

No S258498
In the
Supreme Court
of the
State of California

JANE DOE,
Plaintiff, Cross-Defendant, Respondent, and Petitioner,

vs.

CURTIS OLSON,
Defendant, Cross-Complainant, and Appellant.

AFTER THE UNPUBLISHED OPINION AFFIRMING
AND REVERSING ANTI-SLAPP ORDERS BY THE
SECOND DISTRICT COURT OF APPEAL, DIVISION EIGHT
No B286105

HON. MARIA E. STRATTON, ASSOCIATE JUSTICE;
HON. TRICIA A. BIGELOW, PRESIDING JUSTICE; AND
HON. ELIZABETH A. GRIMES, ASSOCIATE JUSTICE

LOS ANGELES COUNTY SUPERIOR COURT
No SC126806
HON. CRAIG D. KARLAN, JUDGE

**APPELLANT'S REQUEST FOR JUDICIAL
NOTICE OF COURT RECORDS IN SUPPORT OF
CONSOLIDATED RESPONSE TO AMICI BRIEFS**

Robert M. Dato, 110408 | Eric Michael Kennedy, 228393
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Attorneys for Defendant, Cross-Complainant, and Appellant
CURTIS OLSON

**CERTIFICATE OF INTERESTED
ENTITIES OR PERSONS**

Defendant, Cross-Complainant, and Appellant CURTIS OLSON identifies himself and Plaintiff, Cross-Defendant, Respondent, and Petitioner JANE DOE as the interested parties to this review.

Respectfully submitted,

March 22, 2021

By: /s/ Robert Collings Little

Robert Collings Little, Esq.

BUCHALTER

A PROFESSIONAL LAW CORPORATION

Los Angeles, California

Attorneys for Defendant,

Cross-Complainant, and Appellant

CURTIS OLSON

TABLE OF CONTENTS

	Page
APPELLANT’S REQUEST FOR JUDICIAL NOTICE OF COURT RECORDS IN SUPPORT OF CONSOLIDATED RESPONSE TO AMICI BRIEFS	1
TABLE OF CONTENTS	3
APPELLANT’S REQUEST FOR JUDICIAL NOTICE OF COURT RECORDS IN SUPPORT OF CONSOLIDATED RESPONSE TO AMICI BRIEFS	5
MEMORANDUM OF POINTS AND AUTHORITIES	7
1. Records of Which Judicial Notice Is Requested and the Reasons and Authorities for Judicial Notice	7
CONCLUSION	8
DECLARATION OF ERIC M. KENNEDY SUPPORTING APPELLANT’S REQUEST FOR JUDICIAL NOTICE OF COURT RECORDS IN SUPPORT OF CONSOLIDATED ANSWER	9
[PROPOSED] ORDER ON PETITIONER’S REQUEST FOR JUDICIAL NOTICE OF COURT RECORDS IN SUPPORT OF PETITION FOR REVIEW	13

TABLE OF AUTHORITIES

Page(s)

FEDERAL CASES

<i>Rosales Martinez v. Palmer</i> (9th Cir. 2014) 753 F.3d 890	14
-------------------------------------------------------------------------	----

CALIFORNIA CASES

<i>Drummond v. Desmarais</i> (2009) 176 Cal.App.4th 439 [98 Cal.Rptr.3d 183]	14
<i>Flores v. Arroyo</i> (1961) 56 Cal.2d 492 [15 Cal.Rptr. 87, 364 P.2d 263].	14
<i>Housing Authority of Monterey County v. Jones</i> (2005) 130 Cal.App.4th 1029 [30 Cal.Rptr.3d 676]	8
<i>United Farm Workers of Am. v. Superior Court</i> <i>(Maggio, Inc.)</i> (1985) 170 Cal.App.3d 97 [216 Cal.Rptr. 4]	8

