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2013 OCT 16 PM 3:10

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

Case No.: 34-2012-00130439

REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF CROSS-COMPLAINANT  
ROBERT MCFARLAND'S 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 Defendant ROBERT McFARLAND hereby requests this Court to take judicial notice, pursuant  
2 to Evidence Code §§ 452(c) and (d) and 453, of the following documents on file with this Court:

- 3 1. Robert McFarland's First Amended Cross-Complaint.  
4  
5

6 Dated: October 16, 2013

ELLIS LAW GROUP, LLP

7  
8 By 

William A. Lapcevic

Attorney for

DEFENDANT/CROSS COMPLAINANT ROBERT  
MCFARLAND

**RJN NO. 1**

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DOWNTOWN COURTHOUSE  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO

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

8 Attorneys for  
9 DEFENDANT AND CROSS-COMPLAINANT ROBERT MCFARLAND

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SACRAMENTO

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

15 Plaintiff,

16 v.

17 THE CALIFORNIA STATE GRANGER, a  
18 California nonprofit corporation, and ROBERT  
19 MCFARLAND, JOHN LUYAAS, GERALD  
20 CHERNOFF, and DAMINA PARR,

21 Defendants.

22 ROBERT MCFARLAND, an individual  
23 Cross-Complainant

24 v.

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

Cross-Defendants

///

///

Case No.: 34-2012-00130439

FIRST AMENDED CROSS-COMPLAINT  
FOR DAMAGES:

1. DEFAMATION
2. PUBLIC DISCLOSURE OF PRIVATE FACTS
3. INTRUSION
4. INTENTIONAL INTERFERENCE WITH CONTRACTUAL RELATIONS
5. INTENTIONAL INTERFERENCE WITH PROSPECTIVE BUSINESS RELATIONS
6. INFLECTION OF EMOTIONAL DISTRESS

JURY TRIAL DEMANDED

1 Defendant/Cross-Complainant ROBERT MCFARLAND complains of Cross-Defendants THE  
2 NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY, EDWARD L.  
3 LUTTRELL, MARTHA STEFENONI, and each of them as follows:

4 PARTIES

5 1. Defendant/Cross-Complainant Robert McFarland ("McFarland") is and at all relevant  
6 times mentioned herein, was an individual residing in Sacramento County, State of California and was  
7 President of the California State Grange, a non-profit corporation organized under the laws of  
8 California. McFarland is the currently serving his second two year term as President of the California  
9 State Grange ("State Grange") a position to which he was elected by over 80% of the voting members.  
10 As an elected officer of the State Grange, McFarland possesses an employment contract with the State  
11 Grange.

12 2. Plaintiff/Cross-Defendant National Grange is and at all relevant times mentioned  
13 herein, is a nonprofit corporation organized under the laws of the District of Columbia.

14 3. On information and belief, Cross-Defendant Edward Luttrell ("Luttrell") is and at all  
15 relevant times mentioned herein, was and is the presiding National Master for the National Grange. In  
16 his professional capacity, he has traveled to California numerous times to conduct business and to  
17 attend various functions of the California State Grange. As such, he has intentionally, deliberately and  
18 purposefully availed himself to the jurisdiction of the California Courts.

19 4. On information and belief, Cross-Defendant Martha Stefenoni ("Stefenoni") is and at all  
20 relevant times mentioned herein, was an individual residing in Sonoma County, State of California.  
21 Stefenoni is the current Overseer of the State Grange and a member of the Executive Committee of the  
22 State Grange.

23 5. On information and belief, Cross Defendant Shirley Baker ("Baker") is and at all  
24 relevant times mentioned herein, was an individual residing in Sacramento County, State of California.  
25 Baker was at all relevant times a member of the Executive Committee of the State Grange.

