerry Allen, as musician. Brother Nichols passed out ballots, balloting team collected ballots.

**HEW 12-003 - Sound Drug Policy.** Patty Allen chairperson; HEW 12-003 favorable recommendation as amended. Motion by Patty Allen, 2<sup>nd</sup> came. Ken Donnell: Motion to send back to committee, 2<sup>nd</sup> by Marian Nichols. Vote on returning HEW 12-003 to committee, motion passed; **return HEW 12-003 to committee.**

**HEW 12-002 - Merging California's University System.** Patty Allen chairperson committee found unfavorable. 2nd made. Vote on unfavorable committee report, passed. **Resolution HEW 12-002 failed.**

**Grange Insurance Association** report will not be made as National Grange asked the association not to appear at convention. Rosemary Hanson, I disagree with the National Master in asking the board not to be represented at this meeting. Grange Insurance Association has an agreement with the CA grange for supported membership fees that was reached many years ago, and pays into the CA State Grange. The current year we have received about 20 percent of our budget. The National Grange believes this is not our income, as we are suspended, and does not want them to pay the commission to us.

Ken Donnell: Motion from the floor 10-11-12 Declaration of Love to Grangers Attached as addendum. Liz Reynolds, I am always saying always show unconditional love and acceptance. I was in a meeting in Orville several months ago and the acrimony towards our Master, Bob McFarland and others who supported him were devastating. It's really hard to forget when someone hurts you so deeply. Buzz Chernoff, I know Ken's intentions are noble, but it's been a year of nastiness where people have lied, and sent emails so upsetting you were not able to sleep at night. It has been the worst year of my life. I will commit myself to always taking the higher ground, which is getting beyond this. Annette Fletcher; I went thru a difficult time with my children, and staying true to myself, I now have a great relationship with my children. We need to believe one day things will be better and not lower our standards. Jon Luvaas, I appreciate these comments, I have had very vicious letters directed at me. I am grateful to be having this discussion. I contributed to writing charges against other Grangers because the actions of the last year. People need to be held accountable. I can't say how much time has been spent on thinking on how to get through this nastiness. I do not want to hold onto this anger; I want to let it go as long as justice is pursued. This sends a message to the National Grange of who we are. Master Bob, What has happened is not about love; they don't want us to reach out to them. We are in a fight we did not ask for, but we are in the fight. We have offered the olive branch over and over. I am sure I will not be allowed to make this year out. Ed Luttrell wants his own leadership in control, this is about control. This resolution will only be taken as weakness, as I was called weak when I accepted the first two sets of charges. Call for the previous question, vote of approval. Vote on declaration. **Declaration not adopted.**

Master Bob, our attorneys say we are on very solid ground legally, we are a sovereign corporation. Hopefully National realizes we do have our rights, and recognizes that, and then we can go forward and negotiate. Cathy Bergeron; charges

have been filed against the National Master and certain state grange members. In addition to the legal process we are going through, we also have Grange processes going forward which includes a 6 point complaint against the National Master. This has been filed with the assembly of Demeter, the 7<sup>th</sup> degree, the authority above the National Grange. An arbitration panel has been selected, and the process is beginning. They can mediate or have a trial of the assembly of Demeter as they choose. This process has been initiated by members of the CA State Grange. All subordinate and Pomona granges exist under the CA corporation umbrella.

Jerry Allen, read complaint against Ed Luttrell into the minutes. Attached as addendum NEED COPY.

Motion: This corporate body resolves we support our State Master Bob McFarland and our executive committee for actions taken during the last year and continue to do so. Seconded by Leo Bergeron.

Lanny Cottler, while civil court and grange judicial process will have their way, we are missing the court of public opinion by not telling our story. We need to reach out to the other state masters, who will be the delegates at National Grange. Byron Green; Leo, can we amend and/or add to that letter to Ed Luttrell? Leo, if other Granges, after a vote, want to add on, they are welcome to join in on the complaint. Kathy Bergeron; it must be passed at your Grange meeting. Also, there is an expense to this, the complainant will cost money.

Vote, and unanimously passed to support Bob McFarland and our executive committee.

*Motion: This corporate body resolves we support our State Master Bob McFarland and our executive committee for actions taken during the last year and continue to do so.*

Presentation: A gift of peanut butter and strawberry to Bob McFarland by Lisa Alotta.

#### **Musician Election Results:**

Musician 118 ballots

Jerry Allen, 61

Ken Donnell, 49

Both, 8.

**Jerry Allen elected to State Musician.**

**3:59 PM** Grange Recess

**4:25 PM** meeting called back to order

**Report on Grange Initiative work on Prop 37.** Yannick Phillips: Our volunteers during an eight week period gathered 2.5 times the signatures expected. However, September 29<sup>th</sup> through today support dropped from 68% to 43%. There is a strong campaign to confuse people about the initiative. Propaganda and answers for you: Prop 37 written by trial lawyers for trial lawyers, actually Pam Leary a granger started this. Prop 37 is being pushed by special interests, yes, grangers, mothers, etc. Six of the largest pesticide companies are fighting this the most. This bans GMO foods, it does not. This will raise the cost of groceries; the only cost is the small amount of ink to print. Most companies change their labels regularly. Website showing who supports labeling and who does not can be found at [www.carightoknow.org](http://www.carightoknow.org). This labels actual GMO products, not things that are fed GMO foods. Since there is no way to track GMO's there is no way determine the long term health effects. Since a large amount of soy and corn and canola are GMO, a large

percentage of processed foods have GMO's in them. This proposition gives people the ability to choose what they put in their bodies. This is just about labeling, we want to know what is in the food. Take heart, the current polls may reflect confusion not actual decisions to not label. We can have a big impact by reaching out to our local Grangers, and ask them to reach out; this can swing the ballots at this election. KnowGMO.org is another site to look at for information. Ann Waters and Diane Darling lead a blessing for dinner. Thanks for all the fish Randy Marler from Ft. Bragg. Dinner will be served at 6 PM. Tonight we have a movie and karaoke.

**5:13 PM** closing of the Grange in the 4<sup>th</sup> degree.

**End Friday, October 12th Session**

### **Saturday October 13**

**9:45AM** Session opens in the 4<sup>th</sup> degree by CA Youth Grange marching into the meeting with the music of Leonard Cohen's Democracy's coming to the USA. Joyous noise from the delegates accompanied the opening ceremony.

#### **Roll Call of Officers:**

Master, Youth Bandon Nebitt, Bob McFarland

Overseer Youth Miranda Moog, Martha Stefenoni - Cheri Bunker pro-tem

Lecturer Youth Azata Nyepan, B.J. Fitzpatrick

Gatekeeper, Youth Patience The, Bob Alvarez

Steward Youth Emily Lewis, Bill Thomas

Assistant Steward Youth John Brundidge, Brandon Nebitt

Lady Assistant Steward Youth Ellie Bruce, Miranda Moog

Chaplin Youth Shy Silverstein, Barbara Geiger - Diane Darling pro-tem

Treasurer Youth, Princess The, Marion Nichols

Secretary Youth Tara Logan, Leslie Parker - Cyndee Logan pro-tem

Ceres Youth, Cassie McFarland, Alicia Nieves - Nancy Alvarez pro-tem

Flora Youth Sara McFarland, Tiffany Leigh-Logan

Pomona Youth Lacy Ayers, Sylvia Sloan

Musician Youth, none, Jerry Allen

Executive Committee Youth: Jue Tel; EasyjelTalesson; Dennis Tolbert; Veronica Payeal; Amanda Cole

Executive Committee: Damian Parr; John Luvaas; Ingar Bevans - Leo Bergeron pro-tem; Kathy Bergeron; Takishi Yogi

**10:14 AM** Damian Parr and Michael Foley; State agricultural school presentation.

Damian co-founder of sustainable agriculture association. We are combining experiential learning and interdisciplinary, SAEA and Granges can collaborate in the shift to local farmers and ranching. CA state grange AG school has a farm and garden project that has been going on for 6 years, both large farm and garden market farming which includes marketing. There are about 6 acres of row crops. There are about 100 members of the CSA attached to this project. The majority of our populations are in urban areas. USSC farm has alumni now working farms. The resources of the USSC agriculture school are available on line. Little Lake is proposing a beginning farmer in depth program, the breath will be workshops reflecting research needed by the Granges of CA, and who has done things successfully; and an apprenticeship training and regional network, farmer to farmer training. No administration or budget once it's up and running. The idea is you have a number of apprentices on your farm, and another farm specializes in something else you have a network to share

information. The Grange is perfect for this with, we only have to develop handbooks and distribute them. The CRAFT is a national movement. One of the most effective and productive movements we can put our Grange energy into. Michael Foley, local farmer, Farmers Market Assn. manager and educator. I am sorry Antonia Partridge is not here, we both have been impressed with the number of young people coming through Willits to learn farming. My daughter went through the USSC program. This Grange program will focus on young people; this is the future of the Grange. I am trying to connect the young people on my farm with other farmers, but I also want to connect them with local older farmers. Part of our residential farming program would be to expose people to their talents. We also need land; in our area we have that. Some of you took the tour of the Golden Rule land, which has over 5000 acres. You saw the parcel we want to start with, this is next to a holistic range management field, and there is a wonderful old orchard which may also be part of the Willits branch of the State Grange agricultural school. Chickens and cattle, and beekeeper, this will be incorporated into the residential program. Spinning and Welding and implement repair will also be a part of the program. We would love to see Granges around the state support young people from their Granges to learn, and then go back to their areas to farm or ranch. We are at the point we are ready to finish negotiating a lease for this project. Daemon, the agricultural school was voted on last year at the Grange Convention, but the EC has had lot going on. I request the new EC to do everything possible to go forward with this project. Cyndee Logan; The Little Lake Grange voted at its last meeting to give \$5,000.00 per year toward the Willits portion of the State Grange Agriculture school.

