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7 JAIME MCGUIRE (sued as Jamie McGuire),
KENNETH HUNTER and GREG PARI
8

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 LOS ANGELES DIVISION

12 JUDY ANNE MIKOVITS,
13 Plaintiff,

14 v.

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

21 Defendants.
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Case No. CV14-08909 SVW (PLA)

**REQUEST FOR JUDICIAL NOTICE IN
SUPPORT OF COMBINED REPLY BY
DEFENDANTS ADAM GARCIA, JAIME
MCGUIRE, KENNETH HUNTER AND
GREG PARI IN SUPPORT OF MOTIONS
TO DISMISS AND MOTION TO STRIKE
PLAINTIFF'S PRAYER FOR PUNITIVE
DAMAGES**

Date: [Vacated, per order of Feb. 23,
2015 [Dkt. 67]]

Time: [Vacated]

1 Defendants, Chief Adam Garcia, Detective Jaime McGuire (sued as "Jamie McGuire"),
 2 Dr. Kenneth Hunter, and Dr. Greg Pari respectfully request that this Court take judicial notice,
 3 pursuant to Federal Rule of Evidence 201, of the following documents in connection with their
 4 combined reply in support of their motions to dismiss and motion to strike:

5 1. Arrest warrant issued for plaintiff Judy Mikovits by Reno Justice of the Peace
 6 Hon. Patricia A. Lynch, dated November 16, 2011, a true and correct copy of which is attached as
 7 **exhibit 1** to this request.

8 2. The amended criminal charges, dated November 17, 2011, filed against Mikovits
 9 in Reno, alleging violations of NRS 205.275 (possession of stolen property valued in excess of
 10 \$650.00) and NRS 205.4765 (unlawful taking of computer data, equipment, supplies valued in
 11 excess of \$500), a true and correct copy of which is attached as **exhibit 2** to this request.

12 3. The docket for Superior Court of California, County of Ventura Case No.
 13 2011040771, showing that a fugitive complaint pursuant to Cal. Pen. Code 1551.1 was filed on
 14 Monday, November 21, 2011, following Mikovits' arrest on the afternoon of Friday, November
 15 18, 2011, a true and correct copy of which is attached as **exhibit 3** to this request.

16 The above-referenced documents are properly the subject of judicial notice pursuant to
 17 Federal Rule of Evidence 201, which provides that a court may take judicial notice of facts "not
 18 subject to reasonable dispute in that it is ... capable of accurate and ready determination by resort
 19 to sources whose accuracy cannot reasonably be questioned."

20 Therefore, moving defendants respectfully request that this Court take judicial notice of
 21 the documents attached as Exhibits 1 through 3.

22 DATED: May 6, 2015

BUCHALTER NEMER
 A Professional Corporation

25 By: /s/ Robert M. Dato
 Robert M. Dato
 Sarah A. Syed

27 Attorneys for Defendants
 ADAM GARCIA, JAIME MCGUIRE,
 28 KENNETH HUNTER, and GREG PARI

1 **CERTIFICATE OF SERVICE**

2

3 I am employed in the County of Orange, State of California. I am over the

4 age of 18 and not a party to the within action. My business address is at

5 BUCHALTER NEMER, A Professional Corporation, 18400 Von Karman Avenue,

6 Suite 800, Irvine, California 92612-0514.

7 On the date set forth below, I served the foregoing document described as:

8 **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF COMBINED**

9 **REPLY BY DEFENDANTS ADAM GARCIA, JAIME MCGUIRE,**

10 **KENNETH HUNTER AND GREG PARI IN SUPPORT OF MOTIONS TO**

11 **DISMISS AND MOTION TO STRIKE PLAINTIFF'S PRAYER FOR**

12 **PUNITIVE DAMAGES**

13 on all other parties and/or their attorney(s) of record to this action as follows:

14 **SEE ATTACHED SERVICE LIST**

15 ☒ **BY CM/ECF SYSTEM** I certify that I caused a copy of the above

16 document to be served upon the following counsel via the court CM/ECF System

17 on May 6, 2015

18 ☐ **BY MAIL** I am readily familiar with the business' practice for collection

19 and processing of correspondence for mailing with the United States Postal Service.

20 The address(es) shown above is(are) the same as shown on the envelope. The

21 envelope was placed for deposit in the United States Postal Service at Buchalter

22 Nemer in Irvine, California on May 6, 2015. The envelope was sealed and placed

23 for collection and mailing with first-class prepaid postage on this date following

24 ordinary business practices.

25 ☒ I declare that I am employed in the office of a member of the bar of this court

26 at whose direction the service was made. Executed on May 6, 2015 at Irvine,

27 California.

28 _____

Gerri K. Tooley

(Signature)

SERVICE LIST

JUDY ANNE MIKOVITS v. ADAM GARCIA, et al.
USDC CASE NO. CV14-08909 SVW (PLA)

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