26 6. Cross-Complainants do not presently know the true names and capacities of the Cross-  
27 Defendants sued herein as DOES 1-10, inclusive. Cross-Complainant will seek leave of court to amend  
28 this complaint to allege said Cross-Defendants' true names and capacities as soon as Cross-

1 Complainant ascertains them.

2 7. On information and belief, at all times herein mentioned, cross-defendants, and each of  
3 them, were acting on their own behalf and as agents, employees, representatives, partners, joint  
4 venturers, co-conspirators, and/or servants of each of the other cross-defendants, and the acts  
5 hereinafter described were done within the course and scope of such agency, employment, or  
6 conspiracy.

7 JURISDICTION AND VENUE

8 The monetary limits sought by Cross-Complainant are in excess of the jurisdictional minimums,  
9 \$25,000, of this Court.

10 8. Venue is proper in Sacramento County, as it is the site set forth in the complaint.  
11 Additionally, Cross-Complainant McFarland and Cross-Defendant Stefenoni both conduct business  
12 therein on behalf of the State Grange in Sacramento, California.

13 9. Cross-Defendant the National Grange has purposefully availed itself to the jurisdiction  
14 of the Court by, among other things, filing the underlying complaint for Declaratory Judgment and  
15 Injunctive Relief in Sacramento County Superior Court.

16 10. Cross-Defendant Luttrell has personally availed himself to the jurisdiction of California  
17 and the venue of the Sacramento County Superior Court through his activities as National Master of  
18 the National Grange in Sacramento County and elsewhere throughout California, and he has sufficient  
19 minimum contacts for the courts of California, and Sacramento County in particular, to exercise  
20 personal jurisdiction and venue over him as such.

21 FACTUAL BACKGROUND

22 11. On or about October 5, 2011, Stefenoni contacted Luttrell and the National Grange and  
23 falsely accused McFarland of wrongfully processing applications for several new California sub-  
24 chapter Granges and attempting to seat unqualified delegates for the State Grange's annual convention.  
25 On information and belief, this was the first of numerous occasions in which Stefenoni falsely reported  
26 McFarland to the National Grange and Luttrell.

27 12. In response, Luttrell flew to California and surprised McFarland in his office. At this  
28 time, Luttrell on behalf of the National Grange wrongfully threatened to immediately suspend  
McFarland as State Master without due process of any sort of hearing and without correlative evidence

1 based in part upon the false allegations made by Stefenoni. Eventually, Luttrell grudgingly agreed to  
2 withhold the suspension pending an investigation by the State Executive Committee into Stefenoni's  
3 allegations. On information and belief, Luttrell tasked the Executive Committee to investigate the  
4 discrepancies in the dates of charter applications, the seating of alternate and affiliate delegates at the  
5 California State Grange's Annual Convention, and accusations of harassment and bullying in the  
6 California State Grange office by McFarland.

7 13. From October 2011 to January 2012, the State Grange Executive Committee  
8 investigated the accusations made by Stefenoni. After meeting on several occasions, conducting  
9 interviews with various members and employees, and discussing the results amongst themselves, the  
10 Executive Committee issued a report of its findings, which found no substantial evidence of Grange  
11 Law being violated by McFarland. On January 24, 2012, the State Grange Executive Committee  
12 submitted its final reports to the National Grange and Luttrell which exonerated McFarland of any  
13 wrongdoing.

14 14. On information and belief, Stefenoni and Baker who admittedly did not like Mr.  
15 McFarland, engineered the drafting of an unauthorized "minority report" which report they published  
16 and sent to Luttrell. The so called "minority report" contradicted the findings and conclusions, of the  
17 majority of the State Grange Executive Committee, falsely stating that in fact McFarland had acted  
18 improperly and should be removed from office. When Stefenoni and Baker drafted and published the  
19 report they did so with the knowledge, intent and understanding that Steffenoni would take over as  
20 President of the State Grange if McFarland would be suspended, or terminated.

