

FILED
ENDORSED

13 OCT 22 PM 3:08

LEGAL PROCESS #6

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10 Attorneys for Cross-Defendants
11 MARTHA STEFENONI and SHIRLEY BAKER

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF SACRAMENTO

14 THE NATIONAL GRANGE OF THE
15 ORDER OF PATRONS OF
16 HUSBANDRY, a Washington, D.C.,
17 nonprofit corporation,

18 Plaintiff,

19 vs.

20 THE CALIFORNIA STATE GRANGE,
21 a California nonprofit corporation, and
22 ROBERT McFARLAND, JOHN
23 LUVAAS, GERALD CHERNOFF and
24 DAMIAN PARR,

25 Defendants.

26 ROBERT McFARLAND, an individual,

27 Cross-Complainant,

28 vs.

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

Cross-Defendants.

CASE NO. 34-2012-00130439

CROSS-DEFENDANTS BAKER AND
STEFENONI'S RESPONSE TO THE
OBJECTION TO THE DECLARATION
OF MARTHA STEFENONI FILED IN
SUPPORT OF CROSS-DEFENDANTS
MARTHA STEFENONI AND SHIRLEY
BAKER'S SPECIAL MOTION TO
STRIKE

BY FAX

DATE: OCTOBER 29, 2013

TIME: 2:00 P.M.

DEPT.: 53

Complaint Filed: October 1, 2012

Trial Date: Not yet set

1
RESPONSE TO THE OBJECTION TO THE DECLARATION
OF MARTHA STEFENONI FILED IN SUPPORT OF CROSS-
DEFENDANTS MARTHA STEFENONI AND SHIRLEY
BAKER'S SPECIAL MOTION TO STRIKE

1 Cross-Defendant MARTHA STEFENONI hereby responds to the objections of Cross-
2 Complainant ROBERT McFARLAND as follows:

<u>Evidence Objected to:</u>	<u>Response to Objection:</u>	<u>Court's Ruling</u>
¶14 at 4:10-13 On or about October 11, 2011 National Grange Master Ed Luttrell directed the Executive Committee of the State Grange to look into the actions of California State Grange Master Robert McFarland relating to (1) chartering applications, (2) seating of alternate delegates, and (3) workplace environment complaints.	<p>This evidence does not lack foundation, is not speculative and not conclusory.</p> <p>This evidence is contained in Edward Luttrell's October 10, 2011 letter which Cross-Complainant and objecting party Robert McFarland, himself, made Exhibit A to his Opposition to Cross-Defendants Martha Stefenoni and Shirley Baker's Special Motion to Strike.</p> <p>More specifically, it is found in ¶15 et seq on the third and last page of the letter that is bates labeled BM-000825 and made Exhibit A hereto, beginning with "I hereby order an investigation into the actions of Brother McFarland ..."</p>	<p><input type="checkbox"/> SUSTAINED</p> <p><input type="checkbox"/> OVERRULED</p>

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<p>¶15 at 4:4 - 15</p> <p>The Executive Committee conducted its investigation and a majority of the committee issued a report to the National Grange Master Ed Luttrell in January 2012.</p>	<p>This evidence does not lack foundation, is not speculative and not conclusory.</p> <p>This evidence cited is contained in the written Executive Committee's Third and Final Investigative Report dated January 24, 2012 that Cross-complainant Robert McFarland, himself, made Exhibit D to his Opposition to Cross-Defendants Martha Stefenoni and Shirley Baker's Special Motion to Strike, which is attached hereto as Exhibit D.</p>	<p><input type="checkbox"/> SUSTAINED</p> <p><input type="checkbox"/> OVERRULED</p>
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DATED: October 22, 2013

FARBSTEIN & BLACKMAN
A Professional Corporation

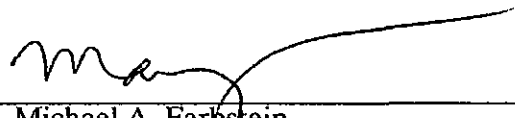
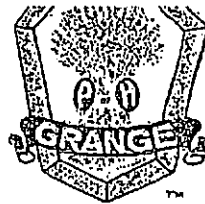
By 
Michael A. Farbstein
Margaret A. Burton
Attorneys for Cross-Defendants
MARTHA STEFENONI and SHIRLEY
BAKER

EXHIBIT A

The National Grange

Of the Order of Patrons of Husbandry
Building Communities



ORIGINAL
CHARGES

October 10, 2011

I have become aware that Brother Bob McFarland has, or may have, committed a number of violations as the Master of the California State Grange.

