

E-MAIL ADDRESS (Optional):

MAILING ADDRESS:

BRANCH NAME:

DEFENDANT/RESPONDENT: The California State Grange, et al.

**(Check one):**

X

## UNLIMITED CASE

(Amount demanded exceeds \$25,000)

11

### LIMITED CASE

(Amount demanded is \$25,000 or less)

CASE NUMBER:

34-2012-00130439

**A CASE MANAGEMENT CONFERENCE** is scheduled as follows:

Date: August 22, 2013

Time: 8:30 a.m.

Dept.: 36

Div :

Room:

Address of court (if different from the address above):

☐ Notice of Intent to Appear by Telephone, by (name):

**INSTRUCTIONS:** All applicable boxes must be checked, and the specified information must be provided.

1. Party or parties (answer one):

- a. ☒ This statement is submitted by party (name): The National Grange of the Order of Patrons of Husbandry and Edward L. Luttrell
- b. ☐ This statement is submitted jointly by parties (names):

**2. Complaint and cross-complaint (to be answered by plaintiffs and cross-complainants only)**

- a. The complaint was filed on (date): October 1, 2012
- b. ☒ The cross-complaint, if any, was filed on (date): November 15, 2012; November 19, 2012

**3. Service (to be answered by plaintiffs and cross-complainants only)**

- a. ☒ All parties named in the complaint and cross-complaint have been served, have appeared, or have been dismissed.
- b. ☐ The following parties named in the complaint or cross-complaint
- (1) ☐ have not been served (*specify names and explain why not*):
- (2) ☐ have been served but have not appeared and have not been dismissed (*specify names*):
- (3) ☐ have had a default entered against them (*specify names*):
- c. ☐ The following additional parties may be added (*specify names, nature of involvement in case, and date by which they may be served*):

#### 4. Description of case

- a. Type of case in ☒ complaint ☐ cross-complaint (Describe, including causes of action):  
 Complaint: Declaratory Judgment and Injunction [Code of Civil Procedure §§ 1060, 526, 527]; Cross-Complaint of California State Grange: Conversion, Tortious Interference with Contract, Intentional Interference with Prospective Economic Advantage, Unfair Competition, Unjust Enrichment, Declaratory Relief; Cross-Complaint of McFarland: Defamation, Public Disclosure of Private Facts, Intrusion, Intentional Interference with Contractual Relations, Intentional Interference with Prospective Business Relations, Infliction of Emotional Distress.

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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)*  
 National Grange seeks to uphold the bylaws of the organization. The State Grange disputes the National Grange's interpretation of the bylaws and seeks damages via a Cross-Complaint. The National Grange and Edward Luttrell deny the claims asserted in the Cross-Complaint. Cross-Complainant McFarland seeks damages under various tort theories against the National Grange and Edward Luttrell. The National Grange and Edward Luttrell deny all allegations.  
☐ *(If more space is needed, check this box and attach a page designated as Attachment 4b.)*
5. **Jury or nonjury trial**  
 The party or parties request ☒ a jury trial ☐ a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*
6. **Trial date**  
 a. ☐ The trial has been set for (date):  
 b. ☒ No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain):*  
 c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability):*  
 8/26/13; 9/30/13; 10/21/13
7. **Estimated length of trial**  
 The party or parties estimate that the trial will take *(check one)*:  
 a. ☒ days *(specify number)*: 10-15  
 b. ☐ hours *(short causes) (specify)*:
8. **Trial representation (to be answered for each party)**  
 The party or parties will be represented at trial ☒ by the attorney or party listed in the caption ☐ by the following:  
 a. Attorney:  
 b. Firm:  
 c. Address:  
 d. Telephone number:  
 e. E-mail address:  
 f. Fax number:  
 g. Party represented:  
☐ Additional representation is described in Attachment 8.
9. **Preference**  
☐ This case is entitled to preference *(specify code section)*:
10. **Alternative dispute resolution (ADR)**  
 a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 for information about the processes available through the court and community programs in this case.  
 (1) For parties represented by counsel: Counsel ☒ has ☐ has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.  
 (2) For self-represented parties: Party ☐ has ☐ has not reviewed the ADR information package identified in rule 3.221.  
 b. **Referral to judicial arbitration or civil action mediation (if available).**  
 (1) ☐ This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.  
 (2) ☐ Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.  
 (3) ☐ This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption)*:

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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form <b>are willing to</b> participate in the following ADR processes ( <i>check all that apply</i> ):	If the party or parties completing this form in the case <b>have agreed to</b> participate in or have already completed an ADR process or processes, indicate the status of the processes ( <i>attach a copy of the parties' ADR stipulation</i> ):
(1) Mediation	<input checked="" type="checkbox"/>	<input type="checkbox"/> Mediation session not yet scheduled <input checked="" type="checkbox"/> Mediation session scheduled for (date): August 25, 2013 <input type="checkbox"/> Agreed to complete mediation by (date): <input type="checkbox"/> Mediation completed on (date):
(2) Settlement conference	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input type="checkbox"/>	<input type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other ( <i>specify</i> ):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