21 15. On January 25, 2012, Stefenoni and Baker maliciously caused the "minority report" to  
22 be published to the National Grange and Luttrell. On February 7, 2012, Luttrell acting in his position  
23 as National Master and on behalf of the National Grange sent McFarland a disparaging and false  
24 personal employment evaluation containing various false allegations against McFarland. The  
25 evaluation contained numerous falsities including but not limited to accusations that McFarland was a  
26 "bully" in the workplace and lacked the "integrity" required of a State Grange President. A true and  
27 correct copy of Luttrell's February 7, 2012 letter is attached hereto as Exhibit "A".

28 16. On information and belief, even after the Executive Committee found no evidence of

1 wrongdoing by McFarland, Luttrell unilaterally 'adopted' the findings of the unauthorized "minority  
2 report" and ignored the duly authorized majority report. Luttrell informed Stefenoni to "keep putting  
3 pressure for accountability on Mr. McFarland and keep getting the members involved." A true and  
4 correct copy of a Facebook posting which reflects such behavior is attached hereto as Exhibit "B".

5 17. On information and belief, based on the encouragement by Luttrell, Stefenoni and  
6 Baker caused the false and salacious employment evaluation to be published and disseminated to  
7 members of the State Grange Executive Committee as well as to members of the State Grange.

8 18. Between February 2012 and June 2012, McFarland was forced to defend himself  
9 against other charges in a "Grange Trial". Because of the public nature of the dispute and for the good  
10 of the State Grange, McFarland agreed to a suspension from June 1, 2012 through July 31, 2012.

11 19. Based on the organizational structure of the State Grange, Stefenoni became Acting  
12 President of the State Grange during McFarland's suspension.

13 20. On information and belief, from the day Stefenoni took over as Acting President of the  
14 California State Grange on June 1, 2012, she began manufacturing further charges against McFarland  
15 so that he would be suspended indefinitely or terminated and she could take over as President of the  
16 State Grange; she was abetted in this conduct by Luttrell, Baker and Does 1-10.

17 21. On or about July 26, 2012, Stefenoni contacted the attorney who had earlier represented  
18 the State Grange in a real property dispute with a sub-chapter Grange in 2009; she requested that the  
19 attorney provide her with information regarding the earlier dispute.

20 22. On information and belief, Stefenoni and Luttrell used the information regarding the  
21 legal dispute in 2009 to bring further charges against McFarland in order to expel him from the State  
22 Grange, so as to allow Stefenoni to become the President of the State Grange without having to ever  
23 win an election.

24 23. On or about August 1, 2012, McFarland returned from his agreed suspension. On or  
25 about August 6, 2012, Luttrell informed McFarland of the new set of false charges against him  
26 stemming from information that Stefenoni put together during her time as Acting Master of the State  
27 Grange. Luttrell's alleged false charges include allegations of McFarland making misrepresentations  
28 and omissions to the members of the California State Grange Executive Committee relating to the



1 settlement of a civil lawsuit named *California State Grange v. Vista Grange et. al.* in 2009; falsification  
2 of charter applications and irregularities of the seating of delegates at the 2011 California State Grange  
3 Convention, "bullying and allowing the bullying and intimidation of Grange members, and failing to  
4 suppress the speech of members of the California State Grange that were contrary to the beliefs of  
5 Luttrell. A true and correct copy of said charges are attached hereto as Exhibit "C".

6 24. In addition to Luttrell bringing new charges against McFarland, Luttrell once again  
7 demanded McFarland be suspended as President of the State Grange, and that he be immediately  
8 replaced by Stefenoni.

9 25. McFarland currently presides over the State Grange as President of the State Grange.

10 **FIRST CAUSE OF ACTION**

11 (Defamation Against Cross-Defendants the National Grange, Edward L. Luttrell, Martha Stefenoni,  
12 Shirley Baker and DOES 1-10, inclusive)

13 26. McFarland incorporates by reference, all of the allegations set forth in paragraphs 1-10  
14 above as fully incorporated herein.

15 27. On or about February 7, 2012, Luttrell acting in his capacity as Master of the National  
16 Grange drafted a letter, on National Grange letter head, containing false statements about McFarland,  
17 including but not limited to, McFarland being dishonest, having a penchant for "bullying" in the  
18 workplace, and engaging in unethical activities which put in question McFarland's integrity. See  
19 Exhibit "A".