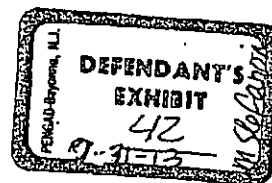
I will fly to California and give Brother McFarland the opportunity to explain his actions before making the decision to sign this document.

Point 1. Falsifying Charter Applications and membership applications. I have seen copies of the Charter application and membership applications for Petaluma Grange. Brother McFarland was credited as the organizer and signed the Charter application as the State Grange Master. The Membership Applications that each member signed and dated had the month changed from 6 or 7 to 4 and one that had "April" written over the month which appears to June. Other evidence shows that the organizational efforts for Healdsburg Ballet and Petaluma were ongoing in June and July making an April 25 organizational date as stated on both Charter applications a false date.

The Chartering process of new or reorganized Granges is how the National Grange creates new Community/Subordinate, Pomona, or State Granges and is the legal process by which all rights and privileges of the Order of Patrons of Husbandry organization are granted. The Digest provides the rules for granting, holding, and suspending or revoking Charters. The Master of the National Grange and of State Granges are given the authority and responsibility of granting or approving and suspending or revoking Charters by virtue of the office they hold. 4.3.2(A) in the Digest of Laws requires that the State Grange Master approve the application for a Charter.

The act of falsifying a Charter application by a State Grange Master violates the obligation of an officer of the Grange "I will support the Constitution and By-Laws of the National Grange" as well as all the specific obligations of membership in the First, Fourth, Fifth, and Sixth Degrees which state in a number of similar ways that the member will "obey the rules of the order." The teachings and principles of the Grange seek to instill the highest ethical behavior in our members and the Digest assumes that the elected officers will conduct themselves in that manner at all times. 12.2.1 of the Digest of Laws of the National Grange authorizes charges for such offenses.

The fact that Brother McFarland is the organizer and the approving State Master, it is not reasonable to believe that he did not know of and approve of the act of falsifying the Charter applications for Healdsburg Ballet and Petaluma Community Granges and the membership applications for Petaluma Community Grange. If he personally altered any of the membership applications he compounded his crime.



Point 2. It would appear from the evidence that Brother McFarland and others are attempting to seat delegates at the California State Grange Session that are not qualified. Brother McFarland also contacted me about reasons he could use to refuse to seat certain delegates.

I have a copy of an email from the Master of Corralitos Grange stating the Grange did not authorize any member to be an alternate delegate. According to the information that I have received, Brother McFarland approved two individuals to represent Corralitos Grange as alternate delegates.

I have an email from Brother Sergio Garcia, last listed Master of Biggs Community Grange stating that Brother Richard Roth demanded a signature on October 6 from him so that he could demit to another Grange. Brother Garcia verifies that the Grange did not approve any demit although he did sign a paper after it was demanded he do so. Brother Roth then is listed as being an affiliate member of Big Sur Grange as of the date of October 6 and being an alternate delegate. Sister Sherry Moorehouse is also listed as an alternate delegate for Big Sur Grange and is dated October 4 which when the dates of these two are compared, it raises questions about proper procedure and the legal acceptance of a demit by Big Sur Grange and the qualifications of the alternate delegates that have registered.

The spreadsheet provided me states "per Bob" on four lines and also through several additional comments it would appear that Bob was making decisions about the seating of alternate delegates as well as having oversight and authority for approving alternate delegates for the 2011 California State Grange Session. I would expect with an investigation that some delegates would be found to be qualified and proper, but in reviewing the known facts, it is reasonable to assume that there may be additional improprieties and indicates an effort is being conducted to either influence the policies or the election of officers at the 2011 California State Grange Session. I come to this conclusion from the evidence that I have seen so far. It would also appear that a number of these questionable alternate delegates are either acquaintances or friends of Brother McFarland.

Regardless of the results of any investigation, Brother McFarland has either conspired to seat alternate delegates or approved the seating of those that should create questions in a person charged with following the rules of the Order.

The Digest of Laws Chapter 8 clearly states that State Granges are delegate bodies and are made up of the Master of the Community/Subordinate Grange and the spouse, or alternate delegates as selected by the Community Grange as provided in the State Grange By-Laws. Any State Grange officer who would interfere with the process has violated their obligations both as an officer and a member, as such actions violate all the basic principles and tenets of the Order.

Point 3. I have received the complaint that Brother McFarland intimidates or possibly harasses certain employees of the California State Grange. At least one employee, who is also a Grange member, has expressed to me her fear of losing her job if she fails to do what Brother McFarland directs, regardless of questions of legality or due process. From the complaint, the work atmosphere at the California State Grange headquarters could be construed as hostile.

While the digest is silent on procedures of administration of State Grange headquarters, it is assumed that each officer and member will conduct themselves with the highest ethical standards in the performance of their duties. Intimidation or other forms of harassment toward fellow members are behaviors that once again violate the obligations that each member and each officer voluntarily agrees to.

If said complaint was made outside of the Grange, it could possibly serve as the basis for a lawsuit against the California State Grange or invite penalties from the State of California agencies charge with oversight of labor issues.

Based upon the complaints and evidence that I have seen, I hereby order an investigation into the actions of Brother Bob McFarland, Master of the California State Grange in performance of his duties to determine the facts of these complaints.

I therefore suspend Brother Bob McFarland, from the office of Master of the California State Grange as required for the violation of 4.10.7 (A)(2) "Failure or refusal to obey the By-Laws or Laws of any Grange of the divisions of the Order having jurisdiction over said Master or officer." of the Digest of Laws of the National Grange for Point 1. Falsifying a Charter Application.

If the evidence confirms the accusations as outlined in Point 2 or Point 3, either are sufficient to also warrant suspension from office and these Points will be added to this complaint.

If during the investigation, I find additional charges they will be added to the complaint which shall be filed in accordance with the Digest of Laws.

The State Grange Overseer shall conduct the duties of Master of the California State Grange as the acting Master as per 4.10.7 of the Digest of Laws.

Due to the timing, if Brother McFarland should be re-elected to the office of Master at the upcoming California State Grange Session, this suspension shall remain in force and his installation shall not change the fact that the Overseer of the California State Grange shall serve as the acting Master until the charges are adjudicated per the Digest of Laws of the National Grange.

Fraternaly,

Edward L. Luttrell, Master
The National Grange

BM - 000825

C.

EXHIBIT D

Final Report from California State Grange Executive Committee

Monday, January 23, 2012 5:46 PM

From: "Jon Luvaas" <jonluvaas@gmail.com>

To: "Buzz Chernoff" <toohighranch@gmail.com>, "Damian Parr" <dmparr@ucdavis.edu>, "Inger Bevens" <Ingerbea@pacbell.net>, "Jon Luvaas" <jonluvaas@gmail.com>, "Martha Stefenoni" <mstefenoni@att.net>, "Shirley Baker" <bakertwo@jps.net>

Cc: "Bob McFarland" <bobupthecreek@yahoo.com>

2 Files (478KB)



Update o... California...

I have prepared and am ready to send our final report to Ed Luttrell, as discussed on Saturday. As with our two previous reports, I'd appreciate your input before this goes out. It seems very important for Ed to hear from us about staff realignment before the staff does, so he'll be fully informed if any of the staff call him about it. So please reply promptly.

Jeannie will start working at the office this Wednesday or Thursday. To promptly give her a fully realigned staff, Bob must be able to quickly notify staff and then advertise for the 3 positions. Ed should have this first, so I'd like to send it by noon this Tuesday.

Thanks for all the good work being done by everyone.

Jon

Worthy Master Luttrell,

This is a followup and final report from the California State Grange Executive Committee regarding completion of all tasks you assigned to us in October, 2011.

As you will recall, we reported on November 18, 2011 that our most urgent concern was the office environment. We initiated steps to understand, address and remedy those concerns and related managerial, organizational, procedural and behavioral problems. We met with all staff and Master McFarland to better understand the problems and subsequently hired a professional mediator to meet with Master McFarland and staff to address individual concerns and improve communications. Subsequent reports indicated a significant improvement in mutual understanding of grievances, promises of behavioral change, and better communications among most of the parties.

We then turned our attention to allegations of potential Grange law violations in Master McFarland's handling of charters for new and reorganized Granges. After interviewing various parties and reviewing relevant records, we found no Grange law violations, but discovered serious procedural and protocol problems and errors in processing charters within the office. This led to correction and re-submission of several charter applications for your approval. We also began a major restructuring of office procedures and staff positions to prevent such errors in the future.

BM - 000096

On December 21, 2011, we reported the results of our investigation into the confusion involving delegate credentials for our 2011 Annual Convention. As we reported, no Grange law violations were indicated, but the absence of clear procedures, protocol, and education caused or contributed to misunderstandings, confusion, delays and errors in determining the qualifications of some delegates and in processing their credential applications.

Through the process described in our November and December reports (attached for reference), we have gained a much clearer understanding of the office's longstanding structural, procedural, managerial, and staffing deficiencies that have created problems through several administrations. Although we realize this is an internal matter governed by California Grange law, we thought you would appreciate knowing that we have initiated significant steps to overhaul and update office procedures and manuals and have restructured all staff positions, assignments, and management. This may, in some cases, lead to re-staffing these new positions in order to resolve ongoing issues and raise the level of performance and harmony in the office.

This completes our final report on all matters you have brought to our attention.

Fraternally,

Jon Luvaas, Chair
California State Grange Executive Committee

Forwarded Message: Update on California Grange Executive Committee Investigation

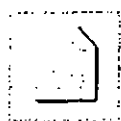
Friday, November 18, 2011 4:35 PM

Update on California Grange Executive Committee Investigation

From: "Jon Luvaas" <jonluvaas@gmail.com>

To: Ed Luttrell @yahoo.com, "Ed Luttrell" <eluttrell@nationalgrange.org>

1 File (423KB)



Database...

Good evening Ed,

This is to update you on the significant progress being made by the California Grange Executive Committee in investigating the issues assigned to us. I'll first summarize our actions regarding the office environment, followed by our review of charter issues. Although some of the delegate seating issues have been resolved, we have not yet obtained all necessary information to complete the others.

State Grange Office Environment:

Following a thorough examination of problems in the office, we share your concern about the troubled mood and behaviors reported to you and to us, with the further observation that these are only the latest manifestation of many years of office staff struggling to do their job without a clearly defined management structure, supervisory role, job descriptions, task assignments, procedural handbooks, training, and skills suited to their assigned tasks. We have learned that the current and several recent past Masters have all had relationship and communication problems with staff, but no single master of employee can be singled out as the cause. The underlying aggravating factor for everyone is a dysfunctional management and delegation system and lack of procedural clarity and consistency, leaving far too much room for mistakes and disagreement, especially when the work load is heavy before the annual convention.

BM - 000097

An additional challenge is the reality that office staff and managers (if we had one) tend to continue through several Master election cycles and know (or should know) how to run an efficient office; whereas Masters are elected for two year terms and chosen for their fraternal interests and philosophy, but not for their management skills. When they try to take responsibility for office management, a clash of wills and skills is inevitable, especially without a clear set of procedures to guide everyone.

During the rush of preparing for this year's convention, staff was dealing with an unprecedented number of new or revitalized Granges, a large number of new members not yet entered in the database and/or not yet shown in quarterly reports, and general confusion at the state and local level about chartering and delegate protocol. The issues that arose during those two months highlighted for us the full scope of the systemic problems and personality clashes that this EC and the state Master must finally come to grips with.

We have taken several steps to address these concerns and have initiated others:

1. We spent two days interviewing staff and Bob McFarland about a broad range of office issues, including those you and others have brought to your attention. We also, individually and together, spent many additional hours evaluating the underlying structural and personality problems.
2. 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.
3. Based on an in depth analysis of the considerable input we've received from staff, we are working on formal job descriptions and a detailed Procedural Manual, which should be completed over the next couple of months. We'll be obtaining additional input from Master McFarland and a professional business consultant in that process.
4. After investigating a number of options, we have hired a professional mediator to immediately begin working with staff (particularly Amy Self and Bob McFarland) on communications and specific issues to get them through their current struggle. Soon after, we will bring in an office facilitator selected for her ability to help transition the office culture and Bob into a new management system, with a new General Manager, staff realignments as needed, and new procedures and practices. The EC will stay actively involved with the evaluator, the new manager, and Bob to help with this transition and assure its effectiveness. Bob and staff have been informed about this process and have expressed relief that we're committed to major improvements.

New Grange Charters and the Role of Master McFarland:

We have reviewed the concerns raised by you and by Sister Martha Stefenoni about possible improprieties in some of the recent Subordinate Grange Organization (charter) Applications. I'll begin with a summary of the information we have obtained and our conclusions regarding the Petaluma and Healdsburg organization applications mentioned in Martha's email.

Petaluma Grange: The application bears the date April 25, 2011. However, only one membership application was originally dated in April, while all others were variously dated on June 16, June 27, and other dates into July. But those dates were obviously overwritten with the April 25 date. The question we must address is why they were changed, by whom, and whether a chargeable violation of Grange law is indicated.

There is clear evidence from meeting notices, emails from Bob, letters from Martha and Joseph Stefenoni, and Bob's *On the Road with Bob* articles in the Fall 2011 issue of California Grange News that the organizational meeting was held on June 16, followed by later meetings June 27 and in July. There is no doubt that the Grange was not organized on April 25, but on June 16, 2011.

We have found the answer in the ongoing dysfunctional structure, job assignments, and lack of training in the Grange office, as well as confusion about charter application requirements. We learned that Bob had arranged to meet on April 25 for an organizational meeting with the primary organizers and interested potential members for the Healdsburg and Petaluma Granges. When the local organizer was not able to attend after all, those gatherings were postponed. However, in preparing to meet on April 25, Bob began preparing their organization applications, and inserted the April 25 date. That date remained on the partially prepared application and, by oversight, was not changed to the actual organizational meeting date in June.

When the organization application had the required 13 members, Bob signed his approval on the application and gave it to state office staff to process, along with the new membership applications bearing the dates entered by the applicants (mostly in June). We have learned from staff member Rick Keel that he and a minimally trained assistant, Alicia Nieves, later entered the new member information into the database; but, when they saw the organizational application date of April 25, they changed the dates on the membership applications to April 25 and entered that date in the database. I am attaching a confirming email from Rick Keel, which includes pages from the state database showing that all 4 office staff members made

BM - 000098

entries, with and without proper training. There is no evidence that these changes were brought to Bob McFarland's attention by staff and he denies knowing about them, until he was confronted with them by the National Master as a chargeable offense.

When staff member Amy Self noticed that member application dates had been changed, she neither inquired of other staff about the changes, nor asked the State Master if he knew about it. Nor did she ask this Executive Committee to investigate. Instead, she reported this directly to the National Master, apparently assuming the State Master had knowingly violated Grange law by doing this himself. This highlights the ongoing communication problems and procedural confusion within the office. We do not find evidence of an intentional violation of Grange law by anyone, but procedures are not well understood in the office and there is no internal protocol for investigating procedural errors like this to correct them "in house".

The date of this application should be corrected to reflect the June 16 organizing date and the database should be corrected to reflect the original member application signing dates. We recommend that the application be resubmitted to you from the State Grange office with the correct organizing date. It may also be appropriate for us to submit this as a reorganization, rather than as a new charter application. However, this Grange has no hall, so it may not matter which approach is taken. Do you have a recommendation as to which approach we should take? And please advise us or rule as to whether it would be appropriate for us to resubmit the application now, with all the same membership information, but with the correct organizing date instead of the originally intended date. Thank you.

Healdsburg Grange: Similar events surround this charter application. Bob McFarland had been working with local people since March, who were developing a list of potential members. Anticipating an April 25 organizational meeting date, he prepared an Organization Application for that date. The actual organizational date was changed to July 11, 2011, consistent with a notice in the Fall issue of Grange News. When Bob recognized that the July 11 organizational date should be used, he prepared and signed a new application with the same information and the correct date and gave it to staff to send to National for approval, instead of the original version bearing the date of April 25. However, staff sent the incorrect April 25 version to National and not the corrected July 11 version as instructed.