Candidates for installation escorted forward. Kathy Bergeron; Takashi Yogi; for Executive Committee officer and Jerry Allen, Musician. Installation of officers by Master Bob McFarland to the CA State Grange. Leo Bergeron, this is the first time in history a husband and wife have both sat on the executive committee.

**10:59 Motion by Marian Nichols to accept minutes as read and seconded. Voted and approved.** Make sure final motion on resolutions reflects amendments. Final version of resolutions will be shown within the minutes and all deliberations are within the minutes.

Change: Final credentials yesterday were 38%.

#### **Credentials**

98 community Grange delegates and 25 Pomona delegates 62 Granges represented out of 171.  
36% community granges and 48% Pomona granges.

Anne Waters will be going to National as Ceres. She needs two more attendants; contact her if you wish to do this. Tim Christiansen; Reading into the minutes letter by WipJusti from the National Grange exchange program GGUA program with Germany. WipJusti had read the article by Bob McFarland. Kathy Bergeron moved to put this letter into our minutes, and 2<sup>nd</sup>, Vote: approved to add letter to our minutes. Letter attached as addendum

**HEW 12-003 - Sound Drug Policy.** Health Education and Welfare chair Patty Allen. Resolution has not been in delegates hands for 2 hours as yet. **Resolution postponed.**

Motion to destroy ballots by Bill Thomas, and 2<sup>nd</sup> received. **Vote, approved to destroy ballots.**

**GLA 12-001 Representation to State Grange Meetings.** Bill Thomas Chair Grange Law committee. Committee recommended as unfavorable. **Master Bob rules out of order as presented.**

**GLA 12-002 - Certifying Representatives.** Bill Thomas Chair Grange Law committee. Committee recommends as favorable. Seconded. Vote: **By Law change approved GLA 12-002.**

**Resolution GLA-12-002**

***Resolved: That Article XIII Representation to State Grange Meetings of the Digest of Laws of the California State Grange be amended to read:***

***13.5 Credentials – Every Grange who shall send representatives to any State Grange meeting must certify to the State Grange, on credential forms provided, who shall be its accredited representatives and that the credential form properly completed, signed and submitted shall be all that is required to certify representatives, except that such representatives may be required to furnish identification that will attest to his or her identity.***

**GLA 12-004 - Disbursement Procedure.** Bill Thomas Chair Grange Law committee. Committee reports as unfavorable. Seconded. Vote: Committee report as unfavorbale passed. **GLA 12-04 resolution failed.**

**GLA 12-010 - Quorum Required for the Annual Meeting of the California State Grange.** Committee recommendation favorable. Seconded by Leo Bergeron. **Vote on GLA 12-010, motion failed.**

Motion from floor by Daniel Feldman, seconded by Rick Keel.

***The California State Grange, a California corporation, does not allow any organization, including the National Grange, to hold a meeting in the name of the California State Grange without the consent of the California State Grange's duly elected Master and duly elected executive committee.***

**Vote: Passed unanimously.**

Motion from the floor by Lanny Cottler, seconded by Leo Bergeron.

***I move that IF the CSG Master, Bob McFarland, is NOT allowed to represent the CSG as a proper delegate, then we create a CSG special delegation, led by Bob McFarland, to go to Boise with materials that do two things: 1) fully presents a history of the difficulties between National and CSG, and 2) shares the positive vision of the CSG, especially as it relates to best practices for growing membership.***

**Vote: Motion passed.**

**12:31PM Meeting called to Recess until 1:00 PM**

**1:58 PM Meeting called to order.**

Richard Roth: 8016-16 Legislation allows production of food to consumer. I believe local Environmental Health departments will appreciate all community kitchens even more at this point. Obesity and Diabetes programs administered by the state are being pulled. Starting this coming year the money will be going to each individual county, and I expect the counties will be looking for proposals. All school districts in CA are required to develop wellness policies; I believe we can develop our own Grange wellness policies. A Draft Policy follows:

The \_\_\_\_\_ Grange # \_\_\_\_\_ recognizes, endorses, encourages, commends, and supports other community charitable, religious, and social service organizations who in addition to their stated purpose and role in our community, compose,

adopt, display and activate their own wellness policies within their organization and offer the following as a general template.

The \_\_\_\_ Grange # \_\_\_\_ Dedicates its kitchens, and facilities, to the health of our local communities.

The \_\_\_\_ Grange# \_\_\_\_ Encourages the elimination or significant reduction in preparation, use, serving and/or consumption of highly processed and packaged foods and food products and foods which contain GMO's, refined oils, white flour, sweeteners, salt, and artificial coloring and flavoring.

The \_\_\_\_ Grange # \_\_\_\_ Endorses and promotes the use of this kitchen, these halls, and these grounds toward the education and practice of resource stewardship, proper hygiene, and development of those culinary art skills which integrate the preparation and consumption of locally grown whole fruits and vegetables, grains, seeds and nuts, herbs and spices, and high-quality-humane-produced and harvested animals and animal products.

I encourage posting of all Granges who develop wellness policies or renovations etc. to post online through Rick. Your ideas so we will have a pool of ideas to look at.

**Cathy Mullen**, Oct 18, at 1018 the great American shake out will happen. This is about earthquake awareness; our own grange is the only Grange I know in CA that is participating. Other areas, states and countries are participating. I have registration forms with me, as of today over 13million people are participating in the United States. Everyone, signed up everywhere will practice duck cover and hold at the same time. There is a lot to be said for muscle memory. Only 4 people in this room are signed up so far, I want to see everyone sign up before we leave. We need to be on the forefront of keeping our communities safe. I have been in earthquake and tsunami awareness for the last 25 years.

**Rosemary Hansen**: Report on Vacaville Autumn Leaves, SR living complex sponsored by the CA State Grange. Report attached. We do have a wellness clinic on site. Report attached to as addendum.

**Dolores Larrikin**: Junior Grange report: youth ages 5-14. Report attached at addendum

**HEW 12-003 - Sound Drug Policy.** Health Education and Welfare chair Patty Allen: favorable recommendation by committee and seconded. Buzz, Motion to amend to say "existing funds currently used for enforcement and corrections". Seconded. Move change word corrections to incarcerations. Amendment, change to incarcerations corrections and/or probation. Buzz Chernoff accept final form as amendment into initial motion to approve. Vote: Motion carries and is adopted. **HEW 12-003 passed.**

#### **Resolution HEW 12-003**

**Resolved: That the California State and National Granges support changes in drug policy that do not legalize but do decriminalize the use of schedule 1 (no medical use) drugs;**

**Resolved: That the California State and National Granges support policy changes that specify trafficking in schedule 1 (no medical use) drugs continues to be treated as a crime;**

**Resolved: That the California State and National Granges support changes which redirect existing funds to incarcerations corrections and/or probation toward treating drug addiction as an civil and mental health issue, similar to the system used with resounding success in Portugal for the last 12 years.**

**GLA 12-012 - Application Fees.** Grange Law committee Bill Thomas; no recommendation. Kathy Bergeron motion to reject resolution and 2<sup>nd</sup>. **GLA 12-012 failed.**

**GLA 12-013 - Age of Youth Memebrrs.** Grange Law committee Bill Thomas; favorable recommendation and seconded.

Vote: GLA 12-013 Accepted and resolution adopted.

**Resolution GLA 12-013**

*Resolved: That Section 10.2 b of the California State Grange By-Laws be amended by changing the age of youth members from "13-1/2 through 20" to read "13-1/2 through 22", and Section 10.3 b also be changed to read "members 13 ~ through 22".*

*GLA 12-015 removed by maker.*

**GLA 12-017 - Separating Nominations and Ballot Voting during National Election of Officers.** Grange Law Committee Chair Bill Thomas, committee recommendation is favorable. Vote, committee report accepted. **GLA 12-015 passes.**

**Resolution GLA 12-017**

*Resolved: That the National Grange conduct its elections with nominations separate from its voting ballots; and be it further*

*Resolved: That these elections allow for delegates to have sufficient time to learn who the nominees for every office are and what they each propose to bring to their office should they be elected.*

**C&E 12-001 - SmartMeter System Resolution.** Takashi Yogi chairperson. No recommendation by committee. Beverly Battaglia: motion to approve and seconded. Vote: division of house, for: 44, against: 21. Vote: **Motion on C&E 12-001 passes.**

**Resolution C&E 12-001**

*Resolved: that the State Grange demands that the California Public Utility Commission (CPUC) initiate a thorough study of SmartMeter complaints, examine related property right issues, damages to personal equipment, impacts on health, and trespass of privacy, and that the CPUC log and evaluate that information in a study to include all reported SmartMeter complaints. Let it be further*

*Resolved: that the State Grange supports a no charge opt-out provision that allows for multi-meter opt-out for customers based on defined zone of safety as defined by an independent study; let it be further*

*Resolved: that the California State Grange request that the CPUC require that utilities place large warning labels on all SmartMeters, warning customers with medical implants of the potential hazardous impact to their medical equipment (i.e., FCC and National Institute of Health), let it be further*

*Resolved: that the California State Grange requests that the CPUC acknowledge that the SmartMeter can cause damage to household wiring, meter sockets and associated power centers on homes and that the charges for repair should be attributed to the utility supplying the SmartMeter*

**AG 12-001 - Stop the Federal Mandate for Grain-based Ethanol.** Rohanna Mayer Chair AG committee; favorable recommendation and seconded made. Vote on AG 12-001 as favorable. **Motion AG 12-001 passes.**

**Resolution AG 12-001**

*Resolved: that the CSG and National Grange oppose the EPA mandate that gasoline is oxygenized by adding ethanol.*

**AG 12-002 - Support Milk Price Increases for California Dairy Producers.** Rohanna Mayer Chair Ag committee; committee supports with the resolved amended with a split into two, and add CA dairy farmers. Seconded. Grammar tweaking of AG 12-002. **Vote on AG 12-002 passes, resolution adopted.**



**Resolution AG 12-002**

***Resolved: that the California State Grange shall support efforts for California dairies to join the Federal Milk Marketing Order System (FMMO) and be it further***

***Resolved: The CSG shall support an increase to the price paid for whey for California dairy farmers.***

Leo Burgeron; personal privilege. We have to leave for Vermont where we have a son getting married. I want to thank you all. This has been a real moving meeting. I have felt more at home here at this meeting than at all the 50 years I have been in the Grange. I know we are a diverse group and this is what the Grange is all about. We have had 15-20 people talking on each issue, this is our Grange. (Standing ovation).

