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Scientology International, Inc.; Building
9 Management Services, Inc.; Daniel Alan
Dunigan (erroneously sued and served as
10 David Alan Dunigan); Kenneth R. Seybold;
Matthew James Butler and Salvatore Meo
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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE**

15 FRANCOIS G. CHOQUETTE,

16 Plaintiff,

17 vs.

18 CHURCH OF SCIENTOLOGY
INTERNATIONAL, a California corporation;
19 BUILDING MANAGEMENT SERVICES, a
20 California corporation; DAVID ALAN
DUNIGAN, an individual; KENNETH R.
21 SEYBOLD, an individual; MATTHEW JAMES
22 BUTLER, an individual; SALVATORE MEO, an
individual; and DOES 1 through 20, inclusive,
23

24 Defendants.

CASE NO. RIC 538634

Assigned for All Purposes to the
Honorable Sharon J. waters

REQUEST FOR JUDICIAL NOTICE

(Served concurrently with Demurrer and
Motion to Strike)

Date:
Time: 8:30 a.m.
Dept: 10

25 Pursuant to the provisions of Evidence Code section 452, defendants Church of
26 Scientology International, Inc.; Building Management Services, Inc.; Daniel Alan Dunigan
27 (erroneously sued and served as David Alan Dunigan); Kenneth R. Seybold; Matthew James
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1 Butler and Salvatore Meo hereby request this court take judicial notice of the following materials
2 in support of defendants' demurrer and motion to strike:

3 1. The first amended complaint filed in this lawsuit on November 12, 2009. A copy of
4 this document is attached hereto as Exhibit A. This document is subject to judicial notice
5 pursuant to Evidence Code § 452(d).

6 2. The caption and signature pages of the first amended complaint filed in the lawsuit
7 styled *Pattinson v. Church of Scientology International, et al.* This pleading was filed in United
8 States District Court for the Central District of California (Case number 98-3985CAS SHx) on
9 August 18, 1998. The relevant pages are attached hereto as Exhibit B. This document is subject
10 to judicial notice pursuant to Evidence Code § 452(d).

11 3. The minute order filed on July 19, 1999, in the case of *Pattinson v. Church of*
12 *Scientology, et al.* A copy of this document is attached hereto as Exhibit C. This document is
13 subject to judicial notice pursuant to Evidence Code § 452(d).

14 4. The minute order dated November 11, 1999, from the lawsuit styled *Pattinson v.*
15 *Miscaviage*, Los Angeles Superior Court Case Number BC207364. A copy of this document is
16 attached hereto as Exhibit D. This document is subject to judicial notice pursuant to Evidence
17 Code § 452(d).

18 5. The minute order dated September 10, 1999, from the lawsuit styled *Jeavons v.*
19 *Church of Scientology*, Los Angeles Superior Court Case Number BC207363. A copy of this
20 document is attached hereto as Exhibit E. This document is subject to judicial notice pursuant to
21 Evidence Code § 452(d).

22 6. The Order Finding Graham E. Berry to be a Vexatious Litigant, dated August 20,
23 1999. This order was entered in *Berry v. Cipriano*, Los Angeles Superior Court Case Number
24 BC184355. A copy of this document is attached hereto as Exhibit F. This document is subject to
25 judicial notice pursuant to Evidence Code § 452(d).

26 7. Relevant portions of the reporter's transcript of proceedings for the hearing
27 deeming Mr. Berry a vexatious litigant, dated August 20, 1999, *Berry v. Cipriano*, in Los
28 Angeles Superior Court Case Number BC184355. The relevant pages of this document are

1 attached hereto as Exhibit G. This document is subject to judicial notice pursuant to Evidence
2 Code § 452(d).

3 8. Relevant portions of the reporter's transcript of proceedings for the hearing on
4 Motion for Rule 11 Sanctions, dated September 28, 1998, in United States District Court, Central
5 District of California, *Pattinson v. Church of Scientology*, Case Number CV98-3985-CAS
6 (SHX). The relevant pages of this document are attached hereto as Exhibit H. This document is
7 subject to judicial notice pursuant to Evidence Code § 452(d).

8 9. Stipulation Re Facts, Conclusions Of Law And Disposition, And Order
9 Approving Actual Suspension, dated October 29, 2001, in the State Bar Court Clerk's Office,
10 Los Angles, Case Number 99-0-12791-EEB. The relevant pages of this document are attached
11 hereto as Exhibit I. This document is subject to judicial notice pursuant to Evidence Code §
12 452(d).

13
14 Dated: January 14, 2010

BY: 

Mark S. Lester
David Cantrell

&

MOXON & KOBRIN
Kendrick L. Moxon

Attorneys for Defendants, CHURCH OF
SCIENTOLOGY INTERNATIONAL,
INC.; BUILDING MANAGEMENT
SERVICES, INC.; DANIEL ALAN
DUNIGAN (ERRONEOUSLY SUED
AND SERVED AS DAVID ALAN
DUNIGAN); KENNETH R. SEYBOLD;
MATTHEW JAMES BUTLER AND
SALVATORE MEO

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

I am employed in the County of Riverside, State of California. I am over the age of 18 and not a party to the within action; my business address is 1325 Spruce Street, Suite 300, Riverside, California 92507.

On January 14, 2010, I served the foregoing documents by placing a true copy thereof enclosed in a sealed envelope and addressed as stated below:

**DOCUMENTS REQUEST FOR JUDICIAL NOTICE
SERVED:**

SERVED UPON:	<u>Law Offices of Graham E. Berry</u> Graham E. Berry 3384 McLaughlin Avenue Los Angeles, CA 90066 Tel: (310) 745-3771 Fax: (310) 745-3771 Attorney for Plaintiff, Francois G. Choquette	MOXON & KOBRIN Kendrick L. Moxon 3055 Wilshire Blvd., Suite 900 Los Angeles, CA 90010 Telephone: (213) 487-4468 Facsimile: (213) 487-5385 Co-counsel for Defendants
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X (By Mail) I declare that 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 at Riverside, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(By Facsimile) I served the above-described document on the interested parties in this action by sending a true copy thereof by facsimile transmission pursuant to *California Rules of Court*, Rule 2008, from facsimile machine number (909) 788-0766. The facsimile machine I used complied with *California Rules of Court*, Rule 2008, and no error was reported by the machine. Pursuant to Rule 2008(e)(3), I caused the machine to print a transmission record of the transmission.

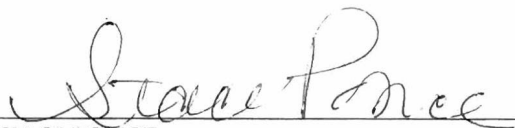
(By E-mail or Electronic Transmission) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

(By Overnight Mail) I am "readily familiar" with the firm's practice of collection and processing correspondence for overnight delivery of documents. Under that practice it would be delivered to an authorized agent or driver of Federal Express with the fees paid or provided for on the date of service and delivered the next day.

(By Personal Service) I caused such envelope to be hand delivered to the offices(s) of the addressee(s).

X (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.


STACI PONCE

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