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Attorneys for Plaintiff/Cross-Defendants

THE NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY
and EDWARD L. LUTTRELL

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN THE COUNTY OF SACRAMENTO

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

Plaintiff,

v.

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,

v.

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

Cross-Defendants.

FILED
ENDORSED

2015 JAN - 15

GDSSC COURTHOUSE
SUPERIOR COURT
OF CALIFORNIA
SACRAMENTO COUNTY

Case No. 34-2012-00130439

**OBJECTIONS TO THE DECLARATION OF
AMANDA N. GRIFFITH SUBMITTED IN
OPPOSITION TO THE NATIONAL
GRANGE OF THE ORDER OF PATRONS
OF HUSBANDRY AND EDWARD
LUTTRELL'S MOTION FOR SUMMARY
JUDGMENT OR, IN THE ALTERNATIVE,
SUMMARY ADJUDICATION**

DATE: January 12, 2015

TIME: 2:00 p.m.

DEPT: 53

Reservation Number: 1995904

Complaint Filed: October 1, 2012

First Amended

Complaint: July 12, 2013

First Amended

Cross-Complaint Filed: May 13, 2013

1 Plaintiffs/Cross-Defendants THE NATIONAL GRANGE OF THE ORDER OF PATRONS
2 OF HUSBANDRY and EDWARD L. LUTTRELL hereby submit the following Objections to
3 Defendant/Cross-Complainant's Evidence in Opposition to the Motion for Summary Judgment or,
4 in the Alternative, Summary Adjudication. Specifically, the following objections apply to the
5 Declaration of Amanda N. Griffith, Exhibit 2 in McFarland's List of Exhibits.

6 **OBJECTION NO. 1:**

7 "In the summer of 2012 during Mr. McFarland's 60 day suspension, Mr. Luttrell retained
8 the services of Pete Pompper to investigate additional allegations against Mr. McFarland related to
9 a settlement of a lawsuit brought by the Vista Grange. (§ 2, p. 2:12-14)

10 **GROUND FOR OBJECTION NO. 1:**

11 Declarant cites no basis for personal knowledge regarding National Grange proceedings
12 during the summer of 2012. Nothing in the attached Exhibits 12 & 13 supports the averment that
13 there were at that time formal "allegations" against McFarland regarding the Vista Grange
14 settlement, or that Pompper was retained solely to investigate that issue.

15 **COURT'S RULING ON OBJECTION NO. 1:**

16 Sustained: X

17 Overruled:

18 **OBJECTION NO. 2:**

19 "Upon Mrs. Stefenoni taking on the position as interim Master of the State Grange, one of
20 her first acts was to stop the State Grange from paying Mr. McFarland's salary. Mr. Luttrell agreed
21 with Mrs. Stefenoni's position and advocated for her receipt of the salary over Mr. McFarland
22 during his suspension." (§ 3, p. 2:19-22)

23 **GROUND FOR OBJECTION NO. 2:**

24 Declarant cites no basis for personal knowledge regarding California State Grange or
25 National Grange proceedings during the summer of 2012. Nothing in the attached Exhibit 10
26 supports the averment that Ms. Stefenoni actually stopped the California State Grange from paying
27 McFarland his salary and took the salary for herself, or that Luttrell upheld Stefenoni in doing so.

28 ///

COURT'S RULING ON OBJECTION NO. 2:

Sustained: ☒

Overruled: ☐

OBJECTION NO. 3:

"Additionally, upon taking on the position of interim Master of the California State Grange during Mr. McFarland's suspension, Ms. Stefenoni kept a daily log of her activities. As part of her daily log, Ms. Stefenoni recorded her communications with Ed Luttrell. Ms. Stefenoni's daily log shows that she communicated with Mr. Luttrell on May 31, 2012, and one day later, on June 1, 2012, Ms. Stefenoni took steps to stop Mr. McFarland from receiving his salary." (§ 4, pp.2:25-3:2)

GROUND'S FOR OBJECTION NO. 3:

Declarant cites no basis for personal knowledge regarding California State Grange or National Grange proceedings during May and June of 2012. Attached Exhibit 14 does not support the claim that Ms. Stefenoni took steps for take McFarland's salary, but merely noted that there were two weeks before the next payday for Ms. Stefenoni to ascertain the procedure for changing the proper payee.

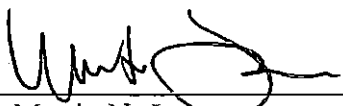
COURT'S RULING ON OBJECTION NO. 3:

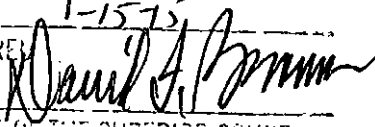
Sustained: ☒

Overruled: ☐

Dated: January 7, 2015

PORTER SCOTT
A PROFESSIONAL CORPORATION

By 
Martin N. Jensen
Thomas L. Riordan
Attorneys for THE NATIONAL
GRANGE OF THE ORDER OF
PATRONS OF HUSBANDRY and
EDWARD LUTTRELL

DATED: 1-15-15
SG ORDERED: 
JUDGE OF THE SUPERIOR COURT

National Grange, et al. v. The California State Grange, et al.
Sacramento County Superior Court Case No. 34-2012-00130439

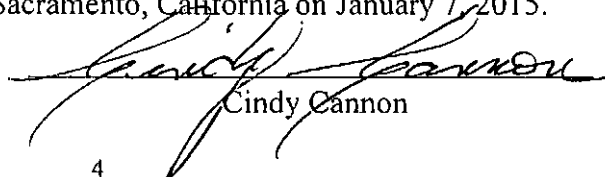
PROOF OF SERVICE

At the time of service, I was over 18 years of age and not a party to this action. My business address is 350 University Avenue, Suite 200, Sacramento, California 95825. On the date below, I caused to have served the following document: **OBJECTIONS TO THE DECLARATION OF AMANDA N. GRIFFITH SUBMITTED IN OPPOSITION TO THE NATIONAL GRANGE OF THE ORDER OF PATRONS OF HUSBANDRY AND EDWARD LUTTRELL'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, SUMMARY ADJUDICATION**

<input checked="" type="checkbox"/>	BY MAIL: I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
<input type="checkbox"/>	BY PERSONAL SERVICE: I caused such document to be personally delivered to the person(s) addressed below. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.
<input type="checkbox"/>	BY FAX TRANSMISSION: Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached
<input type="checkbox"/>	BY ELECTRONIC SERVICE: Based on a court order or an agreement of the parties to accept service by electronic transmission, I caused the documents to be sent to the persons at the electronic notification address listed below.

Attorney for Robert McFarland Mark Ellis ELLIS LAW GROUP 740 University Avenue, Suite 100 Sacramento, CA 95825	Attorneys for The California State Grange, John Luvaas, Gerald Chernoff, Danian Parr, Takashi Yogi, Kathy Bergeron, and Bill Thomas Robert D. Swanson / Daniel S. Stouder BOUTIN JONES 555 Capitol Mall, Suite 1500 Sacramento, CA 95814
Attorney for Martha Stefenoni and Shirley Baker Michael A. Farbstein FARBSTEIN & BLACKMAN A Professional Corporation 411 Borel Avenue, Suite 425 San Mateo, CA 94402	Attorney for The Grange of the State of California's Order of Patrons of Husbandry, Chartered Jeff Skinner SCHIFF HARDIN 901 K Street NW, Suite 700 Washington, DC 20001

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Sacramento, California on January 7, 2015.


Cindy Cannon