Announcement: We made page 2 of the Willits news.

**AG 12-003 - Wine Sulfites Disclosure.** Rohana Mayer chair AG committee; committee finds favorable and seconded.

**Vote: AG 12-003 passes, resolution carried.**

**Resolution AG 12-003**

***RESOLVED: That California State Grange supports the labeling disclosure of sulfite content in approximate ranges of parts per million in all wine that is not currently exempt from sulfite disclosure or meeting organic standards.***

**AG committee report by Rohana Mayer.** Cass, the chairperson of AG was busy harvesting rice, and wondered why convention is during harvest time. Agriculture Chairperson, Cass Mutters, with Yannick Phillips, John Squire Rohana Mayer. The Agricultural committee looked at 3 and passed 3 resolutions

**Master Bob, all resolutions for the 2012 session have been completed.**

**Health Education and Welfare committee; Patty Allen Lewis Chairperson;** with Kate Elsbree, and Beth Lewis, we processed 3 resolutions. Two were adopted by the delegates and one was rejected.

**Water committee report by Cheri Bunker Chairperson;** with Bob Alvarez, Wendy McFarland, Susan Megeath, and Leo Bergeron. We processed 16 resolutions, 3 passed, 5 failed, 4 withdrawn and one found out of order. I would like to thank the members of the committee and Master McFarland for allowing us this honor.

**Community Committee Report by Marian Nichols, chairperson;** with Bell Allen, Trudi Martin; and Takashi Yogi. Thank you for the opportunity to serve on the committee during the 2012 year and State Grange Convention.

**Budget committee final report by Cheri Bunker chairperson;** with Marian Nichols and Rod Avery. I would like to thank the members of the committee and Master McFarland for allowing us this honor.

Jerry, talking of meeting of all Granges about local banking and showing a way to help young farmers.

Unique Phillips left a message for Pam Leary, and wants to tell her we are proud of her for starting prop 37.

Rosemary Hansen, will be hosting a hospitality room at National Grange, and wants CA products to bring. Dolores is going with me. If you can get it to the State offices Dolores will pick it up.

Hank Strock, presented report from autumn leaves in Ukiah for minutes. Attached as addendum \_\_\_\_\_

Darlene Winfield has knitted 25 scarves and hats to donate.

Motion: By Rick Saxton, seconded by Buzz Chernoff. ***That Buzz Chernoff and Rich Saxton start a telephone tree to update contact information for contact of community Granges at least twice per year. Vote: Motion fails.***

Scott McKeown: What can community and subordinate granges do to help solve this rift? Can we hear what each individual grange or granges can do to help? Master Bob; this is a legal question; we have to allow the attorneys we hired to do their job. Jon Luvaas; I was delighted to read the attorneys brief and recommendations they have for us. Our chances of prevailing on this issue are overwhelming. When is the trial? Probably months away, then who knows, appeals, maybe years. We are the CA state Grange. I intend to communicate with other State's granges prior to the convention. We do have to check what actions we take with legal counsel. Master Bob; Something everyone can do is don't listen to the propaganda, don't be swayed. None of us asked for this. We are a Grange and do our Grange business. I am always open to your phone calls. We will win this by speaking the truth. Lanny Cottler, when you go to court you know what a win is. What a win would be with National Grange? Mike Byers, each one of us has our own interpretation, but I for one would like to see a written apology, and to be included in National Grange again. Jerry Allen, I want the National to get out of our way and let us build Granges and build communities because that is where I live.

Jon Luvaas Motion: \$25,000.00 GBO funds to be used for maintaining the GBO Grange building. The funds cannot be moved without a motion at the state level. Seconded. Notice did go out to the Granges earlier about this request as required. **Vote: Motion passed.**

***\$25,000.00 GBO funds to be used for maintaining the GBO Grange Building.***

Liz Reynolds, report on Showcase. Thanks to people who helped me with the Showcase. Marialisa Alotta; Anna Holder; Henry Strock; Susan Fletcher; Jean Knigge; Karen Jones, Lola Adamzak and Vivian Granger judges and helpers. Also Stefani Kroesen worked the last month getting the room ready for Showcase.

Dolores Larrigan; called the auction for Jr. Grangers: \$235.00 raised for Jr. Grange from this auction.

**4:20 PM Recess.**

**4:40 PM** Master Bob called the session back to order.

Enthusiastic and energetic call from the membership to the Little Lake Grange #670 to please consider having the convention here again next year. Karina McAbee: I can't speak for my Grange. I will bring it up at the next meeting for consideration.

Ken Westwood, Laytonville Grange is cooking the dinner for us tonight. We got as much as we could of the dinner locally. I would like to thank our Grange for all the help with this meal.

Master Bob; Tonight, dinner at 6, talent and variety show to follow. Tomorrow, 9:00 AM Memorial Service. 10:00 AM showcase closes. 11:00AM the session opens in the 5<sup>th</sup> degree.

Grange Closed at 4:54PM

**End Saturday, October 13 Session**

**Sunday October 14, 2012**

**9:00 AM** Grange and Veteran Memorial Service. Whispering Hope duet by Frank and Trudie. We gather to pay a last respect for our worthy brothers and sisters who have passed out of this life this year. Whereas our fraternal circles have been broken, our Faith sustains us through the losses we have suffered in our Earthly fellowship. But we are not without Hope, as the essential cycles of Nature are our assurance and our refuge.

The names of those departed the last year: Lavona Samson, Wynadotte Grange #495; Jenette Johnson, Palermo Grange #493; Mary Gardner, Honey Lake #825; Ellen Rhyner, Corral De Tierra #474; Julia Starling, Morgan Hill #408; Roy Brace, Aptos #800; Cherry Betschart, Windsor Grange #410; Irene Kinkeneller, Palmero #493; Martha Sullivan, Orchard City #333; Bob Westfall, Kings River #562; Helen Crile, Humboldt #501; Bill MacMillian, past master, Berry Creek #694; Cora Darling, Bennett Valley #16; Gene Darling, Bennett Valley #16; Lloyd Foche (Goshay), Hessel Grange #750; Jake Hams, Yankee Hill #735; Less Jeddell, Benett Valley #16; Barbara Hutchanson, Ojai Valley #659 & Venture Pomona #50; Steve Elias, Scotts Valley Grange #725.

Master Bob, the Grange will be opened today in the 4<sup>th</sup> degree, then raised to the 5<sup>th</sup> degree. All must leave who do not have the standing of the 5<sup>th</sup> degrees at that time. We will then recess until the 5<sup>th</sup> degree team is ready.

**10:00 AM** Grange opens in the 4<sup>th</sup> degree. 10:05 AM The Grange is placed at rest.

Master Bob; The Grange will now open in the 5<sup>th</sup> degree; all those not obligated in the 5<sup>th</sup> degree must leave.

**10:35 AM Ceremony, and obligation of the 5<sup>th</sup> degree presented by the State Grange Youth.**

All those not obligated in the 6<sup>th</sup> degree must leave.

**11:49 AM Ceremony and obligation of the 6<sup>th</sup> degree.**

Master Bob, thank you for the presentations of the 5<sup>th</sup> and 6<sup>th</sup> degree.

Ann Waters, Thank you and introduction to the kitchen crew. Standing Ovation by membership.

Closed 6<sup>th</sup> opened 4<sup>th</sup> degree.

**12:05 AM** The Grange is placed at rest.

Samuel M. William perpetual award for most youth at convention: Western Yolo had 8 and Little Lake had 8 will be shared this year.

Cheri Bunker: A couple years ago our grange was presented with the logging truck, I want to pass along this to the Little Lake Grange, you have to add something to this. When you turn over the truck, you have to add to the bottom of the truck.

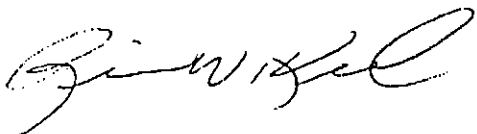
Karina McAbee, I want to say thank you to everyone for making this happen, Peter Norris, bus coordinator; Kimball Dodge, Stefanie Kroesen; Eric Bruce; Jay Bonnett; Mike Krusinski; Ann Waters; Joyce Diane Roger Wilson; Mike Curry; Cyndee Logan; Dave Knudson; our youth group; Diane Smalley and many, many others.