20 28. Luttrell, while acting in his capacity as Master of the National Grange caused the letter  
21 to be published to various members of the Executive Committee of the State Grange. Further Luttrell  
22 encouraged Steffenoni and Baker to publish the letter and get the members involved. After which  
23 Baker and Does 1-10 caused Luttrell's letter of February 2012 to be disseminated to members of the  
24 California State Grange.

25 29. On information and belief, Luttrell, the National Grange and Baker understood or  
26 should have understood, that the allegations about McFarland described above were false and  
27 malicious and/or disregarded the falsity of these unprivileged statements when they published them.  
28 Cross-Defendants published these unprivileged statements about McFarland with actual malice and  
with the intent to cause harm to McFarland.

1       30.    The unprivileged statements published about McFarland are libelous on their face. The  
2 unprivileged statements accuse McFarland of unprofessional behavior, "bullying" in the workplace,  
3 and lacking integrity. The unprivileged statements exposed McFarland to contempt, ridicule and  
4 obloquy because they inaccurately portray McFarland as, among other things, a dishonest, lacking  
5 integrity and not competent to hold the office of President of the State Grange.

6       31.    The unprivileged statements published about McFarland have and will continue to  
7 adversely affect McFarland in his professional life as the elected leader of a non-profit corporation, and  
8 his reputation has been damaged by their publication.

9       32.    Cross-Defendants, and DOES 1-10 are liable to McFarland as a result of these  
10 unprivileged, false and defamatory statements for actual, presumed, general, special and punitive  
11 damages in an amount to be determined at trial.

12                               **SECOND CAUSE OF ACTION**

13                               (Public Disclosure of Private Facts Against

14       Cross-Defendants the National Grange, Edward Luttrell, Shirley Baker and DOES 1-10 inclusive)

15       33.    McFarland incorporates by reference, all of the allegations set forth in paragraphs 1-32  
16 above as fully incorporated herein.

17       34.    On information and belief, through the process of maliciously publishing the February  
18 7, 2012 confidential employment evaluation letter to McFarland, Cross-Defendants and DOES 1-10  
19 have publicly disclosed and/or will continue to publicly disclose private facts, including but not limited  
20 to McFarland's employment activities, employment relationship and confidential employment  
21 information outside the realm of legitimate public interest. McFarland has not consented to such  
22 disclosure, and publication of such private facts for no legitimate reason would be highly offensive to a  
23 reasonable person.

24       35.    As a result of Cross-Defendants' unprivileged public disclosure, McFarland has been  
25 injured in an amount not yet determined, but in excess of the jurisdictional amount of this Court,  
26 exclusive of interest and costs, to be proven at trial.

27       36.    As a result of Cross-Defendant's public disclosure, McFarland has suffered and will  
28 continue to suffer irreparable harm, and McFarland has no adequate remedy at law with respect to this  
injury. Unless Cross-Defendants' public disclosure is enjoined by this Court, McFarland will continue

1 to suffer a risk of irreparable harm.

2 37. On information and belief, Cross-Defendants' public disclosure was knowing,  
3 malicious, despicable, oppressive, intentional, wanton, and willful, and in conscious disregard for his  
4 rights, entitling McFarland to general, special and punitive damages in an amount to be determined at  
5 trial.

6 **THIRD CAUSE OF ACTION**

7 (Intrusion against Cross-Defendants The National Grange,  
8 Edward L. Luttrell, Shirley Baker, and Does 1-10)

9 38. McFarland incorporates by reference, all of the allegations set forth in paragraphs 1-37  
10 above as fully incorporated herein.

11 39. McFarland has a right against intrusion into his private affairs.

12 40. On information and belief Cross-Defendants intend or intended to intrude upon  
13 McFarland's private affairs related to his employment relationship with the State Grange, and  
14 unrelated thereto.

