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13 OCT 28 AM 11:51

LEGAL PROCESS #6

1 MICHAEL A. FARBSTAIN (SB#107030)  
2 MAGGIE W. TRINH (SB# 279604)  
3 FARBSTAIN & BLACKMAN  
4 A Professional Corporation  
5 411 Borel Avenue, Suite 425  
6 San Mateo, California 94402-3518  
7 Telephone: (650) 554-6200  
8 Facsimile: (650) 554-6240

Attorneys for Cross-Defendants  
9 MARTHA STEFENONI and SHIRLEY BAKER

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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.

and related Cross-Actions.

CASE NO. 34-2012-00130439

RESPONSE TO PLAINTIFF'S  
OBJECTION TO TAKING JUDICIAL  
NOTICE OF EXHIBIT 5 IN SUPPORT  
OF SPECIAL MOTION TO STRIKE

**BY FAX**

RESERVATION NO.: 1877422

DATE: October 29, 2013

TIME: 2:00 p.m.

DEPT.: 53

JUDGE: Hon. David Brown

Complaint Filed: October 1, 2012

Trial Date: Not yet set

The Court can take Judicial Notice of the existence of a document. *Unruh-Haxton v. Regents of University of California* (2008) 162 Cal.App. 4<sup>th</sup> 343, 364.

The document in question is a publication by the California Grange to its Members and Leaders of a Resolution of The California Grange adopted October 11, 2013 accompanied with a detailed summary of events.

1 The document need not be considered as to whether the facts contained in the  
2 document are undisputed, but that it does reflect that Ex. M, the Journal of Proceedings  
3 From the 139<sup>th</sup> Annual Session of California Grange-2011 is incomplete.

4 Alternatively, in lieu of Judicial Notice, the document is identified in the  
5 Declaration of Michael A. Farbstein dated October 28, 2013.

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8 DATED: October 28, 2013

FARBSTEIN & BLACKMAN  
A Professional Corporation

9  
10 By



11 Michael A. Farbstein  
12 Maggie W. Trinh  
13 Attorneys for Cross-Defendants  
14 MARTHA STEFENONI and SHIRLEY  
15 BAKER  
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1 **PROOF OF SERVICE**

2 *The National Grange of the Order of Patrons of Husbandry*

3 v.

4 *The California State Grange, et al. and related Cross-Actions*

5 Sacramento Superior Court Case No. 34-2012-00130439

6 I am a resident of the State of California, over the age of eighteen years, and not a party  
7 to the within action. I am employed in the office of a member of the bar of this court at whose  
8 direction the service was made. My business address is 411 Borel Avenue, Suite 425, San  
9 Mateo, California 94402-3518. On October 28, 2013, I served the following document(s):

10 **RESPONSE TO PLAINTIFF'S OBJECTION TO TAKING JUDICIAL NOTICE OF**  
11 **EXHIBIT 5 IN SUPPORT OF SPECIAL MOTION TO STRIKE**

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

13 14 15 16 17 18 19 20	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</i> <i>The National Grange of the Order of Patrons</i> <i>of Husbandry and Edward L. Luttrell</i> Telephone: 916-929-1481 Facsimile: 916-927-3706
21 22 23 24 25 26 27 28	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</i> <i>The California State Grange, John Luvaas,</i> <i>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</i> <i>Robert McFarland</i> Telephone: 916-283-8820 Facsimile: 916-283-8821

[X] 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 as set forth herein. I am readily familiar with the firm's practice of collection and 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

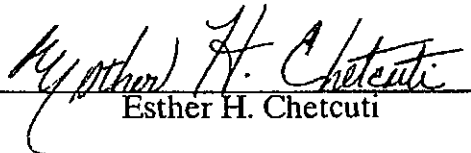
1 ordinary course of business.

2 [ ] by placing the document(s) listed above in a sealed envelope(s) and by causing personal  
3 delivery of the envelope(s) to the person(s) at the address(es) set forth herein. Signed  
4 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  
7 address(es) set forth herein.

8 [ ] by placing the document(s) listed above in a sealed envelope(s) and consigning it to an  
9 express mail service for guaranteed delivery on the next business day following the date  
10 of consignment to the address(es) set forth herein.

11 I declare under penalty of perjury under the laws of the United States and the State  
12 of California that the above is true and correct. Executed at San Mateo, California, on  
13 October 28, 2013.

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