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9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11

12 JUDY ANNE MIKOVITS,

13 Plaintiff,

14 vs.

15 ADAM GARCIA, JAMIE MCGUIRE,  
16 RICHARD GAMMICK, GEOFF  
DEAN, THREE UNIDENTIFIED  
17 VENTURA COUNTY DEPUTY  
SHERIFFS, F. HARVEY  
18 WHITTEMORE, ANNETTE F.  
WHITTEMORE, CARLI WEST  
19 KINNE, WHITTEMORE-PETERSON  
INSTITUTE, a Nevada corporation,  
20 UNEVX INC., a Nevada corporation,  
MICHAEL HILLERBY, KENNETH  
21 HUNTER, GREG PARI and  
VINCENT LOMBARDI,

22 Defendants.  
23

Case No. CV 14-08909 SVW (PLAx)

Honorable Stephen V. Wilson

15 **REQUEST FOR JUDICIAL**  
16 **NOTICE IN SUPPORT OF**  
17 **DEFENDANT DEAN'S MOTION**  
18 **TO STRIKE (RULE 12(f)), OR IN**  
19 **THE ALTERNATIVE, DISMISS**  
20 **(RULE 12(b)(6)) PLAINTIFF'S**  
21 **SECOND AMENDED**  
22 **COMPLAINT**

23 Date: February 22, 2016

Time: 1:30 p.m.

24 Crtm: 6

25 *[Motion To Strike or in the alternative*  
26 *Dismiss filed concurrently herewith]*

27 Defendant Geoff Dean respectfully requests that this Court take judicial  
28 notice, pursuant to Federal Rule of Evidence 201, of the following documents in  
connection with his Motion to Strike or in the alternative Motion to Dismiss  
Plaintiff's Second Amended Complaint pursuant to Rule 12(f) and Rule 12(b)(6):

1           1.     Docket Number 142 of the Court’s File, filed by this Court, dated  
2 November 24, 2015, granting Defendant’s Motion for Summary Judgement, a  
3 true and correct copy of which is attached as **Exhibit 1** to this request.

4           2.     Docket Number 92 of the Court’s File, filed by Plaintiff, dated July  
5 27, 2015, Plaintiff’s First Amended Complaint and Jury Trial Demand, a true and  
6 correct copy of which is attached as **Exhibit 2** to this request.

7           3.     Docket Number 100 of the Court’s File, filed by Defendant Geoff  
8 Dean, dated August 13, 2015, Motion Requesting Summary Judgement, a true  
9 and correct copy of which is attached as **Exhibit 3** to this request.

10          4.     Docket Number 120 of the Court’s File, filed by Plaintiff, dated  
11 September 7, 2015, Plaintiff’s Opposition to Motion for Summary Judgment of  
12 Defendant Geoff Dean, a true and correct copy of which is attached as **Exhibit 4**  
13 to this request.

14          5.     Docket Number 120-1 of the Court’s File, filed by Plaintiff, dated  
15 September 7, 2015, Plaintiff’s Statement of Genuine Disputes, a true and correct  
16 copy of which is attached as **Exhibit 5** to this request.

17          6.     Docket Number 120-2 of the Court’s File, filed by Plaintiff, dated  
18 September 7, 2015, Affidavit of Judy Anne Mikovits in Opposition to Summary  
19 Judgment, a true and correct copy of which is attached as **Exhibit 6** to this  
20 request.

21          7.     Docket Number 134 of the Court’s File, filed by Defendant Geoff  
22 Dean, dated November 2, 2015, Reply to Plaintiff’s Opposition to Motion of  
23 Defendant Sheriff Geoff Dean for Summary Judgement, a true and correct copy  
24 of which is attached as **Exhibit 7** to this request.

25          8.     Docket Number 135 of the Court’s File, filed by Defendant Geoff  
26 Dean, dated November 2, 2015, Defendant’s Response to and Request to Strike  
27 Plaintiff’s Separate Statement in Opposition to Defendant’s Motion for Summary  
28

1 Judgement, a true and correct copy of which is attached as **Exhibit 8** to this  
2 request.

3 9. Docket Number 136 of the Court’s File, filed by Defendant Geoff  
4 Dean, dated November 2, 2015, Defendant Dean’s Evidentiary Objections in  
5 Support of His Motion for Summary Judgement, a true and correct copy of which  
6 is attached as **Exhibit 9** to this request.

7 10. Docket Number 144 of the Court’s File, filed by Plaintiff, dated  
8 December 15, 2015, Plaintiff’s Second Amended Complaint and Jury Trial  
9 Demand, a true and correct copy of which is attached as **Exhibit 10** to this  
10 request.

11 The above referenced documents are properly the subject of judicial notice  
12 pursuant to Federal Rule of Evidence 201, which provides that a court may take  
13 judicial notice of facts “not subject to a reasonable dispute in that it is...capable  
14 of accurate and ready determination by resort to sources whose accuracy cannot  
15 reasonably be questioned.” Judicial notice of court and public records is also  
16 proper under Rule 201.

17 Therefore, moving Defendant respectfully requests that this Court take  
18 judicial notice of the documents from the court file in this matter attached as  
19 Exhibits 1 through 10.

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21 Dated: December 29, 2015      LAWRENCE BEACH ALLEN & CHOI, PC

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By \_\_\_\_\_ /s/ Paul B. Beach  
Paul B. Beach  
James S. Eicher, Jr.  
Jonathan C. Magno  
Attorneys for Defendant  
Geoff Dean

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