15 41. On information and belief Cross-Defendants have subjected or intend to subject  
16 McFarland to unwarranted and undesired publicity by revealing private facts within McFarland's zone  
17 of privacy, and protected by the California Constitution, related to his employment relationship with  
18 the State Grange by, including but not limited to the public disclosure of a confidential employment  
19 evaluation.

20 42. McFarland did not consent to such a non-privileged invasion into his private  
21 employment relationship with the California State Grange, which was, and the publication of the  
22 evaluation would be offensive and embarrassing to a reasonable person.

23 43. Cross-Defendants invasion into McFarland's private employment relationship is not  
24 justified by any legitimate motive or privilege such as newsgathering.

25 44. As a result of Cross-Defendants' intrusion into McFarland's private employment  
26 relationship, McFarland has been injured in an amount not yet determined, but believed to exceed the  
27 jurisdictional amount of this Court, exclusive of interest and costs, to be proven at trial.

28 45. As a further result of Cross-Defendant's intrusion into McFarland's private employment  
relationship, McFarland has suffered and will continue to suffer irreparable harm, and McFarland has

1 no adequate remedy at law with respect to this injury. Unless Cross-Defendants' intrusion is enjoined  
2 by this Court, McFarland, upon information and belief alleged Cross-Defendants and DOES 1-10 will  
3 continue to seek to cause irreparable harm.

4 46. On information and belief, Cross-Defendants' intrusion has been knowing, intentional,  
5 despicable, wanton, and willful, and in conscious disregard of McFarland's rights, entitling McFarland  
6 to general, special, and punitive damages in an amount to be determined at trial.

7 **FOURTH CAUSE OF ACTION**

8 (Intentional Interference with Contractual Relations Against Cross-Defendants The National Grange,  
9 Edward L. Luttrell, Martha Stefenoni and Shirley Baker, and Does 1-10.)

10 47. McFarland incorporates by reference, all of the allegations set forth in paragraphs 1-46  
11 above as fully incorporated herein.

12 48. Based on his status as an elected officer of the California State Grange, McFarland  
13 possessed and continues to possess an employment contract with the California State Grange.

14 49. Cross-Defendants and DOES 1-10 knew of the existence of the employment contract  
15 between McFarland and the California State Grange at the time of their actions.

16 50. Cross-Defendants nonetheless intended to wrongfully remove McFarland from his  
17 elected position and from the entire Grange organization through their publication of false facts, and by  
18 compiling false charges against McFarland.

19 51. Cross-Defendants' publication of false facts, attempted suspensions and the leveling of  
20 false allegations against McFarland have made performance of his employment contract more difficult  
21 and expensive, if not impossible, for McFarland to fulfill his duties pursuant to the contract.

22 52. As a result of Cross-Defendants' interference with McFarland's employment contract,  
23 McFarland has been injured in an amount not yet determined, but believed to exceed the jurisdictional  
24 limits of this Court, exclusive of interest and costs, to be proven at trial.

25 53. Cross-Defendants' non-privileged publication of false facts, and compilation of baseless  
26 allegations against McFarland are a substantial factor in causing McFarland's harm.

27 54. On information and belief, Cross-defendants' interference has been knowing,  
28 despicable, intentional, malicious, oppressive, wanton, and willful, and in conscious disregards of his  
rights, entitling McFarland to general, special and punitive damages in an amount to be determined at

1 trial.

2 **FIFTH CAUSE OF ACTION**

3 (Interference with Prospective Economic Relations Against Cross-Defendants The National Grange,  
4 Edward L. Luttrell, Martha Stefenoni, Shirley Baker, and Does 1-10.)

5 55. McFarland incorporates by reference, all of the allegations set forth in paragraphs 1-54  
6 above as fully incorporated herein.

7 56. Based on the organization of the California State Grange, a State Master has no term  
8 limits and may seek reelection so long as the membership votes him or her into office. McFarland,  
9 serving his second elected term as Master of the California State Grange, won his second term with  
10 over an 80% majority vote.

