

ORIGINAL

FILED
ENDORSED

2013 OCT 16 PM 3:07

LEGAL PROCESS #2

1 Mark E. Ellis - 127159
William A. Lapcevic - 238893
2 Amanda N. Griffith - 288164
ELLIS LAW GROUP, LLP
3 740 University Avenue, Suite 100
Sacramento, CA 95825
4 Tel: (916) 283-8820
Fax: (916) 283-8821

5 Attorneys for
6 DEFENDANT/CROSS COMPLAINANT ROBERT MCFARLAND

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SACRAMENTO

10
11 THE NATIONAL GRANGE OF THE ORDER
OF PATRONS OF HUSBANDRY, a
12 Washington, D.C., nonprofit corporation,

13 Plaintiff,

14 v.

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

17 Defendants.

18
19 ROBERT MCFARLAND, an individual,

20 Cross-Complainant,

21 v.

22 THE NATIONAL GRANGE OF THE ORDER
OF PATRONS OF HUSBANDRY, a
Washington, D.C., nonprofit corporation, and
23 MARTHA STEFENONI, an individual, and
EDWARD L. LUTTRELL, an individual, and
24 SHIRLEY BAKER, and individual, and DOES 1-
10, inclusive,

25 Cross-Defendants.
26
27

28 I, Robert McFarland, hereby declare that:

Case No.: 34-2012-00130439

DECLARATION OF ROBERT
MCFARLAND IN SUPPORT OF
OPPOSITION TO CROSS-DEFENDANTS
MARTHA STEFENONI AND SHIRLEY
BAKER'S SPECIAL MOTION TO STRIKE

DATE: October 29, 2013
TIME: 2:00 p.m.
DEPT: 53

Hon. David Brown

Complaint Filed: October 1, 2012
Trial Date: None set

1 1. I am currently the elected Master and President of the California State Grange ("CSG").
2 The facts stated in this declaration are true and correct and based on my own personal knowledge, and
3 if called upon to testify thereto, I am competent to do so.

4 2. The California State Grange is a non-profit organization, organized and existing under
5 the laws of the State of California. The CSG is made up of an Executive Committee consisting of: five
6 (5) directors, an Overseer, and the Master of CSG. At all relevant times from October 2011 through the
7 filing of my First Amended Cross-Complaint ("FACC"), the CSG Directors were Shirely Baker, Inger
8 Bevans, Gerald Chernoff, John Luvaas and Damian Parr. Martha Stefenoni was the Overseer and
9 according the CSG's Bylaws, her primary purposes was to assist the Master and to act in the place of
10 the Master should he be suspended or removed from office.

11 3. In October of 2009 at the California State Grange Annual Convention, I was elected as
12 the Master of the California State Grange. I served my first term as Master from 2009-2011.

13 4. On or about October 10, 2011, just prior to the California State Grange's annual
14 meeting, Edward Luttrell ("Luttrell") arrived at California State Grange headquarters regarding
15 allegations made against me by Martha Stefenoni and members of my State Grange staff. Among other
16 things, Mr. Luttrell accused me of conspiring to seat alternative delegates at the convention who had
17 not properly affiliated with subordinate Granges, falsifying membership applications, and harassing
18 and/or bullying the California State Grange staff. As a result of these charges, Mr. Luttrell attempted
19 to suspend me; however, he acquiesced and held off on the suspension while the California State
20 Grange Executive Committee investigated the allegations against me after the convention. Had Mr.
21 Luttrell suspended me, Martha Stefenoni would have become the acting Master due to her position as
22 State Grange Overseer. Additionally, at the same meeting, Ed Lutrell called Shirley Baker into my
23 office and handed her a copy of the letter and instructing her to have the Executive Committee
24 investigate the matters alleged in the letter.

25 5. Mr. Luttrell had personally flown to California to hand deliver the October 10, 2011
26 letter to me. Luttrell additionally handed the letter to Shirley Baker, who at the time was chairwoman
27 of the Executive Committee, and requested that she have the Executive Committee meet and conduct a
28 full investigation into the allegations.

