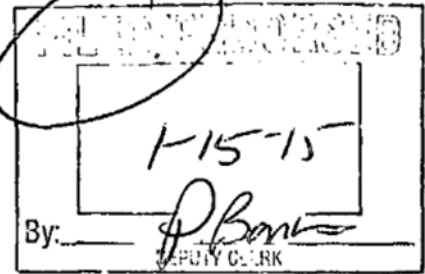


1 Mark E. Ellis - 127159
William A. Lapcevic - 238893
2 Amanda N. Griffith - 288164
ELLIS LAW GROUP, LLP
3 740 University Avenue, Suite 100
Sacramento, CA 95825
4 Tel: (916) 283-8820
Fax: (916) 283-8821



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 and

15 THE CALIFORNIA STATE GRANGE, a
California nonprofit corporation, and ED
16 KOMSKI,

17 Plaintiffs-in-Intervention

18 v.

19 THE CALIFORNIA STATE GRANGE, a
California nonprofit corporation, and ROBERT
20 MCFARLAND, JON LUVAAS, GERALD
CHERNOFF, DAMIAN PARR, TAKASHI
21 YOGI, KATHY BERGERON, and BILL
THOMAS,

22 Defendants.

23
24 AND RELATED CROSS ACTIONS

Case No.: 34-2012-00130439

**DEFENDANT/CROSS-COMPLAINANT
ROBERT MCFARLAND'S OBJECTIONS
TO EVIDENCE SUBMITTED BY
PLAINTIFF'S IN SUPPORT OF THEIR
MOTION FOR SUMMARY JUDGMENT OR
IN THE ALTERNATIVE SUMMARY
ADJUDICATION**

DATE: January 12, 2015
TIME: 2:00 p.m.
DEPT: 53

Reservation No. 1995904

Complaint filed: October 1, 2012
1st Amended Complaint filed: July 12, 2013
1st Amended Cross-Complaint filed: May 13,
2013-

25
26 Defendant/Cross-Complainant Robert McFarland objects to the following evidence submitted
27 by Plaintiffs/Cross-Defendants The National Grange Of The Order Of Patrons Of Husbandry and Ed
28 Luttrell in support of their Motion for Summary Judgment or in the Alternative Summary

Adjudication:

A. Objections To The Declaration Of Edward Luttrell ("Luttrell Decl.") Filed In Support Of The Motion.

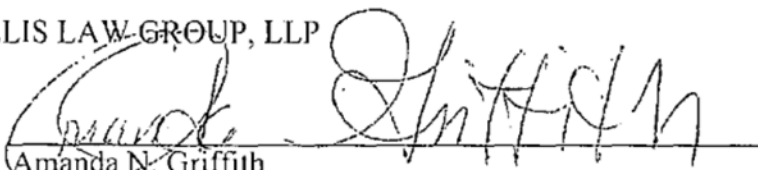
Evidence Objected To	Grounds for Objection	Court's Ruling
1. Entire Declaration.	1. Luttrell and National Grange obstructed McFarland's efforts to conduct discovery as to the statements Luttrell made in his declaration therefore the entire declaration is objectionable and should not be considered, and on that basis the motion should be denied. Code Civ. Proc. § 437c(h); McFarland's Exhibit 3 [Declaration of Brandon L. Reeves].	<input type="checkbox"/> Sustained <input checked="" type="checkbox"/> Overruled
2. Luttrell Decl. ¶ 3: "I had received a number of informal complaints and heard reports of member concerns..."	2. Conclusory; lacks foundation; no specifics are provided regarding the alleged complaints and reports; also constitutes improper hearsay.	<input type="checkbox"/> Sustained <input checked="" type="checkbox"/> Overruled
3. Luttrell Decl. ¶ 4: "I avoided making factual findings about who was ultimately right or wrong in the disputes"	3. Misstates the evidence; the February 7, 2012 letter repeatedly refers to McFarland's alleged bad acts and accuses him of being responsible for the same.	<input type="checkbox"/> Sustained <input checked="" type="checkbox"/> Overruled
4. Luttrell Decl. ¶ 8: "In my February 7, 2012 letter, I focused my concerns exclusively on the governance of CSG."	4. Misstates the evidence.	<input type="checkbox"/> Sustained <input checked="" type="checkbox"/> Overruled
5. Luttrell Decl. ¶ 10: "CSG was not a wholly separate and distinct organization from the National Grange."	5. Conclusory; lacks foundation; improper legal conclusion.	<input type="checkbox"/> Sustained <input checked="" type="checkbox"/> Overruled
6. Luttrell Decl. ¶ 11: "Investigating reports of problems in CSG governance in 2011-12"	6. Conclusory; lacks foundation; no reports and no problems are identified.	<input type="checkbox"/> Sustained <input checked="" type="checkbox"/> Overruled

Evidence Objected To	Grounds for Objection	Court's Ruling
7. Luttrell Decl. ¶ 12: "I am aware of no provisions of California law that preclude the filing of internal administrative charges against a member of the Order."	7. Improper legal conclusion; conclusory and argumentative.	<input type="checkbox"/> Sustained <input checked="" type="checkbox"/> Overruled

Dated: December 29, 2014

ELLIS LAW GROUP, LLP

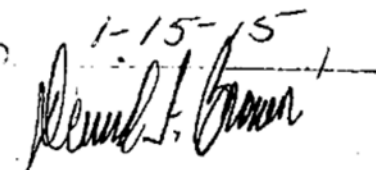
By


Amanda N. Griffith

Attorney for

DEFENDANT/CROSS COMPLAINANT

ROBERT MCFARLAND

FILED 1-15-15


CERTIFICATE OF SERVICE

I, Jennifer Mueller, 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, Sacramento, CA 95825.

On December 29, 2014, I served the following document(s) on the parties in the within action:

DEFENDANT/CROSS-COMPLAINANT ROBERT MCFARLAND'S OBJECTIONS TO EVIDENCE SUBMITTED BY PLAINTIFF'S IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE SUMMARY ADJUDICATION

X	VIA OVERNIGHT SERVICE: The above-described document(s) will be delivered by overnight service, to the following:
----------	---

Jeffrey D. Skinner SCHIFF HARDIN LLP 901 "K" Street, Suite 700 Washington, D.C. 20001	Attorneys for Plaintiffs-in-Intervention The California State Grange and Ed Kowski
--	---

Martin Jensen Thomas L. Riordan PORTER SCOTT 350 University Avenue, Suite 200 Sacramento, CA 95825	Attorneys for Plaintiff and Cross-Defendants The National Grange of the Order of Patrons of Husbandry and Edward L. Luttrell
--	---

Robert Swanson Daniel S. Stouder BOUTIN JONES, INC. 555 Capitol Mall, Suite 1500 Sacramento, CA 95814	Attorneys for Defendants and Cross-Complainants The California State Grange, Jon Luvaas, Gerald Chernoff, Damian Parr, Takashi Yogi, Kathy Bergeron, and Bill Thomas
---	---

Michael A. Farbstein Maggie W. Trinh FARBSTEIN & BLACKMAN 411 Borel Avenue, Suite 425 San Mateo, CA 94402	Attorneys for Cross-Defendants Martha Stefenoni and Shirley Baker
---	--

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 December 29, 2014.

By: 
Jennifer Mueller

2014 DEC 29 PM 4:39

2014 DEC 29 PM 4:39

2014 DEC 29 PM 4:39