11 57. Based on his office as the Master of the California State Grange, McFarland has a duty  
12 to meet with his constituents of the California State Grange, and assist them in Grange related matters.  
13 In fulfilling his duties to the members of the California State Grange, McFarland has established good  
14 working relationships with numerous local granges, businesses and associations that have benefited  
15 McFarland and the California State Grange. McFarland intends on running for the office of State  
16 Master for years to come.

17 58. Cross-defendants' knew of these relationships, by among other things, as a result of  
18 Luttrell's position as Master of the National Grange, Stefenoni's position as Overseer of the California  
19 State Grange, and Baker's position as a member of the Executive Committee of the California State  
20 Grange.

21 59. The conduct of Cross-defendants' as described above was designed to disrupt the  
22 prospective and existing relationships between McFarland and Grange members, and indeed, these  
23 relationships have been disrupted as a result of Cross-defendants' publication of false statements and  
24 false allegations made against McFarland. Further, prospective members and existing members have  
25 declined to join the California State Grange, or have dropped their membership in the California State  
26 Grange, as a result of the conduct of Cross-defendants' publication of false and malicious allegations  
27 against McFarland.

28 60. Cross-defendants interference with McFarlands' economic relationship has gone so far  
as to have Cross-defendant Luttrell summarily suspend McFarland, the charter of the California State

1 Grange and eventually revoke the charter of the California State Grange because its members would  
2 not go along with Luttrell's false charges against McFarland.

3 61. As a proximate result of Cross-defendants' conduct, McFarland's economic  
4 relationship with regards to his ability to run for the office of Master of the California State Grange in  
5 the future has been interfered with and he has suffered damages in an amount to be proven at trial.

6 62. The non-privileged conduct of Cross-Defendants' and DOES 1-10 in interfering with  
7 McFarlands' economic relationship has been and is intentional, willful, and calculated to disrupt  
8 McFarlands' ability to continue on as Master of the California State Grange. The conduct of Cross-  
9 defendants' was perpetrated with actual malice and ill will toward McFarland, in conscious disregard  
10 of his rights, and with the intentional and improper purpose of causing damage. There was no  
11 justifiable cause for Cross-defendants' actions. As a result, an award of punitive damages is warranted.

12 SIXTH CAUSE OF ACTION

13 (Infliction of Emotional Distress Facts Against Cross-defendants The National Grange,  
14 Edward L. Luttrell, Martha Stefenoni, Shirley Baker and Does 1-10.)

15 63. McFarland incorporates by reference, all of the allegations set forth in paragraphs 1-62  
16 above as fully incorporated herein.

17 64. Cross-defendants by their conduct caused McFarland severe emotional distress.

18 65. McFarland alleges that Cross-defendants' conduct was non-privileged and outrageous  
19 under the circumstances, and that Cross-defendants' knew and intended their conduct to be outrageous  
20 and injurious.

21 66. McFarland further alleges that Cross-defendants negligently, intentionally, or in  
22 reckless disregard of his rights, caused McFarland's emotional distress.

23 67. McFarland further alleges that Cross-defendants' acted with reckless disregard of the  
24 probability that McFarland would suffer emotional distress, knowing the extreme damage to his  
25 reputation that would result from their conduct, and that he has suffered severe emotional distress.

26 68. As a result of Cross-defendants' misconduct, McFarland has suffered actual injury and  
27 general damages in the form of severe emotional distress, in an amount in excess of the jurisdiction  
28 limits of this Court and to be determined at the time of trial.