1 6. On or about October 12 – 16, 2011, the California State Grange held its annual State
2 Grange Convention. I attended the entire convention and was present at all times. It was during this
3 convention that I was re-elected to serve another two year term as Master of the California State
4 Grange. At this election I received 80% of the popular votes. Additionally, during the convention, John
5 Luvaas was elected to a three-year term as director, and was appointed Chair of the Executive
6 Committee.

7 7. Originally, at the 2011 Convention, Martha Stefenoni had been nominated for the
8 position of Master of the State Grange, however, she declined the nomination.

9 8. On or about December 24, 2011, I received an update from the Executive Committee
10 that the investigation yielded no evidence of any wrongdoing against me. I was further informed that
11 the report from the Executive Committee verified that it could find no wrongdoing by me for any
12 violations of Grange law.

13 9. On or about February 7, 2012, I received a letter from the Master of the National
14 Grange, Edward Luttrell. A true and correct copy of the letter I received is attached to the Index of
15 Exhibits as **Exhibit H**.

16 10. This letter appears to have completely ignored the findings of the California State
17 Grange's Executive Committee's investigation. This letter questioned my ability to properly lead the
18 State Grange as Master and questioned my honesty and integrity. Not only did I find the contents of
19 this letter to be highly offensive, but the fact that it was sent to the State Grange Executive Committee,
20 who had reported in their investigation that they found no wrongdoing on my part, was outrageous.

21 11. Later, I discovered this letter had been sent members of to the California State Grange
22 via U.S. Mail and e-mail, despite the letter having been solely addressed to me and the members of the
23 Executive Committee. The letters sent by U.S. Mail contained the Grange logo despite the fact that it
24 was not an official National Grange letter.

25 12. I was outraged and humiliated to learn that the letter had been sent to the State Grange
26 membership. This letter, in my opinion, contained personal and confidential employment information
27 regarding false allegations against me as Master of the California State Grange.

28 13. I have reviewed both Martha Stefenoni's declaration and Shirley Baker's declaration in

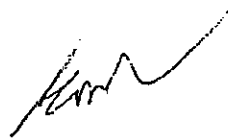
1 support of their SLAPP motion, including the parts where they voiced their concerns over the seating
2 of chapter delegates at the annual State Grange Convention in October of 2011 and the Executive
3 Committee's investigation into allegations made against me. These allegations are false. I did not
4 witness Martha Stefenoni or Shirley Baker announce anything related to the investigation into my
5 actions at the Annual Convention on the floor of the convention.

6 14. Further, each of the allegations in my Complaint against Martha Stefenoni and Shirley
7 Baker have nothing to do with any communication or action which either of them did or did not do at
8 the Convention in 2011.

9 15. All of the announcements from the floor of each Convention are recorded in the
10 California State Grange Journal. Something as significant as the investigation into the actions of an
11 elected state master would certainly have been recorded in the California State Grange Journal. Upon
12 reviewing the declarations of Ms. Stefenoni and Ms. Baker, I reviewed the Journal and did not see any
13 such announcement by either of them recorded at the 2011 Convention. Attached as **Exhibit M** to the
14 Index of Exhibits is a true and correct copy of the Journal of Proceedings from the 139th Annual
15 Session of California State Grange – 2011.

16 14. Grange Conventions are not open to the general public. Rather, each year, the Master
17 of the subordinate Grange and their spouse may attend the annual conventions and vote on Grange
18 officers and Grange policy. These conventions have never been televised and the minutes are recorded
19 in the California State Grange Journal.

20 I declare under penalty of perjury under the laws of the State of California that the foregoing is
21 true and correct, and that this declaration was executed on October 15, 2013, in Sacramento,
22 California.

23
24 
25 _____
26 ROBERT McFARLAND
27
28