Jerry Allen: Gratitude to the staff of the CA state Grange, thank you for holding things together and helping us out.

Cheri Bunker thanks for Wendy for all her support of Bob. Cheri Bunker, are we going to approve the minutes of yesterday? Master Bob we will forgive the minutes.

1:02 PM 140th Annual convention of the CA State Grange closed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rick Keel", written in a cursive style.

Rick Keel, Secretary Pro Tem

## **EXHIBIT G**



# NATIONAL GRANGE

## OF THE ORDER OF PATRONS OF HUSBANDRY

1616 H ST. NW, WASHINGTON, DC 20006 | PHONE (202) 628-3507 | FAX (202) 347-1091

*American Values. Hometown Roots.*

March 1, 2013

Brothers and Sisters,

You may have received a letter on February 28, 2013 via email from Bob McFarland which made a number of statements which need to be corrected.

There is no ruling from the Superior Court of California that the National Grange is in violation of. The National Grange sought extraordinary and interim relief from the Superior Court in Sacramento. The Judge denied the National Granges' request for an injunction. The lawsuit in State Court will proceed to a trial. There is no order from a Court preventing the National Grange from enforcing its internal rules. The rules governing our organization, i.e. the Digest of Laws and the California State Grange By-Laws should be obeyed by our members. Of course the opposing view is the unproven conflict between Grange rules and the laws of the State of California which will be decided in a court of law.

I have never conducted a campaign of misinformation nor of intimidation at any time, much less during this controversy. I am merely trying to enforce the rules in order to protect our members' rights, the activities of our California Community and Pomona Granges and preserve the integrity of our organization across our great nation.

The members who have accepted the task of being the representatives of the National Grange in California have been strictly instructed to be polite and to tell the truth. What members choose to believe still remains their own choice. Any member who is threatened or experiences any form of intimidation should refer that information to me immediately. These are my deputies and I expect them to represent our Order in an exemplary fashion. I have great confidence in the character of these members.

The National Grange is holding monies in trust for the California State Grange, consistent with the suspension order. In addition, those Granges that have chosen to pay their dues to the National Grange, their funds are being held in trust. Before the National Grange touches a penny of that money, the National Grange Executive Committee will need to take formal action that the delegates will review. This process is clearly outlined within the Digest of Laws and we follow our rules.

It saddens me that the leadership of the suspended California State Grange would choose to be divisive and seek to divide us on emotional arguments rather than to allow our internal process to function.

The National Grange is confident that there is no conflict between Grange law and California law and that in the end, the court will agree with our view.

Fraternally Yours,

Edward L. Luttrell, Master

The National Grange



# GRANGE QUARTERLY REPORT FORM - PART 1

\_\_\_\_\_ Grange # \_\_\_\_\_, State of California

☐ First Quarter, Jan. 1 to Mar. 31 ☐ Second Quarter, April 1 to June 30 ☐ Third Quarter, July 1 to Sept. 30 ☐ Fourth Quarter, Oct. 1 to Dec. 31

*Reports must be adopted by the Grange in the month following the close of the quarter and are due to the National Grange, c/o Amber Bell, 1616 H St., NW, Washington, DC 20006 by the 5th of May, August, November, and February.*

Master \_\_\_\_\_ Secretary \_\_\_\_\_

Address \_\_\_\_\_ Address \_\_\_\_\_

Phone \_\_\_\_\_ Phone \_\_\_\_\_

Email \_\_\_\_\_ Email \_\_\_\_\_

Day/Time of Meeting \_\_\_\_\_ Meeting Location \_\_\_\_\_

## NATIONAL GRANGE DUES

Type	Beginning of Quarter	+	Gained	-	Lost	=	Total Membership	-	Exempt Gold Sheaf Members	x	National Dues	=	Subtotal
Fraternal (including Affiliate, Gold Sheaf, etc.)		+		-		=		-		x	\$3.00	=	
Family		+		-		=				x	\$6.00	=	
Associate		+		-		=				x	\$2.50	=	

TOTAL National Grange Dues \$ \_\_\_\_\_

Number of Family Members at end of quarter \_\_\_\_\_

## CALIFORNIA STATE GRANGE DUES (To be held in trust until the State Grange is reinstated)

*These numbers should be identical to those above in the National Grange Dues grid*

Type	Beginning of Quarter	+	Gained	-	Lost	=	Total Membership	-	Exempt Gold Sheaf Members	x	National Dues	=	Subtotal
Fraternal (including Affiliate, Gold Sheaf, etc.)		+		-		=		-		x	\$3.00	=	
Gold Sheaf		+		-		=				x	(-\$3.00)	=	
Family		+		-		=				x	\$6.00	=	
Associate		+		-		=				x	\$2.50	=	

TOTAL State Grange Dues \$ \_\_\_\_\_

TOTAL ALL DUES \$ \_\_\_\_\_

I certify that this is a correct and accurate report of the membership of my Grange.

Secretary's Signature \_\_\_\_\_

Date \_\_\_\_\_

~ SEAL ~

Master's Signature \_\_\_\_\_

Date \_\_\_\_\_

# GRANGE QUARTERLY REPORT FOR - PART 2

## New Member information

*Name*                      *Address*                      *Phone*                      *Email*

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK HOW GAINED: ☐ Demit ☐ Reinstatement ☐ New

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK HOW GAINED: ☐ Demit ☐ Reinstatement ☐ New

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK HOW GAINED: ☐ Demit ☐ Reinstatement ☐ New

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CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK HOW GAINED: ☐ Demit ☐ Reinstatement ☐ New

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK HOW GAINED: ☐ Demit ☐ Reinstatement ☐ New

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK HOW GAINED: ☐ Demit ☐ Reinstatement ☐ New

## Lost Member Information

*Name*                      *Address*                      *Phone*                      *Email*

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK REASON FOR LOSS: ☐ Death ☐ Demit ☐ Move ☐ Non-Payment of Dues ☐ Other Request

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK REASON FOR LOSS: ☐ Death ☐ Demit ☐ Move ☐ Non-Payment of Dues ☐ Other Request

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK REASON FOR LOSS: ☐ Death ☐ Demit ☐ Move ☐ Non-Payment of Dues ☐ Other Request

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK REASON FOR LOSS: ☐ Death ☐ Demit ☐ Move ☐ Non-Payment of Dues ☐ Other Request

---

CHECK MEMBERSHIP TYPE: ☐ Individual Member ☐ Family Member ☐ Associate Member

CHECK REASON FOR LOSS: ☐ Death ☐ Demit ☐ Move ☐ Non-Payment of Dues ☐ Other Request



## **EXHIBIT H**

February 11, 2013

Brother Robert McFarland  
California State Grange  
3830 U Street  
Sacramento, CA 95817

Dear Brother McFarland,

Enclosed are the charges referred to the Trial Court by the Arbitration Panel that reviewed the charges brought against you by Ed Luttrell, Master of the National Grange. These charges are described in two attached letters from the National Master dated August 1, 2012 and August 30, 2012. **You have 20 calendar days from the receipt of this letter to respond in writing to all charges.** Please send a copy of your response to the Chairperson of the trial court Steven Verrill by USPS at the address below and to the National Grange Master Ed Luttrell, 1616 H Street NW, Washington, DC 20006.

**ESTIMATED TRIAL COSTS**

Travel -3 Court Members	\$2,300.
Meeting Room – Comfort Suites-Downtown	\$357.
Lodging -3 Court Members x 3 Nights each x \$102.35/ Night	\$921.
Meals- \$50/day x 3 Days x 3 Court Members	\$450.
Postage	\$80.
Stenographer @ \$425. per day	\$850.
Copy of Trial Proceedings- \$8.75/page x 50 pages/hr x 12 hrs	\$5,250.
<b>Total Estimated Costs</b>	<b>\$10,208.</b>

The Respondent and the Complainant will be responsible for their own legal fees and any witness expenses.

The Complainant and you, the Respondent, must each deposit with the National Grange, 1616 H Street NW, Washington, DC 20006, the total estimated costs of the trial, **\$10208.** within 20 calendar days from the receipt of this letter. Please make checks payable to the National Grange.

If you are found not guilty of all charges, your deposit will be returned to you and the Complainant will pay the actual costs. If you are found guilty of all charges the actual costs of the trial will be paid entirely by you. **If you fail to make your deposit by the end of the 20-day period, you will be denied the privilege of presenting evidence at the trial.** If the Complainant fails to make their deposit within 20 days of their receipt of this notice, all charges will be dropped against you.

You will be notified of the time and place of the trial as soon as the National Grange Master has received the deposits for the trial costs. The trial most likely will be held in Sacramento, CA at the Comfort Suites Downtown.

Also enclosed with this letter are the Sections of the National Grange Digest of Laws that pertain to trials of the National Grange Delegates (12.2.16 thru 12.2.24).

The following persons (former delegates to National Grange Conventions) have been appointed to the Trial Court by the National Grange Master:

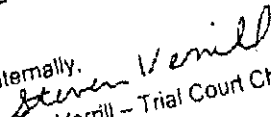
Steven Verrill – Chairperson  
270 Bailey Hill Rd  
Poland, Maine 04274  
[sverrill@roadrunner.com](mailto:sverrill@roadrunner.com)  
207-998-2301

John Hagen  
8917 Grand Ave  
Beulah, CO 81023  
[Hagenj45@yahoo.com](mailto:Hagenj45@yahoo.com)  
970-381-2891 (cell)

Hannah West  
3 Depot Rd  
Chichester, NH 03258-6427  
[gwest@lds.net](mailto:gwest@lds.net)  
603-798-5783

If you have any questions or concerns about the trial please contact me.

Fraternally,

  
Steven Verrill - Trial Court Chairperson

## **EXHIBIT I**

February 27, 2013

Brother Robert McFarland  
California State Grange  
3830 U Street  
Sacramento, CA 95817

Dear Brother McFarland,

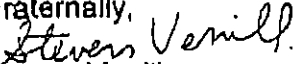
This letter is to inform you that the Grange trial to consider the charges brought against you by Ed Luttrell, Master of the National Grange, referenced in a complaint delivered to you on February 19, 2013 will commence March 14<sup>th</sup> at 10 AM.

The trial location will be:

Comfort Suites Downtown - Sacramento  
Lobby Meeting Room  
226 Jibboom Street,  
Sacramento, CA 95814

If you have any questions concerning the trial you may contact me at:

Steven Verrill  
270 Bailey Hill Rd.  
Poland, ME 04274  
[sverrill@roadrunner.com](mailto:sverrill@roadrunner.com)  
207-998-2301

Fraternally,  
  
Steven Verrill  
Trial Court Chairperson

## **EXHIBIT J**

# ELLIS LAW GROUP LLP

---

740 University Avenue, Suite 100, Sacramento, California 95825  
Phone: 916-283-8820 Fax: 916-283-8821 Web: [www.ellislawgrp.com](http://www.ellislawgrp.com)  
e-mail: [blapcevic@ellislawgrp.com](mailto:blapcevic@ellislawgrp.com)

March 10, 2013

***Via Facsimile and U.S. Mail***

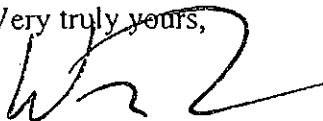
Martin Jensen  
Porter Scott  
350 University Avenue  
Suite 200  
Sacramento, CA 95825

RE: ***NATIONAL GRANGE V. CALIFORNIA STATE GRANGE (MCFARLAND)***  
Sacramento, Case No. 34-2012-00130439  
Our File No. 12-0106-A

Dear Mr. Jensen:

This will confirm our conversation of today and serve as notice that we will appear *ex parte* on behalf of Defendant Robert McFarland on Tuesday, March 12, 2013, at 9:00 a.m. in Department 53 of the Sacramento Superior Court, located at 800 Ninth Street, Sacramento, California, to request an Order to Show Cause and temporary restraining order to restrain the National Grange from holding an internal trial pending hearing of Mr. McFarland's motion for a preliminary injunction.

Very truly yours,



William A. Lapcevic

cc: Daniel Stouder  
Robert Swanson

## **EXHIBIT K**



**P O R T E R | S C O T T**

ATTORNEYS

March 1, 2013

VIA FACSIMILE AND U.S. MAIL

Mark Ellis  
William A. Lapcevic  
ELLIS LAW GROUP  
740 University Ave., Suite 100  
Sacramento, CA 95825

350 University Avenue  
Suite 200  
Sacramento, CA 95825  
TEL: 916.929.1481  
FAX: 916.927.3706

[www.porterscott.com](http://www.porterscott.com)

Re: National Grange, et al. v. Bob McFarland  
Sacramento Superior Court Case No. 34-2012-00130439

Dear Gentlemen:

This shall confirm that your office has graciously granted National Grange a two week extension to respond to Request for Production, Set One, Form Interrogatories, Set One, and Special Interrogatories, Set One up to and including March 18, 2013. Should any part of this information be incorrect, please contact our office immediately.

Thank you for your professional courtesy and cooperation in this matter.

Very truly yours,

PORTER SCOTT  
A PROFESSIONAL CORPORATION

By



Martin N. Jensen

MNJ/dmg

(01109553.DOC)

## **EXHIBIT L**

## ELLIS LAW GROUP LLP

---

740 University Avenue, Suite 100, Sacramento, California 95825  
Phone: 916-283-8820 Fax: 916-283-8821 Web: [www.ellislawgrp.com](http://www.ellislawgrp.com)  
e-mail: [blapcevic@ellislawgrp.com](mailto:blapcevic@ellislawgrp.com)

March 1, 2013

Steven Verrill  
270 Bailey Hill Rd.  
Portland, Maine 04274  
[sverrill@roadrunner.com](mailto:sverrill@roadrunner.com)

Martin Jensen  
Porter Scott  
350 University Ave., Ste. 200  
Sacramento, CA 95825  
[mjensen@porterscott.com](mailto:mjensen@porterscott.com)

RE: *Letter Received February 17, 2013 from Steven Verrill*

Dear Mr. Verrill:

Our firm represents Robert McFarland in the action brought by the National Grange against Mr. McFarland and the California State Grange which was filed in Sacramento Superior Court, Case No. 34-2012-00130439. We are in receipt of your letter dated February 11, 2013, which Mr. McFarland received on February 17, 2013.

Please consider this letter as Mr. McFarland's response.

On October 1, 2012, the National Grange filed a lawsuit in the Sacramento Superior Court naming our client, Robert McFarland, as well as the California State Grange, seeking declaratory relief, a temporary restraining order and a preliminary injunction enjoining the actions of Mr. McFarland and the California State Grange.

As you are aware, the Court denied the National Grange's motion in order to ensure the preservation of the status quo of the operations of the California State Grange pending a trial on the merits. For your convenience, a copy of the Minute Order denying the National Grange's motion is attached.

Based on the National Grange's earlier choice of forum in a California State Court action, we object to its present and second attempt to proceed in an extrajudicial fashion to upset the status quo. The National Grange's currently proposed "Trial" of allegations made by Ed Lutrell against Robert McFarland to be adjudicated by persons selected by Mr. Lutrell, but paid for by Robert McFarland is not only unconscionable, but it seeks to substantially alter the status quo of the

Steven Verrill  
Martin Jensen  
March 1, 2013  
Page 2

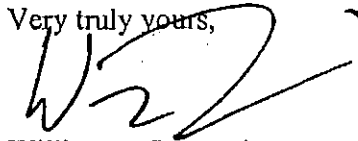
California State Grange's activities. In other words, the National Grange is attempting to expedite a "Kangaroo Court" proceeding in order to achieve what it failed to obtain by filing its State Court action. We all know there is no way Mr. McFarland can receive a fair trial in a forum provided by Luttrell, and presided over by his cronies. The history of Mr. Luttrell and the National Grange's actions toward Mr. McFarland to date speak for themselves: *res ipsa loquitur*.

Thus, on behalf of Mr. McFarland, we object to the National Grange moving forward with any proceedings against Mr. McFarland outside the State Court action, and request that the National Grange abate or stay the current internal proceedings pending the trial of the case filed by the National Grange in the Sacramento Superior Court.

Should you not respond by noon on Monday, March 4, 2013, we will move to enjoin the National Grange from proceeding with its proposed "Trial" until the current matter is resolved in the Sacramento Superior Court.

Should you have any questions or concerns please contact the undersigned at your earliest convenience. Your anticipated cooperation is greatly appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W. Lapcevic', written over a horizontal line.

William A. Lapcevic

cc: Bob McFarland  
Robert Swanson  
John Luvaas

SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF SACRAMENTO  
GORDON D SCHABER COURTHOUSE

MINUTE ORDER

DATE: 10/17/2012

TIME: 02:00:00 PM

DEPT: 53

TEMPORARY JUDGE: Rudolph Loncke

CLERK: E. Brown

REPORTER/ERM: S. Adams CSR# 12554

BAILIFF/COURT ATTENDANT: C. Chambers

CASE NO: 34-2012-00130439-CU-MC-GDS CASE INIT.DATE: 10/01/2012

CASE TITLE: The National Grange of the Order of Patrons of Husbandry vs. The California State Grange

CASE CATEGORY: Civil - Unlimited

---

EVENT TYPE: Motion for Preliminary Injunction

---

**APPEARANCES**

Martin Jensen, counsel, present for Plaintiff(s).

William A Lapcevic, counsel, present for Defendant(s).

Robert D Swanson, counsel, present for Defendant, Plaintiff(s).

Dan Stouder, counsel present for defendant

---

Nature of Proceeding: Motion for Preliminary Injunction

**TENTATIVE RULING**

Plaintiff The National Grange Request for Preliminary Injunction against Defendant California State Grange, and its Executive Committee is DENIED.

Plaintiff requests that this Court enjoin Defendants Robert McFarland, John Luvaas, Gerald Chernoff, and Damian Parr, and California State Grange, as well as its employees and agents from executing any contracts or undertaking any official actions at or from the direction of the California State Grange Executive Committee, and requests an order that the California State Grange's Executive Committee to turn over keys, building and computer passwords, and all other information necessary for The National Grange to operate the California State Grange during the pendency of this action.

Trial courts should evaluate two interrelated factors when deciding whether or not to issue a preliminary injunction. The first is the likelihood that the plaintiff will prevail on the merits at trial. The second is the interim harm that the plaintiff is likely to sustain if the injunction were denied as compared to the harm that the defendant is likely to suffer if the preliminary injunction were issued. *Cohen v. Cohen v. Board of Supervisors* (1985) 40 Cal. 3d 277, 286.

*Facts*

Moving party plaintiff National Grange declines to specify the offense committed by the President of the California Grange, however the complaint alleges that effective August 6, 2012, the President of the California Grange, McFarland was suspended by the Master of The National Grange, pending a new set of duly filed charges to be adjudicated in The National Grange. McFarland refused to accept the suspension and purported to remain acting Master of the California State Grange despite the provision

that Masters of the State Granges are answerable to the Master of The National Grange.

Instead of complying with National Grange's order of suspension, the Executive Committee of the California Grange met in Sept 2012, hiring counsel to represent the California Grange opposing the authority of the National Grange.

On September 17, 2012, Edward L. Luttrell, Master of The National Grange, with the approval of the Executive Committee of The National Grange, formally suspended the Charter of the California State Grange on the basis that the California State Grange was working in violation of the law and usages of the Order of The National Grange and that the suspension was for the good of the Order.

*Likelihood That The Plaintiff Will Prevail On The Merits*

Plaintiff has failed to demonstrate that it will prevail on the merits. This appears to be a contract dispute between the National Grange and the California Grange.

The California Grange has operated since shortly after the Civil War. It is a California non-profit, mutual benefit corporation in good standing with the State of California.

Plaintiff seeks to seize the assets, terminate the President, and take complete control of the California Grange from its Executive Committee and deliver them to an out of state entity, not qualified to do business in California.

*Irreparable injury*

The purpose of a preliminary injunction is to maintain the status quo.

National Grange contends that the California State Grange and its Executive Committee have demonstrated that it can disregard the laws and proper procedures of the organization, and the irreparable injury which plaintiff will suffer if the injunction is not granted is the California Grange's Executive Committee entering into legal contracts with third persons, unaware that the California State Grange has been suspended. The sole injury to plaintiff is an asserted breach of the organization's governing documents, by unspecified acts of McFarland.

Despite the denial of a TRO, the National Grange has contacted members of the California Grange to tell them to stay away from the annual meeting of the California Grange, scheduled for October 2012. The National Grange threatened to seize the assets of the local Grange chapters, including the Grange Halls. California members have been instructed to hold all proceeds from auctions and fund raising events at the annual meeting to be turned over to the National Grange.

Plaintiff seeks to restrain McFarland from acting in his capacity of President, despite the vote of the California Executive Committee to the contrary, and to prevent him from communicating with his membership.

Here, opposing party asserts that it collects California Grange's dues on a quarterly basis. As of the filing of the opposition papers, the dues for California have been paid current to the National Grange.

The California Grange has a full time staff of employees, who need to be paid. This injunction would enjoin not only McFarland, but all of the employees from performing their regular duties, causing their constructive discharge.

The Court finds, on the record before it, that the balance of the injuries favors the denial of the requested

preliminary injunction, pending trial on the merits.

This minute order is effective immediately. No formal order nor further notice is required, the tentative ruling providing sufficient notice.

**COURT RULING**

The matter was argued and submitted. The Court affirmed the tentative ruling.

## **EXHIBIT M**



Sent: Monday, March 04, 2013 12:03 PM  
To: Mark Ellis  
Cc: Amanda Griffith; Sharon Silva; Rosanne Estrella  
Subject: FW: Ltr to Lapcevic and Verrill --- National Grange v. McFarland

FYI

From: Desiree Ganzon [<mailto:DGanzon@porterscott.com>]  
Sent: Monday, March 04, 2013 11:59 AM  
To: Bill Lapcevic; [sverrill@roadrunner.com](mailto:sverrill@roadrunner.com)  
Cc: Martin N. Jensen; Thomas L. Riordan; [rswanson@boutinjones.com](mailto:rswanson@boutinjones.com); [dstouder@boutinjones.com](mailto:dstouder@boutinjones.com)  
Subject: Re: Ltr to Lapcevic and Verrill --- National Grange v. McFarland

Good Morning Mr. Lapcevic and Mr. Verrill:

Attached please find correspondence from Mr. Jensen regarding the above-referenced matter. Thank you.

**Desiree Ganzon, Legal Secretary**

Secretary to Martin N. Jensen

**PORTER SCOTT**

350 University Ave., Suite 200  
Sacramento, CA 95825  
TEL: 916.929.1481 ext. 343  
FAX: 916.927.3706

[www.porterscott.com](http://www.porterscott.com)

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**P O R T E R | S C O T T**  
ATTORNEYS

March 1, 2013

**VIA E-MAIL ONLY**

William A. Lapcevic  
Ellis Law Group LLP  
740 University Avenue, Suite 100  
Sacramento, CA 95825  
[blapcevic@ellislawgrp.com](mailto:blapcevic@ellislawgrp.com)

Steven Verrill  
270 Bailey Hill Rd,  
Portland, Maine 04274  
[sverrill@roadrunner.com](mailto:sverrill@roadrunner.com)

350 University Avenue  
Suite 200  
Sacramento, CA 95825  
TEL: 916.929.1481  
FAX: 916.927.3706

[www.porterscott.com](http://www.porterscott.com)

Re: **National Grange, et al. v. Bob McFarland**  
**Sacramento Superior Court Case No. 34-2012-00130439**

Dear Mr. Lapcevic and Mr. Verrill:

We strongly oppose your notion that Mr. McFarland can preemptively declare the procedure set forth in the bylaws of both the California State Grange and the National Grange to be a "Kangaroo Court." This is precisely the procedure he had agreed to uphold as Master of the California State Grange. It is unclear what "res ipsa loquitur" refers to, since Mr. McFarland voluntarily agreed to serve a previous suspension in June-July 2012 following an internal Order trial and appeal from a prior dispute. By his actions he obviously agrees in the validity of the internal Grange process.

The current action in California (Sacramento County case no. 34-2012-00130439) was filed by the National Grange precisely because Mr. McFarland and the California State Grange refused to heed the internal Order procedures clearly set forth in the bylaws. It was expressly not to determine the merits of the dispute. Mr. McFarland was properly suspended under the terms of the bylaws in August 2012. If the imminent internal Order proceedings can later be shown to clearly violate the terms of the bylaws, Mr. McFarland may be

William A. Lapcevic  
Steven Verrill  
March 4, 2013  
Page 2

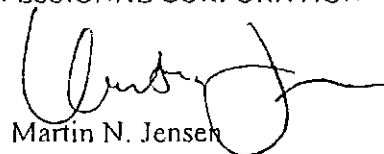
entitled to judicial relief in California civil courts, but California courts will not otherwise interfere with the internal proceedings of a private organization. (*California Dental Assn. v. American Dental Assn.* (1979) 23 Cal.3d 346, 350.) Mr. McFarland has never suggested how the current internal Order proceedings violate the bylaws of the Order.

By denying the National Grange's motion for a preliminary injunction, the California Superior Court merely ruled that the National Grange did not establish the actions by Mr. McFarland and the California State Grange would cause irreparable harm. The Superior Court did not, of course, indicate that the internal Order proceedings could not go forward as set forth in the bylaws. There is no legal basis for injunctive relief against the National Grange in following its own internal bylaws. Please let us know what clear violation of the Order bylaws Mr. McFarland believes to be threatened.

Very truly yours,

PORTER SCOTT  
A PROFESSIONAL CORPORATION

By

  
Martin N. Jensen

MNJ/dmg

cc: Robert D. Swanson ([rswanson@boutinjones.com](mailto:rswanson@boutinjones.com))  
Daniel S. Stouder ([dstouder@boutinjones.com](mailto:dstouder@boutinjones.com))

## **EXHIBIT N**

**P O R T E R | S C O T T**  
A PROFESSIONAL CORPORATION  
Martin N. Jensen, SBN 232231  
Thomas L. Riordan, SBN 104827  
350 University Ave., Suite 200  
Sacramento, California 95825  
TEL: 916.929.1481  
FAX: 916.927.3706

Attorneys for Plaintiff

THE NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY

**FILED**  
**Superior Court Of California,**  
**Sacramento**

**10/01/2012**

**awoodward**

By \_\_\_\_\_, Deputy

Case Number:

**34-2012-00130439**

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN THE COUNTY OF SACRAMENTO

Department  
Assignments

Case Management 36  
Law and Motion 53  
Minors Compromise 24

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

Case No.

Plaintiff,

**COMPLAINT FOR DECLARATORY  
JUDGMENT AND INJUNCTION [CODE OF  
CIVIL PROCEDURE §§ 1060, 526, 527]**

vs.

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

Defendants.

**GENERAL ALLEGATIONS**

Plaintiff The National Grange of the Order of Patrons of Husbandry (hereafter "The National Grange") alleges this Complaint for Declaratory Judgment and Injunction as follows:

1. Plaintiff National Grange is a nonprofit corporation organized under the laws of the District of Columbia.
2. Defendant California State Grange, a California nonprofit corporation, is subordinate to The National Grange.
3. Defendant Robert McFarland served as Master of the California State Grange, its highest office, but was suspended in August 2012. He was also on the Executive Committee of the California State Grange.

**COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTION**  
**[CODE OF CIVIL PROCEDURE §§ 1060, 526, 527]**

01060927.WPD

1           4. Defendants John Luvaas, Gerald Chernoff and Damian Parr were and remain members  
2 of the Executive Committee of the California State Grange.

3           5. The National Grange is governed by a Digest of Laws, adopted November 13, 1996,  
4 and amended thereafter. The Digest of Laws encompasses a Constitution of the Order, Articles of  
5 Incorporation and By-Laws, *inter alia*.

6           6. Under the Constitution of the Order, The National Grange is described as the  
7 "controlling and supreme law making body of the Order." (National Grange Digest of Laws, ¶  
8 1.1.1.(E))

9           7. All the other Granges, such as State Granges "shall derive their rights and powers"  
10 from The National Grange, which may "adopt laws for the organization, administration and regulation  
11 of the affairs of the various Granges," including that of California. (National Grange Digest of Laws,  
12 ¶ 1.3.1)

13           8. The National Grange has the express right to establish Judicial Laws relating to the  
14 judicial function of the various Granges. The National Grange may make rulings of construction and  
15 interpretation relating to Law and Usage, which rulings "shall be the law of the Order and the various  
16 Granges of the divisions of the Order shall conform thereto." The National Grange may also establish  
17 rules and regulations for the conduct of trials of any member charged with violations of the laws.  
18 (National Grange Digest of Laws, ¶ 1.3.5)

19           9. The National Grange may also codify parliamentary laws which shall be the law of the  
20 Order and various Granges of the Order shall conform thereto. (National Grange Digest of Laws, ¶  
21 1.3.6)

22           10. The National Grange issues Charters for the State Granges such as the California State  
23 Grange as a division of The National Grange. (National Grange Digest of Laws, ¶ 1.4.1)

24           11. The California State Grange as a chartered division of The National Grange has the  
25 right to conduct the affairs of its members so long as they do not conflict with the laws of The  
26 National Grange. (Constitution of California State Grange, Article II; National Grange Digest of Laws,  
27 ¶ 1.5.1)

28           12. The California State Grange Bylaws recognize that the Master of the State Grange (the

highest office) may be suspended for failure or refusal to fulfill his obligations or to obey the laws of The National Grange and that the suspension procedure is provided in the bylaws and laws of The National Grange. (California State Grange By-Laws, ¶ 14.13)

13. Robert McFarland had been elected as the Master of the California State Grange, but was suspended for 60 days (June-July 2012) by The National Grange after a judicial proceeding was conducted and adverse findings were made against him. During the course of McFarland's suspension, Matha Stefenoni, Overseer of the California State Grange, served as acting Master.

14. Effective August 6, 2012, McFarland was again suspended by the Master of The National Grange, pending a new set of duly filed charges to be adjudicated in The National Grange trial process. (National Grange Digest of Laws, ¶ 4.10.7)

15. This time, McFarland refused to accept the suspension and purported to remain acting Master of the California State Grange despite the provision that Masters of the State Granges are answerable to the Master of The National Grange. (National Grange Digest of Laws, ¶ 4.10.4)

16. Beginning in late August 2012, the Master of The National Grange contacted members of the Executive Committee of the California State Grange to secure their cooperation in the suspension of McFarland pending adjudication of the new charges, but a majority of the Executive members did not act to enforce the suspension of McFarland, and secure Martha Stefenoni being elevated to acting Master of the California State Grange.

17. Specifically, John Luvaas, Gerald Chernoff and Damian Parr declined to enforce the recent suspension of McFarland and recognize Martha Stefenoni as the acting State Master. The remaining three members of the Executive Committee indicated that they would support the action of The National Grange, but they did not constitute a majority.

18. Indeed, without a duly-constituted majority of the Executive Committee or the attendance of acting Master Stefenoni, certain members of the Executive Committee with the encouragement of McFarland acted in September 2012 to hire counsel purportedly to represent the California State Grange in opposing the authority of The National Grange.

19. On information and belief, legal counsel was engaged on behalf of the California Grange at a meeting of the Executive Committee in early September 2012, during which McFarland,

1 who had already been suspended as Master, was counted as one of the Executive Committee members  
2 present so as to constitute the requisite quorum to make a binding decision for the California National  
3 Grange. Having thus reached the requisite quorum of four Executive Committee members, a majority  
4 of the members present voted in favor of hiring the law firm. The other Executive Committee  
5 members were not present.

6 20. On September 17, 2012, Edward L. Luttrell, Master of The National Grange, with the  
7 approval of the Executive Committee of The National Grange, formally suspended the Charter of the  
8 California State Grange on the basis that the California State Grange was working in violation of the  
9 law and usages of the Order of The National Grange and that the suspension was for the good of the  
10 Order. (National Grange Digest of Laws, ¶ 4.5.7) Specifically, the California State Grange had failed  
11 to acknowledge the authority of the Acting Master of the California State Grange, had refused to  
12 respond to the requests of The National Grange and acting State Grange Master for confirmation that  
13 it would follow the rules of the Order of The National Grange and the California State Grange Bylaws,  
14 and had engaged legal representation with the support McFarland, whose authority as Master had been  
15 duly suspended by The National Grange. The bylaws of The National Grange expressly provide for  
16 an appeal procedure from the suspension of a Charter. (National Grange Digest of Laws, ¶ 4.5.8)

17 21. On September 19, 2012, Master of The National Grange requested California State  
18 Grange Acting Master Stefenoni and Jon Luvaas, Chair of the Executive Committee of the California  
19 State Grange, to arrange to turn over the keys, building and computer passwords and other information  
20 necessary to facilitate management of the California State Grange to counsel for The National Grange.

21 22. On September 21, 2012, counsel purporting to represent the California State Grange  
22 indicated that the California State Grange did not intend to comply with The National Grange's  
23 request of September 19, 2012, characterizing the suspension of the Charter as "unwarranted,  
24 unmerited and without any due authority."

25 23. McFarland and the Executive Committee of the California State Grange have thus  
26 rejected the authority of The National Grange and the State Grange Bylaws regarding the suspension  
27 of McFarland pending adjudication of the charges filed against him. McFarland is continuing to act  
28 in his capacity of Master of the California State Grange.



1           24.     The National Grange maintains that because the Digest of Laws of the Order is the  
2 supreme authority over the California State Grange, the charges properly filed against McFarland  
3 require his suspension from the powers of the Master of the California State Grange until the charges  
4 have been adjudicated.

5           25.     On September 20, 2012, the National Master notified all California Granges of the  
6 suspension order of the State Grange, that all further State Grange activity would be coordinated  
7 through The National Grange and that the State Session scheduled for October 10, 2012 would be  
8 cancelled until further notice.

9           26.     On September 20, 2012 McFarland notified members of the California Grange of the  
10 State Grange's intent to continue to operate by and through its elected officials, despite the suspension  
11 order.

12                               **FIRST CAUSE OF ACTION**

13                               **(For Declaratory Judgment under Code of Civil Procedure section 1060  
14 re the Suspension of California State Grange Charter)**

15           27.     Plaintiff National Grange re-alleges and incorporates by reference each and every fact  
16 alleged previously in paragraphs 1-26 above.

17           28.     There is an actual controversy between The National Grange and members of the  
18 Executive Committee of the California State Grange and California State Grange, including suspended  
19 Master McFarland, regarding whether The National Grange has the rightful authority to suspend the  
20 Charter of the California State Grange. The Executive Committee of the California State Grange  
21 refuses to accept the authority of The National Grange, National Grange Law and the California  
22 Bylaws to suspend McFarland from acting as Master pending the adjudication of the charges filed  
23 against him by The National Grange.

24           29.     The National Grange maintains that it has the authority under the Digest of Laws of  
25 the Order and the California State Bylaws to suspend the Charter of the California State Grange so  
26 long as it refuses to accept the suspension of McFarland as Master, and recognize Martha Stefenoni  
27 as the acting Master pending the adjudication of the charges filed against him by The National Grange.

28           30.     The California State Grange, acting solely through Defendants McFarland, Luvaas,

1 Chernoff and Parr, has purportedly expressed its continued refusal to accept the authority of The  
2 National Grange to suspend its Charter.

3 31. Defendants McFarland, Luvaas, Chernoff and Parr continue to act through counsel,  
4 even though that law firm was retained without proper authorization. It does not properly act or speak  
5 on behalf of the entire California State Grange.

6 32. This situation is creating significant risk of confusion and potential liability for The  
7 National Grange, especially as to third persons who are not aware of the California State Grange's lack  
8 of proper authority to act while its Charter has been suspended. A binding declaration of rights by the  
9 Court is necessary to alleviate this situation. On information and belief, the potential liability is in  
10 excess of the jurisdictional minimum.

## 11 SECOND CAUSE OF ACTION

12 (For an Injunction under Code of Civil Procedure sections 526 and 527  
13 re the Suspension of California State Grange Charter)

14 33. Plaintiff National Grange re-alleges and incorporates by reference each and every fact  
15 alleged previously in paragraphs 1-26 above.

16 34. Beginning on or about August 2012, and continuing to the present time, Defendants,  
17 and each of them, wrongfully and unlawfully refuses to accept the authority of The National Grange,  
18 National Grange Law and the California Bylaws to suspend McFarland from acting as Master pending  
19 the adjudication of the charges filed against him by The National Grange.

20 35. The National Grange maintains that it has the authority under the Digest of Laws of  
21 the Order and the California State Bylaws to suspend the Charter of the California State Grange so  
22 long as it refuses to accept the suspension of McFarland as Master, and recognize Martha Stefenoni  
23 as the acting Master pending the adjudication of the charges filed against him by The National Grange.

24 36. The California State Grange, acting solely through Defendants McFarland, Luvaas,  
25 Chernoff and Parr, has purportedly expressed its continued refusal to accept the authority of The  
26 National Grange to suspend its Charter.

27 37. Plaintiff National Grange has demanded that Defendants stop their conduct.  
28 Defendants, through a majority of the Executive Committee, have refused, which has resulted in the

1 necessity for prompt judicial action to protect Plaintiff National Grange and the California State  
2 Grange.