CALIFORNIA STATUTES

EVIDENCE CODE

§ 452, subd. (d)(1)	7, 8, 13, 14
§ 459, subd. (a)	7, 8, 13, 14

CODE OF CIVIL PROCEDURE

§ 170.1, subd. (a)(6)(A)(iii)	8
-------------------------------------	---

RULES

CALIFORNIA RULES OF COURT

8.54	7
8.252(a)	7, 13

**APPELLANT’S REQUEST FOR JUDICIAL NOTICE
OF COURT RECORDS IN SUPPORT OF
CONSOLIDATED RESPONSE TO AMICI BRIEFS**

Under California Rules of Court, rules 8.54 and 8.252(a), and California Evidence Code sections 459, subdivision (a) and 452, subdivision (d)(1), Defendant, Cross-Complainant, and Appellant Curtis Olson respectfully requests the Court take judicial notice of the court records and certified shorthand reporter’s transcript of judicial proceedings between the parties.

The records of which judicial notice is requested are trial court records from Jane Doe’s second civil harassment restraining order proceeding; her subsequent lawsuit against the judge, reporter, and counsel in that proceeding; and Olson’s lawsuit against her, her mother’s law firm, and other defendants, as discussed in Olson’s answer to the multiple amicus briefs. (Consol. Ans. 6–14.)

A true and correct copy of each of these court records is submitted in the manner prescribed by the Evidence Code, the California Rules of Court, and the Rules of the California Supreme Court, as follows:

1. Register of Actions/Civil Case Summary in the matter entitled *[Jane Doe] v. Curtis Olson*, Los Angeles County Superior Court No. [REDACTED] 0308 (Sept. 6, 2017–March 16, 2021) (Exhibit 1, RJN 002–032).
2. Certified Shorthand Reporter’s Transcript of Proceedings in the matter entitled *[Jane Doe] v. Curtis*

Olson, Los Angeles County Superior Court No. 0308 (Nov. 16, 2018) by Burris, M., Rptr. (Exhibit 2, RJN 034–183).

3. Certified Shorthand Reporter’s Transcript of Proceedings in the matter entitled *[Jane Doe] v. Curtis Olson*, Los Angeles County Superior Court No. 0308 (Nov. 19, 2018) by Burris, M., Rptr. (Exhibit 3, RJN 185–237).

4. Minute Order in the matter entitled Certified Shorthand Reporter’s Transcript of Proceedings in the matter entitled *[Jane Doe] v. Curtis Olson*, Los Angeles County Superior Court No. 0308 (Nov. 19, 2018) (Convey, J.). (Exhibit 4, RJN 239–240).

5. Register of Actions/Civil Case Summary in the matter entitled *Jane Doe v. Curtis Olson*, Los Angeles County Superior Court No. 19STCV41255 (Nov. 15, 2019–Feb. 16, 2021) (Exhibit 5, RJN 242–264).

6. Register of Actions/Civil Case Summary in the matter entitled *Curtis Olson v. [Jane Doe] et al.*, Los Angeles County Superior Court No. 6503 (Nov. 23, 2019–Feb. 25, 2021) (Exhibit 6, RJN 247–264).

These records are the proper subject of judicial notice by the reviewing court under Evidence Code sections 459, subdivision (a), and 452, subdivision (d)(1). (Evid. Code, §§ 459, subd. (a) [“The reviewing court may take judicial notice of any matter specified in Section 452.”]; 452, subd. (d)(1) [“Judicial notice may be taken of

the following matters to the extent that they are not embraced within Section 451: ... (d) Records of (1) any court of this state[.]”.)

Jane Doe’s name and the first seven alphanumeric digits of the case number have been redacted under Civil Code section 1708.85 and similar provisions, though unredacted copies are available.

MEMORANDUM OF POINTS AND AUTHORITIES

1. Records of Which Judicial Notice Is Requested and the Reasons and Authorities for Judicial Notice

Under California Rules of Court, rule 8.252(a)(2), the foregoing documents are relevant to this Court’s consideration of the amici briefs submitted in this review and Appellant’s consolidated answer to them as discussed throughout it. (Consol. Ans. 6–14.)