Rick Keel of our office staff has confirmed that, as with Petaluma, the original application he saw bore the April 25 date. He and Alicia therefore decided they should insert that date on the Healdsburg membership applications and entered it into the Grange database. We have not yet determined whether Amy ever gave them the corrected July 11 version, although it remains in our office files. For reasons we have not been able to determine, the July organizational documents were not sent in by staff for National approval until September 16, 2011, much too close to convention to allow new members to participate.

Again, we find no violation of Grange law by the Master or staff, and no advance knowledge of the procedural irregularity. Rather, we find that staff's incorrect data entry, modifying applications, failure to send the corrected application, and 2 month delay in processing and sending the charter application to the National Grange all resulted from longstanding organizational/supervisory/procedural deficiencies in the office.

The corrected charter application should probably be submitted by the state Grange to reflect the actual July 11 organizing date and the correct membership application dates should be corrected in the database to reflect the organizational date. We also suggest that a reorganization should be considered, rather than a new charter. Please advise us or rule as to whether it would be appropriate for our Master to send you a new application with the original information, but with a corrected organizing date and requesting a reorganization rather than a new charter.

Gold Country Grange: This new Grange charter has received California and National Grange approval. But their charter application date was questioned by Martha Stefenoni who noticed that the application is dated January 3, 2011, but the Spring 2011 California Grange News noted February 17 as the organizing date. However, the charter application was stamped "Received" by the state Grange office on January 14 and the attached Charter Members page was stamped "Received" by office staff on January 18. We are not certain whether the February news date was in error or referred to that Grange's second meeting date. In either case, we see no substantive deficiency in the application process, no violation of Grange law, or any other reason to revisit or further question this charter.

Martinez Grange: We find no irregularities or inconsistencies in the organizing application or membership application dates. All are consistent with Bob's Grange News report that he visited that Grange on August 9. We recommend National Grange approval of this new charter.

Coalinga Grange: This is another pre-existing charter and also should probably be a reorganization. A new Grange organizing application was prepared by Master McFarland, but office staff unilaterally changed it to a reorganization, without consulting him. For present purposes, we find no other irregularities in the process and Master McFarland has agreed to

BM - 000099

make this a reorganization, so we recommend it be treated as such and approved by you. If there is any problem with that procedure, please advise us as to what else should be done.

The way this was handled again shows the need for clarification of process and lines of authority in the office.

El Camino Grange: This also should probably be a reorganization of old Grange #462, as noted on the application, rather than a new charter. However, the initial application date of April 17, 2011 and membership application dates are consistent and match the date of Bob's reported visit to that Grange. So we find no irregularities. However, we note a 3 month delay between the stamped date the office received the application and the date it was "shipped" to National - another office issue.

For reasons we did not determine, there is a second copy of the application in the file noting on 9-28-11 "Reclassified to new #856" and also a third copy of the same application inserting the new Grange number. So it would be good to resolve this confusion and determine, finally, whether to make this a new charter or to reorganize under the old charter. We request that you rule or advise us as to (1) whether this should be treated as a reorganization or a new charter and (2) whether we need to take further steps now to assure that the most appropriate approach is taken soon so this Grange's new members will know their status. We and they would certainly prefer that the assets of this Grange be owned by them rather than managed by the state Grange, which seems to require a reorganization.

Simoores Grange: The application date, signatures and member join dates are consistent and we see no errors in procedure. We believe that this new charter application is appropriate and should be approved.

North Bay Pomona Grange: The application appears to be in order. However, the application may be unnecessary and withdrawn if the Petaluma Grange is reorganized. We will provide further input when available.

Santa Cruz Pomona Grange: This application is, in effect, a request to split the existing Pomona into two, based on geographic proximity and member interests. We know of no reason to object to this procedure or to their membership's wishes. However, if you need more information, please let us know and we will further inquire, reply, and advise.

That completes our interim report and I will further update you on our progress as it continues. We still need to resolve some delegate seating issues and any possibility that the Master or other Grangers engaged in undue influence of any kind, improper campaigning, or other actions which might be considered a breach of Grange law. There is no doubt that members of various Granges eagerly sought to be represented at the convention and some may have failed to understand proper procedures, but we do not yet know whether there were intentional and meaningful breaches of Grange law. I will note that we do not yet have any evidence to substantiate such violations, but our investigation continues. We hope to complete this process by mid-December.

