

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

A PROFESSIONAL CORPORATION

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**Attorneys for Plaintiffs and Cross-Defendants** THE NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY and EDWARD LUTTRELL

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**IN THE COUNTY OF SACRAMENTO**

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

Plaintiff,

vs.

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

Defendants.

CASE NO. 34-2012-00130439

**THE NATIONAL GRANGE AND EDWARD  
L. LUTTRELL'S NOTICE OF MOTION TO  
STRIKE ROBERT McFARLAND'S CROSS-  
COMPLAINT**

**DATE: June 25, 2013**

**TIME: 2:00 p.m.**

**DEPT: 53**

Complaint Filed: October 1, 2012

ROBERT McFARLAND, an individual,

Cross-Complainant,

vs.

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

Cross-Defendants.

1       **PLEASE TAKE NOTICE THAT** on June 25, 2013 at 2:00 p.m., in Department 53 of the  
2 Sacramento County Superior Court located at 800 Ninth Street, Sacramento, California, Plaintiff and  
3 Cross-Defendants THE NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY  
4 and EDWARD LUTTRELL will, and hereby do, move for an order based upon the accompanying  
5 motion and points and authorities in support of the motion.

6       Pursuant to Local Rule 1.06 (A) the court will make a tentative ruling on the merits of this  
7 matter by 2:00 p.m., the court day before the hearing. The complete text of the tentative rulings for the  
8 department may be downloaded off the court's website. If the party does not have online access, they  
9 may call the dedicated phone number for the department as referenced in the local telephone directory  
10 between the hours of 2:00 p.m. and 4:00 p.m. on the court day before the hearing and receive the  
11 tentative ruling. If you do not call the court and the opposing party by 4:00 p.m. the court day before  
12 the hearing, no hearing will be held.

13 Dated: May 23, 2013

PORTER SCOTT  
A PROFESSIONAL CORPORATION

15 By Thomas L. Riordan  
16 Martin N. Jensen  
17 Thomas L. Riordan  
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3 **DECLARATION OF SERVICE**

4 I am a resident of the United States and of the County, of Sacramento, California. I am over the  
5 age of eighteen years and not a party to the within above-entitled action. My business address is 350  
6 University Avenue, Suite 200, Sacramento, California.

7 That on the date below, I served the following:

8 **THE NATIONAL GRANGE AND EDWARD L. LUTTRELL'S NOTICE OF MOTION TO**  
9 **STRIKE CROSS-COMPLAINANT ROBERT McFARLAND'S CROSS-COMPLAINT**

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

11 ☒ **BY MAIL.** I am familiar with this Company's practice whereby the mail, after being placed in  
12 a designated area, is given the appropriate postage and is deposited in a U. S. mailbox in the  
13 City of Sacramento, California, after the close of the day's business.

14 ☐ **BY PERSONAL SERVICE.** I caused such document(s) to be delivered by hand to the office of  
15 the person(s) listed below

16 ☐ **BY OVERNIGHT DELIVERY.** I caused the above-listed document(s) to be delivered by  
17 overnight delivery to the office of the person(s) listed below:

18 ☐ **BY FACSIMILE.** I caused the above-listed document(s) to be transmitted by facsimile  
19 transmission from (916) 927-3706 to the facsimile number listed below. The transmission was  
20 reported as completed and without error. A copy of the transmission report is attached. The  
21 transmission report was properly issued by the transmitting facsimile machine.

22 ***Attorneys for Robert McFarland***

23 Mark Ellis  
24 ELLIS LAW GROUP  
25 640 University Avenue, Suite 100  
26 Sacramento, CA 95814

27 ***Attorneys for Defendants The California State Grange,***  
28 ***John Luvaas, Gerald Chernoff and Damian Parr***

Robert D. Swanson  
Daniel S. Stouder  
BOUTIN JONES  
555 Capitol Mall, Suite 1500  
Sacramento, CA 95814

29 I declare under penalty of perjury that the foregoing is true and correct. Executed at Sacramento,  
30 California, on May 23, 2013.

  
Cindy Cannon