These court records are the proper subject of judicial notice under Evidence Code sections 459, subdivision (a), and 452, subdivision (d)(1). (Evid. Code, §§ 459, subd. (a) [“The reviewing court may take judicial notice of any matter specified in Section 452.”]; 452, subd. (d)(1) [“Judicial notice may be taken of the following matters to the extent that they are not embraced within Section 451: ... (d) Records of (1) any court of this state[.]”]; see e.g., *Flores v. Arroyo* (1961) 56 Cal.2d 492, 496 [15 Cal.Rptr. 87, 364 P.2d 263] [“Courts take judicial notice of the public and private official acts of the judicial departments of this state and of the United States[.]”]; *Drummond v. Desmarais* (2009) 176 Cal.App.4th 439, 447, fn. 3 [98 Cal.Rptr.3d 183] [reviewing court may refer to the register of actions on the trial court’s website]; accord, *Rosales Martinez v.*

Palmer (9th Cir. 2014) 753 F.3d 890, 894 [“It is well established that we may take judicial notice of judicial proceedings in other courts.”].)

CONCLUSION

Olson respectfully requests that the Court take judicial notice of the court records and certified shorthand reporter’s proceedings of the Superior Court of the County of Los Angeles involving Jane Doe and Olson.

Respectfully submitted,

March 22, 2021

By: /s/ Robert Collings Little

Robert Collings Little, Esq.

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A PROFESSIONAL LAW CORPORATION

Los Angeles, California

Attorneys for Defendant,

Cross-Complainant, and Appellant

CURTIS OLSON

No S258498

In the

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Plaintiff, Cross-Defendant, Respondent, and Petitioner,

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AFTER THE UNPUBLISHED OPINION AFFIRMING
AND REVERSING ANTI-SLAPP ORDERS BY THE
SECOND DISTRICT COURT OF APPEAL, DIVISION EIGHT
No B286105

HON. MARIA E. STRATTON, ASSOCIATE JUSTICE;
HON. TRICIA A. BIGELOW, PRESIDING JUSTICE; AND
HON. ELIZABETH A. GRIMES, ASSOCIATE JUSTICE

LOS ANGELES COUNTY SUPERIOR COURT
No SC126806

HON. CRAIG D. KARLAN, JUDGE

**DECLARATION OF ERIC M. KENNEDY
SUPPORTING APPELLANT'S REQUEST FOR
JUDICIAL NOTICE OF COURT RECORDS IN
SUPPORT OF CONSOLIDATED ANSWER**

I, Eric M. Kennedy, declare:

1. I am an attorney at law duly licensed to practice law in the State of California. I am a partner of the law firm of Buchalter, A Professional Corporation, counsel of record for Defendant, Cross-

Complainant, and Appellant Curtis Olson in this action. I make this declaration in support of Appellant's Request for Judicial Notice of Court Records in Support of Consolidated Answer to Amicus Curiae Briefs, and for no other purpose. I know of the facts stated in this declaration and, if called upon as a witness, I could and would competently testify thereto.

2. For purposes of foundation, the records submitted with this request in the single, consecutively paginated volume, containing pages RJN 002–RJN 264, are true and correct court records from the trial court's file or the certified shorthand reporter's transcripts of proceedings that were obtained or received in the ordinary course of our firm's legal representation in the trial court proceedings between Jane Doe and Curtis Olson, with one exception. The exception is Jane Doe's true name and the first seven alphanumeric digits of the case numbers have been redacted under Civil Code section 1708.85 and similar provisions. Unredacted copies are available.

3. Except as redacted, attached as Exhibit 1 is a true and correct copy of the Register of Actions/Civil Case Summary in the matter entitled [*Jane Doe*] v. *Curtis Olson*, Los Angeles County Superior Court No. [REDACTED] 0308 (Sept. 6, 2017–March 16, 2021) (Exhibit 1, RJN 002–032).