1 PRAYER FOR RELIEF

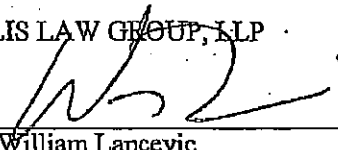
2 WHEREFORE, Cross-Complainant prays for judgment as follows:

- 3 1. For compensatory general and special damages in an amount to be proven against the  
4 National Grange, Luttrell, Stefenoni, and Does 1-10;
- 5 2. For punitive damages in an amount to punish cross-defendants National Grange, and  
6 Luttrell, Stefenoni and Does 1-10;
- 7 3. For a preliminary and permanent injunction preventing National Grange, Luttrell,  
8 Stefenoni and Does 1-10, from interfering with McFarland's employment contract;
- 9 4. For a preliminary and permanent injunction preventing National Grange, Luttrell,  
10 Stefenoni and Does 1-10, from interfering with McFarland's potential economic advantage;
- 11 5. A retraction by cross-defendants of all false statements about McFarland;
- 12 6. For costs of suit and attorney's fees if permissibly awardable under California law;
- 13 7. For prejudgment interest;
- 14 8. For any and all other relief that the Court deems proper.

15 Dated: May 13, 2013

16 ELLIS LAW GROUP, LLP

17 By

18   
William Lapcevic  
Attorney for  
19 DEFENDANT ROBERT MCFARLAND  
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# NATIONAL GRANGE

OF THE ORDER OF PATRONS OF HUSBANDRY

1616 H ST. NW, WASHINGTON, DC 20006 [PHONE (202) 628-3487] FAX (202) 347-3519

*American Values. Honorable Roots.*

Bob McFarland, Master  
California State Grange  
3830 U Street  
Sacramento, CA 95817-1345

February 7, 2012

Worthy Master,

This letter is in regard to the multitude of comments and reports that I've received and your actions, behavior, and attitude that I've observed. I have also read the completed investigation report of the California State Grange Executive Committee (CSG EC) and the minority report.

The issue of falsifying Charters is a very serious problem. I am not satisfied with the idea that the staff was to blame. The integrity of the Chartering process is dependent upon both you and me approving Charters that are correct and accurate. The Charter is a binding contract between the National Grange and the people in a community that enables them to operate as a Grange. That Charter confers great privileges and benefits as it allows that group of people to be a Grange. Your failure to accept the responsibility for your actions as the credited organizer and the approving State Master concerns me greatly.

While I am pleased that with the help of the CSG EC, we were able to find the correct dates for the organization of the Community Granges at issue in order to finish the Chartering process for these Granges, I remain uncertain of the motivation for the false dates. I intend to continue to consider the options that are open to me to find a final resolution to this matter.

The issue of seating alternate delegates to the 2011 California State Grange Session also concerns me. While it would appear that no significant votes were close enough to make any decisions an issue, the integrity of the delegate body remains a serious concern. While the State Master should be advocating that every Grange send a delegate to the Annual Session, no member should ever advocate who should be in that role for another Grange. Nor should any member ever affiliate with a second Grange, or suggest affiliating with another for the purpose of being an alternate delegate. Such action would be highly unethical and contrary to the high ideals to which we pledge ourselves to.

It is my understanding that during the credentials checking process a motion was made to seat all alternate delegates before the checks were completed. That motion was ruled in order by you and passed by the delegates. If my understanding of the process as outlined in your By-

EXHIBIT

A



Laws is correct, that motion suspended the rules in regard to the seating of delegates. In that case your decision would be incorrect because the By-Laws may never be suspended. It is imperative that you protect the integrity of the California State Grange delegate body. That responsibility rests upon you, as State Master, and your fellow officers. The situation where the integrity of the delegate body might be questioned must never be repeated.

On the matter of the employees of the California State Grange, it would appear that you and the CSG BC have made decisions and acted. At this time, it appears to be a California issue.

I have a number of concerns about your actions and foremost is your late arrival to the National Grange Session and early departure as well as the lateness of your purchase of airline tickets. You have not shared with me any reasons and I do have an open mind if there were extenuating circumstances. National Grange pays for the airfare for the delegates and your ticket was among the most costly due to the October 31 purchase.

Since last year was your third National Session as a delegate, I expected you to arrive on Sunday as printed in the preconvention materials. The bulk of the committee work is done on Monday. Being scheduled to arrive late Monday shows a lack of understanding of, or commitment to, the duties of a State Grange Master at the National Session. If you had a good reason for your delay, I am disappointed that you did not share that reason with me.