3 38. Plaintiff National Grange has no adequate remedy at law for the injuries currently being  
4 suffered as it will be impossible for Plaintiff to determine the precise amount of damage that it will  
5 suffer if Defendants' conduct is not restrained, or Plaintiff will be forced to institute a multiplicity of  
6 suits to obtain adequate compensation for its injuries.

7 **PRAYER**

8 Plaintiff The National Grange therefore requests the Court:

9 1. For a declaration as to the respective rights, duties, obligations of The National Grange  
10 and those Defendants purporting to represent the California State Grange;

11 2. For an order requiring Defendants to show cause, if any they have, why they should not  
12 be enjoined as set forth in this Complaint, during the pendency of this action;

13 3. For a temporary restraining order, a preliminary injunction, and a permanent injunction,  
14 all enjoining Defendants, and each of them, and their agents, servants, and employees, and all persons  
15 acting under, in concert with, or for them;

16 4. For costs of suit incurred in this action;

17 5. Monetary damages; and

18 6. For such other and further relief as the Court deems proper under the circumstances.

19 Dated: October 1, 2012

PORTER SCOTT  
A PROFESSIONAL CORPORATION

20 By   
21 \_\_\_\_\_

Martin N. Jensen

## **EXHIBIT O**

**UPERIOR COURT OF CALIFOR  
COUNTY OF SACRAMENTO  
GORDON D SCHABER COURTHOUSE**

**MINUTE ORDER**

DATE: 10/17/2012                      TIME: 02:00:00 PM                      DEPT: 53  
TEMPORARY JUDGE: Rudolph Loncke  
CLERK: E. Brown  
REPORTER/ERM: S. Adams CSR# 12554  
BAILIFF/COURT ATTENDANT: C. Chambers

CASE NO: **34-2012-00130439-CU-MC-GDS** CASE INIT.DATE: 10/01/2012  
CASE TITLE: **The National Grange of the Order of Patrons of Husbandry vs. The California State Grange**  
CASE CATEGORY: Civil - Unlimited

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**EVENT TYPE:** Motion for Preliminary Injunction

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**APPEARANCES**

Martin Jensen, counsel, present for Plaintiff(s).  
William A Lapcevic, counsel, present for Defendant(s).  
Robert D Swanson, counsel, present for Defendant,Plaintiff(s).  
Dan Stouder, counsel present for defendant

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**Nature of Proceeding:** Motion for Preliminary Injunction

**TENTATIVE RULING**

Plaintiff The National Grange Request for Preliminary Injunction against Defendant California State Grange, and its Executive Committee is DENIED.

Plaintiff requests that this Court enjoin Defendants Robert McFarland, John Luvaas, Gerald Chernoff, and Damian Parr, and California State Grange, as well as its employees and agents from executing any contracts or undertaking any official actions at or from the direction of the California State Grange Executive Committee, and requests an order that the California State Grange's Executive Committee to turn over keys, building and computer passwords, and all other information necessary for The National Grange to operate the California State Grange during the pendency of this action.

Trial courts should evaluate two interrelated factors when deciding whether or not to issue a preliminary injunction. The first is the likelihood that the plaintiff will prevail on the merits at trial. The second is the interim harm that the plaintiff is likely to sustain if the injunction were denied as compared to the harm that the defendant is likely to suffer if the preliminary injunction were issued. *Cohen v. Cohen v. Board of Supervisors* (1985) 40 Cal. 3d 277, 286.

*Facts*

Moving party plaintiff National Grange declines to specify the offense committed by the President of the California Grange, however the complaint alleges that effective August 6, 2012, the President of the California Grange, McFarland was suspended by the Master of The National Grange, pending a new set of duly filed charges to be adjudicated in The National Grange. McFarland refused to accept the suspension and purported to remain acting Master of the California State Grange despite the provision

that Masters of the State Granges are answerable to the Master of The National Grange.

Instead of complying with National Grange's order of suspension, the Executive Committee of the California Grange met in Sept 2012, hiring counsel to represent the California Grange opposing the authority of the National Grange.

On September 17, 2012, Edward L. Luttrell, Master of The National Grange, with the approval of the Executive Committee of The National Grange, formally suspended the Charter of the California State Grange on the basis that the California State Grange was working in violation of the law and usages of the Order of The National Grange and that the suspension was for the good of the Order.

*Likelihood That The Plaintiff Will Prevail On The Merits*

Plaintiff has failed to demonstrate that it will prevail on the merits. This appears to be a contract dispute between the National Grange and the California Grange.

The California Grange has operated since shortly after the Civil War. It is a California non-profit, mutual benefit corporation in good standing with the State of California.

Plaintiff seeks to seize the assets, terminate the President, and take complete control of the California Grange from its Executive Committee and deliver them to an out of state entity, not qualified to do business in California.

*Irreparable injury*

The purpose of a preliminary injunction is to maintain the status quo.

National Grange contends that the California State Grange and its Executive Committee have demonstrated that it can disregard the laws and proper procedures of the organization, and the irreparable injury which plaintiff will suffer if the injunction is not granted is the California Grange's Executive Committee entering into legal contracts with third persons, unaware that the California State Grange has been suspended. The sole injury to plaintiff is an asserted breach of the organization's governing documents, by unspecified acts of McFarland.

Despite the denial of a TRO, the National Grange has contacted members of the California Grange to tell them to stay away from the annual meeting of the California Grange, scheduled for October 2012. The National Grange threatened to seize the assets of the local Grange chapters, including the Grange Halls. California members have been instructed to hold all proceeds from auctions and fund raising events at the annual meeting to be turned over to the National Grange.

Plaintiff seeks to restrain McFarland from acting in his capacity of President, despite the vote of the California Executive Committee to the contrary, and to prevent him from communicating with his membership.

Here, opposing party asserts that it collects California Grange's dues on a quarterly basis. As of the filing of the opposition papers, the dues for California have been paid current to the National Grange.

The California Grange has a full time staff of employees, who need to be paid. This injunction would enjoin not only McFarland, but all of the employees from performing their regular duties, causing their constructive discharge.

The Court finds, on the record before it, that the balance of the injuries favors the denial of the requested

preliminary injunction, pending trial on the merits.

This minute order is effective immediately. No formal order nor further notice is required, the tentative ruling providing sufficient notice.

**COURT RULING**

The matter was argued and submitted. The Court affirmed the tentative ruling.

## **EXHIBIT P**



**SUPERIOR COURT OF CALIFORNIA COUNTY OF SACRAMENTO**  
**ORDER DETERMINING DISPOSITION OF EX PARTE APPLICATION**

Case Name <b>The National Grange vs. Ca State Grange</b>		Case Number <b>2012-00130439</b>	
Type of Application <b>TRO</b>	By <b>Δ</b>	Application Date <b>MAR 12 2013</b>	
Names of Appearing Party <b>Mark Ellis</b>		Representing <b>Δ- Robert McFarlane</b>	
<b>Daniel Stouder</b>		<b>Δ- Ca State Grange</b>	
<b>Martin Jensen</b>		<b>π- The National Grange</b>	
The Court, having considered the above entitled ex parte application <input type="checkbox"/> without a hearing <input checked="" type="checkbox"/> after hearing with appearance as noted above, rules as follows: <b>William Lapcevic - Δ- Robert McFarlane</b>			
<input checked="" type="checkbox"/> The application is granted. <b>For TRO pending an OSC on the preliminary injunction, to be heard on March 24, 2013 at 2pm in D-53; the moving papers shall be filed by March 13, 2013 (mail + fax/email); any opposition shall be filed by March 21, 2013 (mail + fax/email) (or Juinder) The National Grange Trial is stayed pending further court order.</b>			
<input type="checkbox"/> The application is denied on the merits of the papers presented to the Court.			
<input type="checkbox"/> The application is denied without prejudice to its resubmission for the following reason(s):			
<input type="checkbox"/> The moving party may not proceed except by noticed motion.			
<input type="checkbox"/> Other			
<input type="checkbox"/> Counsel for the _____ is ordered to prepare formal order. <b>David I. Brown</b> JUDGE OF THE SUPERIOR COURT DAVID I. BROWN			
MAR 12 2013 DATE			

## **EXHIBIT Q**

## Bill Lapcevic

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**From:** sverrill@roadrunner.com  
**Sent:** Wednesday, March 13, 2013 9:17 AM  
**To:** Sharon Silva; mjensen@porterscott.com  
**Cc:** Bill Lapcevic; dstouder@boutindentino.com; Crystal Strong; rswanson@boutindentino.com; Rosanne Estrella; Mark Ellis  
**Subject:** Re: National Grange v. McFarland

Good Morning,

Due to recent court actions, the internal Grange trial concerning Robert McFarland and the National Grange, which was scheduled to start March 14th in Sacramento, is postponed to a later date to be determined by the results of the various court actions. You will receive a written notice by US mail when the trial is rescheduled.

Thank you,

Steve Verrill

Grange Trial Court Chairperson

----- Sharon Silva <[SSilva@ellislawgrp.com](mailto:ssilva@ellislawgrp.com)> wrote:

> Mr. Verrill and Mr. Jensen,

>

> Please see the attached correspondence from Mr. Lapcevic of today's date. The original will follow by U.S. mail.

>

> Thank you,

>

> Sharon Silva

> Legal Assistant

> ELLIS LAW GROUP, LLP

> 740 University Avenue, Suite 100

> Sacramento, CA 95825

> Ph.: (916) 283-8820

> Fax: (916) 283-8821

> [ssilva@ellislawgrp.com](mailto:ssilva@ellislawgrp.com)<<mailto:ssilva@ellislawgrp.com>>

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