4. Except as redacted, attached as Exhibit 2 is a true and correct copy of the Certified Shorthand Reporter's Transcript of Proceedings in the matter entitled [*Jane Doe*] v. *Curtis Olson*, Los

Angeles County Superior Court No. [REDACTED] 0308 (Nov. 16, 2018) by Burris, M., Rptr. (Exhibit 2, RJN 034–183).

5. Except as redacted, attached as Exhibit 3 is a true and correct copy of the Certified Shorthand Reporter’s Transcript of Proceedings in the matter entitled [*Jane Doe*] v. *Curtis Olson*, Los Angeles County Superior Court No. [REDACTED] 0308 (Nov. 19, 2018) by Burris, M., Rptr. (Exhibit 3, RJN 185–237).

6. Except as redacted, attached as Exhibit 4 is a true and correct copy of the Minute Order in the matter entitled [*Jane Doe*] v. *Curtis Olson*, Los Angeles County Superior Court No. [REDACTED] 0308 (Nov. 19, 2018) (Convey, J.). (Exhibit 4, RJN 239–240).

7. Attached as Exhibit 5 is a true and correct copy of the Register of Actions/Civil Case Summary in the matter entitled *Jane Doe v. Curtis Olson*, Los Angeles County Superior Court No. 19STCV41255 (Nov. 15, 2019–Feb. 16, 2021) (Exhibit 5, RJN 242–264).

8. Except as redacted, attached as Exhibit 6 is a true and correct copy of the Register of Actions/Civil Case Summary in the matter entitled *Curtis Olson v. [Jane Doe] et al.*, Los Angeles County Superior Court No. [REDACTED] 6503 (Nov. 23, 2019–Feb. 25, 2021) (Exhibit 6, RJN 247–264).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this

22nd day of March 2021, at Los Angeles, in the County of Los Angeles, State of California.

By: s/ *Eric M. Kennedy*
Eric M. Kennedy

No S258498

In the

Supreme Court

of the

State of California

JANE DOE,

Plaintiff, Cross-Defendant, Respondent, and Petitioner,

vs.

CURTIS OLSON,

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HON. MARIA E. STRATTON, ASSOCIATE JUSTICE;
HON. TRICIA A. BIGELOW, PRESIDING JUSTICE; AND
HON. ELIZABETH A. GRIMES, ASSOCIATE JUSTICE

LOS ANGELES COUNTY SUPERIOR COURT
No SC126806

HON. CRAIG D. KARLAN, JUDGE

**[PROPOSED] ORDER ON PETITIONER'S
REQUEST FOR JUDICIAL NOTICE OF
COURT RECORDS IN SUPPORT OF
PETITION FOR REVIEW**

Upon due consideration, for the reasons stated in Petitioner's Request for Judicial Notice, the Court takes judicial notice of the court records and certified shorthand reporter's transcripts in *[Jane Doe] v. Curtis Olson*, Los Angeles County Superior Court

No. 0308, *Jane Doe v. Curtis Olson*, Los Angeles County Superior Court No. 19STCV41255, and *Curtis Olson v. [Jane Doe] et al.*, Los Angeles County Superior Court No. 6503, submitted and served with the request.

IT IS SO ORDERED.

CHIEF JUSTICE
SUPREME COURT OF CALIFORNIA

*[Proposed Order Submitted By
Appellant Curtis Olson
Under Cal. Rules of Court, rule
8.809(a)(1)]*

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SUPREME COURT OF CALIFORNIA

No S258498

CALIFORNIA COURT OF APPEAL
FIRST APPELLATE DISTRICT, DIVISION EIGHT
No B286105

LOS ANGELES COUNTY SUPERIOR COURT
No SC126806

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STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **JANE DOE v.
OLSON**

Case Number: **S258498**

Lower Court Case Number: **B286105**

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ADDITIONAL DOCUMENTS	Court Records of Which Judicial Notice is Requested

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

3/22/2021

Date

/s/Robert Collings Little

Signature

Little, Robert Collings (182396)

Last Name, First Name (PNum)

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