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**11. Insurance**

- a. ☐ Insurance carrier, if any, for party filing this statement (*name*):
- b. Reservation of rights: ☐ Yes ☐ No
- c. ☐ Coverage issues will significantly affect resolution of this case (*explain*):

**12. Jurisdiction**

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

☐ Bankruptcy ☐ Other (*specify*):

Status:

**13. Related cases, consolidation, and coordination**

- a. ☐ There are companion, underlying, or related cases.
- (1) Name of case:
- (2) Name of court:
- (3) Case number:
- (4) Status:
- ☐ Additional cases are described in Attachment 13a.
- b. ☐ A motion to ☐ consolidate ☐ coordinate will be filed by (*name party*):

**14. Bifurcation**

- ☐ The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):

**15. Other motions**

- ☒ The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):
- Motion for Summary Judgment/Adjudication.

**16. Discovery**

- a. ☐ The party or parties have completed all discovery.
- b. ☒ The following discovery will be completed by the date specified (*describe all anticipated discovery*):
- | <u>Party</u> | <u>Description</u> | <u>Date</u> |
|--------------|--------------------|-------------|
| Defendant    | Written Discovery  | Per Code    |
| Defendant    | Depositions        | Per Code    |
- c. ☐ The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):

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**17. Economic litigation**

- a. ☐ This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. ☐ This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed *(if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):*

**18. Other issues**

- ☐ The party or parties request that the following additional matters be considered or determined at the case management conference *(specify):*

**19. Meet and confer**

- a. ☐ The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court *(if not, explain):*
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following *(specify):*

20. Total number of pages attached *(if any)*: \_\_\_\_\_

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: August 7, 2013

\_\_\_\_\_  
Martin N. Jensen

(TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
(SIGNATURE OF PARTY OR ATTORNEY)

\_\_\_\_\_  
(TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
(SIGNATURE OF PARTY OR ATTORNEY)

☐ Additional signatures are attached.

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

3 **DECLARATION OF SERVICE**

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

7 I am familiar with this Company's practice whereby the mail, after being placed in a  
8 designated area, is given the appropriate postage and is deposited in a U. S. mailbox in the City of  
9 Sacramento, California, after the close of the day's business.

10 On August 7, 2013, I served a copy of the following document(s):

11 **CASE MANAGEMENT CONFERENCE STATEMENT**

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

13 **Attorneys for Robert McFarland**

14 Mark Ellis  
15 Ellis Law Group  
16 740 University Ave., Suite 100  
17 Sacramento, CA 95825  
18 Fax: (916) 283-8821  
19 [MEllis@EllisLawGrp.com](mailto:MEllis@EllisLawGrp.com)

20 **Attorneys for Defendants The California**  
21 **State Grange, John Luvaas, Gerald**  
22 **Chernoff, and Damian Parr**

23 Robert D. Swanson  
24 Daniel S. Stouder  
25 Boutin Jones  
26 555 Capitol Mall, Suite 1500  
27 Sacramento, CA 95814  
28 Fax: (916) 441-7597  
[rswanson@boutinjoness.com](mailto:rswanson@boutinjoness.com)  
[dstouder@boutinjoness.com](mailto:dstouder@boutinjoness.com)

17 ☒ **By Mail.** I caused such envelope with postage thereon fully prepaid to be placed in the United  
18 States mail at Sacramento, California.

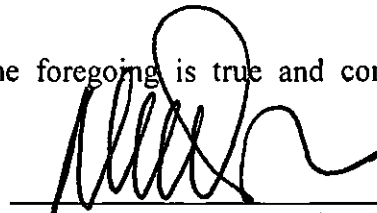
18 ☐ **By Personal Service.** I caused such document to be delivered by hand to person(s) listed  
19 below.

19 ☐ **By Overnight Delivery.** I caused such document to be delivered by overnight delivery to the  
20 office of the person(s) listed below.

20 ☐ **By Facsimile.** I caused such document to be transmitted by facsimile machine to the office  
21 of the person(s) listed below.

21 ☐ **By E-Mail.** I caused such document to be transmitted by electronic format to the office of  
22 the person(s) listed below.

23 I declare under penalty of perjury that the foregoing is true and correct. Executed at  
24 Sacramento, California on August 7, 2013.

25 

26 Desiree Ganzon

RECEIVED  
IN DROP BOX

13 AUG -7 PM 3: 08

GDSSC COURTHOUSE  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO