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LEGAL PROCESS #6

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Attorneys for Cross-Defendants
MARTHA STEFENONI and SHIRLEY BAKER

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

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

Plaintiff,

vs.

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

Defendants.

ROBERT McFARLAND, an individual,

Cross-Complainant,

vs.

THE NATIONAL GRANGE OF THE
ORDER OF PATRONS OF
HUSBANDRY, a Washington, D.C.,
nonprofit corporation, MARTHA
STEFENONI, an individual, 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 SHIRLEY BAKER 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

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

1 Cross-Defendant SHIRLEY BAKER 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>
¶11 at 4:16 - 23 During the October 2011 annual convention, there was considerable controversy and public debate about the seating of alternate delegates, with disagreements heatedly voiced when a motion was made to seat the alternate delegates and to stop any further investigation of their delegate credentials. Members stood and voiced their concerns, and the debate became heated. One of the delegates complained that McFarland was out of order, leading to further debate.	This evidence does not lack foundation and is not hearsay. The conduct testified to is not a "statement" within the meaning of the hearsay rule. Furthermore, Cross-Defendant SHIRLEY BAKER was present at the October 2011 annual convention and personally witnessed the conduct she testified to in her declaration that Cross-complainant ROBERT McFARLAND objects to. Her observations are not hearsay. In addition, this evidence is admissible under the business record exception to hearsay found in CA Evidence Code §1271 to prove the occurrence or existence of an act condition or event recorded in the record. The acts testified to by BAKER are discussed on pages 12 -13 of the 2011 California State Grange Journal of Proceedings that Cross-Complainant ROBERT McFARLAND made Exhibit M to his Opposition to Cross-Defendants Martha Stefenoni and Shirley Baker's Special Motion to Strike. They were also discussed in the press release issued by the California Grange published on its website, which is Exhibit 5 to Cross-Defendants Martha Stefenoni and Shirley Baker's Reply Brief in Support of their Special Motion to Strike.	<input type="checkbox"/> SUSTAINED <input type="checkbox"/> OVERRULED

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1 DATED: October 22, 2013

FARBSTEIN & BLACKMAN
A Professional Corporation

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4 By

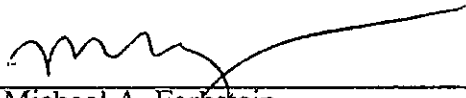

Michael A. Farbstein
Margaret A. Burton
Attorneys for Cross-Defendants
MARTHA STEFENONI and SHIRLEY
BAKER

EXHIBIT M

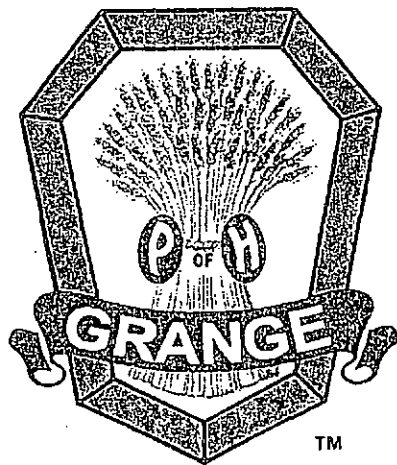
California State Grange

Journal of Proceedings

One Hundred Thirty Ninth Annual Session

Palmero, California

2011



California State Grange
139th Annual Membership Convention
Thursday, October 13, 2011

The officers of the 139th California State Grange were introduced and rapped up. The Officers marched to their respective chairs and Master Robert McFarland called the meeting to order at 9:00AM, in the 6th Degree. All members present were authorized to be in the meeting. The CSG Master lowered the meeting to the 4th Degree.

Roll call of officers showed all present with the exception of the following pro tem officers: Lady Assistant Steward Katie Squire, Flora Lola Adamczak, Pomona Darlene Wingfield. Ryan Schlagel was absent.

Master McFarland asked that the honored guests brought to the Master's Station. The Assistant Stewards escorted Past Master & former 1st Lady Leo & Kathy Bergeron, former 1st Lady Martha Stefenoni, and Past Master Bill Booth forward.

Mike Byers & BJ Fitzpatrick approached the Master's station, with Dale Baker to explain the G.R.E.A.T. Program (Grange Relief Emergency Action Team). They presented a check for \$200.00 for the program.

Partial credential report results: there are 13 Pomona Granges with 21 delegates, and 49 subordinate Granges with 81 delegates.

Darlene Wingfield moved to accept the Standing Rules as presented. There was a second by Bob Alvarez.

Joseph Stefenoni moved to amend the motion to say the closing date and time for "Delegate Registration" shall be at 12:00PM, Friday October 14, 2011. Any late registrants shall have a majority approval of the Delegate Body. The motion was seconded. The amendment was defeated 41-46. The original motion passed.

Cheri Bunker moved to adopt the Schedule as presented. There was a second by Bob Alvarez. A friendly amendment was offered by Kathy Bergeron to have a Final Credential report Friday morning and an amended report later if needed. The motion as amended passed.

Joseph Stefenoni moved to approve the minutes of the Executive Committee meetings. A second was made by Tom Sawyer. The motion passed and the minutes were approved.

Cheri Bunker moved to adopt the proposed 2012 Budget as presented. A second was made by Dale Baker. The motion passed.

Master McFarland gave a briefing on resolution processing. And the day began.

Cheri Bunker gave the final report of the California State Grange Water Committee. There were no resolutions for the committee. She thanked the committee for their service on the committee.

Patty Allen reported on the resolutions for the Health, Education & Welfare Committee.

11-007 Health Care for All.

Committee reported unfavorable as it was already policy. The delegates approved the committee's report and the resolution was rejected.

11-008 Mental Health Treatment on an Involuntary Basis.

Committee reported unfavorable as it was already policy. The delegates approved the committee's report and the resolution was rejected.

11-019 DUI Three Strikes Law

Committee reported unfavorable. The delegates approved the committee's report and the resolution was rejected.

11-021 Ban on BPA Sales Receipts.

Resolved that the California State and the National support efforts to eliminate thermal paper receipts that contain BPA from use in the United States. The committee found favorable as amended. The delegates adopted the committee's recommendations.

11-025 School Time

The committee's recommendations was unfavorable and the delegates adopted the recommendations and rejected the resolution.

Cass Mutters, Chairman of the Ag committee stepped up to do his resolutions.

11-020, 11-029, 11-038 Bee Colony Collapse Disorder. Combined all three into one resolution. Returned to committee.

Green Valley Theater Company gave a presentation of the progress of the Performing Arts Center being established in the GBO Building on the Grange Triangle in Sacramento.

Recess for lunch.

Reconvened from Lunch. The Worthy Master introduced Damian Parr, PhD and his panel to talk about the Proposal of a CSG Ag School. A hand out was distributed. Discussion.

A motion by Dale Baker to have a study done by the Ag School Committee and leave the funding to the CSG EC when that program comes in and can be looked at after fully developed. Seconded by Joseph Stefenoni. Discussion.

A motion by Katie Squire to amend the motion to put in a dollar limit "of not more than \$100,000" seconded by Marian. Discussion. Motion lost.

Original motion on the floor. Previous question called by Walter Schnitzius. Seconded by many. Motion carried. Original motion was voted on and carried. Thanks was extended to the Ag School Committee by the Worthy Master.

A motion by Walter Schnitzius to have at least three members of the Grange be on the Board of Directors for the Ag School listed on the back of the handout. Seconded by numerous. Discussion. Motion Carried.

Hank Strock volunteered and challenged everyone to donate and he would kick in the first \$10 check right now. A round of applause broke out.

Mike Greene, Legislative Director, was introduced by Master McFarland. His report is in the delegate packets. One addition is the outcome of SB 676, went to the Governor's desk and was vetoed. A motion by Joseph Stefenoni to accept the Director's report and printed in the Journal. A second was made by Darlene Wingfield. Motion was carried.

Marion Nichols, the Communities Chair introduced the resolutions for her committee.

11-011 The Grange at All Levels Support Voluntary Price Controls. The committee found unfavorable, delegates adopted the recommendations and the motion was rejected.

11-012 Prevent Closure of Rural Post Offices. This is already policy and the committee's report was unfavorable. The delegates adopted and the resolution was rejected.

Marian gave final report, thanked the staff at the CSG office and committee members, Takashi Yogi, Byron Green, Trudie Martin, Lucette Moramarco, and Bill Allen. Darlene Wingfield moved to approve and publish the final report. There was a 2nd. Motion was carried.

A motion by Rich Saxe, that all Grangers will credentials who have applied for delegate status to the 139th Convention be accepted by delegate body as such. Seconded by Cheri Bunker. Discussion. Rich called for the previous question, Charley seconded, Motion carried.
The original motion on the floor. Motion carried.

Recess was called at 3:41 PM.

Reconvened at 4:02 PM.

The Worthy Lecturer called for a song "It's a Good Thing to Be a Granger".

- 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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13 ESTHER H. CHETCUTI
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