Please call or reply to this email with any further requests you may have and your response to our requests above (underlined, in italics) for your opinion or ruling as to the procedure we should take now to finalize the various applications for reorganization or new charters.

Thank you very much. And I wish you a delightful (and restful) Thanksgiving weekend.

Faternally,

Jon Luvaas, Chair
California State Executive Committee

Forwarded Message: Database Screen Shots

Wednesday, November 16, 2011 6:30 PM

Database Screen Shots

From: "Rick Keel" <KeelR@californiagrang.org>

To: "Jon Luvaas" <jonluvaas@gmail.com>

2 Files (312KB)



BM - 000100

petaluma... healdsbu...

Jon,

Here are the screen captures you requested from our database. Alicia and I entered many of the Petaluma and 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@californiagrang.org
(916) 454-5805

Forwarded Message: California Executive Committee Report on Delegate Issues

Thursday, December 22, 2011 9:25 AM

California Executive Committee Report on Delegate Issues

From: "Jon Luvaas" <jonluvaas@gmail.com>

To: "Ed Luttrell" <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:

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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 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

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PROOF OF SERVICE

The National Grange of the Order of Patrons of Husbandry
v.
The California State Grange, et al. and related Cross-Actions
Sacramento Superior Court Case No. 34-2012-00130439

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the office of a member of the bar of this court at whose direction the service was made. My business address is 411 Borel Avenue, Suite 425, San Mateo, California 94402-3518. On October 22, 2013, I served the following document(s):

**CROSS-DEFENDANTS BAKER AND STEFENONI'S RESPONSE TO THE
OBJECTION TO THE DECLARATION OF MARTHA STEFENONI FILED IN
SUPPORT OF CROSS-DEFENDANTS MARTHA STEFENONI AND SHIRLEY
BAKER'S SPECIAL MOTION TO STRIKE**

on the following person(s) by the method(s) indicated below:

Martin N. Jensen, Esq. Thomas L. Riordan, Esq. PORTER SCOTT 350 University Avenue, Suite 200 Sacramento, California 95825	<i>Attorneys for Plaintiffs and Cross-Defendants The National Grange of the Order of Patrons of Husbandry and Edward L. Luttrell</i> Telephone: 916-929-1481 Facsimile: 916-927-3706
Robert D. Swanson, Esq. Daniel S. Stouder, Esq. BOUTIN JONES INC. 555 Capitol Mall, Suite 1500 Sacramento, California 95814-4603	<i>Attorneys for Defendants and Cross-Complainant The California State Grange, John Luvaas, Gerald Chernoff and Damian Parr</i> Telephone: 916-321-4444 Facsimile: 916-441-7597
Mark E. Ellis, Esq. William A. Lapcevic, Esq. ELLIS LAW GROUP, LLP 740 University Avenue, Suite 100 Sacramento, California 95825	<i>Attorneys for Defendant and Cross-Complainant Robert McFarland</i> Telephone: 916-283-8820 Facsimile: 916-283-8821

[] by transmitting via facsimile on this date from fax number (650) 554-6240 the document(s) listed above to the fax number(s) set forth herein. The transmission was completed before 5:00 p.m. and was reported complete and without error.

[] by placing the document(s) listed above in a sealed envelope(s) with postage thereon fully prepaid, for deposit in the United States mail at San Mateo, California addressed

- 1 as set forth herein. I am readily familiar with the firm's practice of collection and
2 processing correspondence for mailing. Under that practice it would be deposited with
the U.S. Postal Service on that same day, with postage thereon fully prepaid in the
ordinary course of business.
- 3 ☐ by placing the document(s) listed above in a sealed envelope(s) and by causing personal
4 delivery of the envelope(s) to the person(s) at the address(es) set forth herein. Signed
proof of service by the process server or delivery service is attached to this proof of
5 service.
- 6 ☐ by personally delivering the document(s) listed above to the person(s) at the
address(es) set forth herein.
- 7 ☒ by placing the document(s) listed above in a sealed envelope(s) and consigning it to an
8 express mail service for guaranteed delivery on the next business day following the date
of consignment to the address(es) set forth herein.

9 I declare under penalty of perjury under the laws of the United States and the State
10 of California that the above is true and correct. Executed at San Mateo, California, on
11 October 22, 2013.

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14 ESTHER H. CHETCUTI
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