I have also been informed that you did not participate in assigned committee work after your arrival in Tulsa. This is unacceptable behavior for a State Master. Committee work is one of the important duties of our delegates and especially a State Master. It is also doing a disservice to the members of the Grange in California since you were not there to advocate on their behalf during much of the committee time.

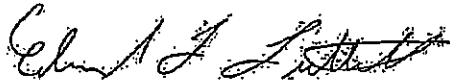
I am also concerned about public comments you have made. As an example, August 31, 2010 you wrote comments that could be taken in very negative ways by both members and non-members. First, you seem to misunderstand the role of leadership in the Grange. As Grange leaders, we implement the policy determined by the delegates, regardless of our personal opinions. We are vested with the responsibility to allocate our limited resources, but we are required to remain within established Grange policy. Second, it could be taken that you are advocating people join our organization and hide their true motives from us. If this were true, you would be violating fundamental principles of our Order. Third, you seem to have a lack of faith in the average or what you term "traditional" members. From my experience, our members are open to a discussion or debate on any topic and very few will refuse to listen with an open mind.

Integrity is a requirement of successful Grange leadership. I have had a number of informal complaints and reports about your actions which primarily include bullying behavior and insincere statements.

Grange leadership requires that we work with those who disagree with us. Disagreement and the ensuing debate are healthy for us as people and for our organization. Failure to engage in debate or to consider opposing viewpoints goes against the philosophy of the Grange.

Grange members do not expect their leaders to be perfect. However, they do expect them to maintain a high level of integrity, both in their actions as Grange leaders and in regard to protecting and growing the Order. I expect no more from you than I do from myself.

Fraternally Yours,

A handwritten signature in cursive script, appearing to read "Edward L. Luttrell".

Edward L. Luttrell, Master  
The National Grange

cc: Executive Committee of the California State Grange  
Fran Vitt, Counsel for the National Grange  
Jimmy Gentry, Overseer of the National Grange

YAHOO! MAIL

ner CSG Office Staff Martha says she talked Ed this morning. Ed said...

Wednesday, February 29, 2012 3:12 PM

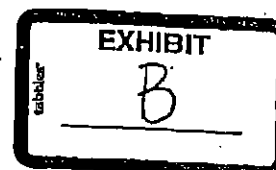
From: "Leslie S Parker" <notification+ygwyqmgh@facebookmail.com>

To: "former CSG Office Staff" <223432011075946@groups.facebook.com>

Leslie S Parker posted in former CSG Office Staff.

<p>From: Leslie S Parker</p> <p>Sent: 3:12pm Feb 29</p> <p>Subject: Martha says she talked Ed this morning. Ed said to keep putting pressure for accountability on Mr. McFarland and keep getting the members involved.</p>
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# NATIONAL GRANGE

## OF THE ORDER OF PATRONS OF HUSBANDRY

1616 11 ST. NW. WASHINGTON DC 20006 | PHONE (202) 638-3802 | FAX (202) 347-1019

*Grange Values: Home, Health, and Honor*

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:

I. 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 (8) (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

CERTIFICATE OF SERVICE

I, Rosanne Estrella, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 740 University Avenue, Suite 100 East, Sacramento, CA 95825.

On May 13, 2013, I served the following document(s) on the parties in the within action:  
CROSS-COMPLAINT FOR DAMAGES

X

BY HAND: The above-described document(s) will be placed in a sealed envelope which will be hand-delivered on this same date by Rosanne Estrella, addressed as follows:

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

Attorneys for  
PLAINTIFF THE NATIONAL GRANGE OF  
THE ORDER OF PATRONS OF HUSBANDRY

X

BY MAIL: I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at Sacramento, CA on this date, addressed as follows:

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

Attorneys for  
DEFENDANT THE CALIFORNIA STATE  
GRANGE

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on May 13, 2013.

By.

Rosanne Estrella  
Rosanne Estrella