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Attorneys for Petitioner, Association of Deputy District
Attorneys for Los Angeles County (ADDA)

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

ASSOCIATION OF DEPUTY DISTRICT
ATTORNEYS FOR LOS ANGELES
COUNTY (ADDA),

Petitioner,

v.

GEORGE GASCÓN, LOS ANGELES
COUNTY DISTRICT ATTORNEY; LOS
ANGELES COUNTY DISTRICT
ATTORNEY'S OFFICE; COUNTY OF
LOS ANGELES; DOES 1 through 50,
inclusive,

Respondents.

Case No. 21STCP03412

**DECLARATION OF ELIZABETH J.
GIBBONS IN SUPPORT OF
PETITIONER'S POINTS AND
AUTHORITIES IN REPLY TO
RESPONDENTS' OPPOSITION TO
OSC RE: PRELIMINARY
INJUNCTION; AND EXHIBITS
THERE TO**

Date: November 10, 2021
Time: 9:30 a.m.
Place: Dept. 86

DECLARATION OF ELIZABETH J. GIBBONS

I, Elizabeth J. Gibbons, hereby declare as follows:

1. I am an attorney at law, duly admitted to practice before all the Courts of the State of California. I am the attorney of record for Petitioner, Association of Deputy District Attorneys for Los Angeles County (“ADDA”) herein.

2. I make this declaration based on my own personal knowledge of the facts set forth herein, except as to those facts stated to be based on information and belief and as to those facts I believe them to be true.

3. On October 14, 2021 at approximately 9:15 a.m., I gave telephonic notice to the attorney for the District Attorney’s Office in connection with the Civil Service appeals related to the appointments of Tiffany Blacknell, Alisa Blair and Shelan Joseph as DDA IIIs and IVs, of the ADDA’s intent to seek a TRO and OSC by ex parte application the following morning, October 15, 2021, as more fully set forth in my Notice Declaration filed on October 14, 2021.

4. Our ex parte papers, including the Proposed TRO and OSC, were electronically filed with the Court and electronically served on counsel for the Respondents before 10:00 a.m. on October 14, 2021.

5. Shortly before 4:00 p.m. on October 14, 2021, I was advised by ADDA Board of Director members that candidates on the eligible list for promotion to Grade III were being individually called, as is the LADA’s consistent practice, and advised that they were promoted to Grade III. These notifications were made to approximately 53 eligible Grade III promotional candidates in the afternoon of October 14, 2021.

6. Pursuant to the briefing schedule ordered by Judge Strobel after issuing an Order to Show Cause on October 15, 2021, I filed Supplemental Points and Authorities in support of the preliminary injunction on Tuesday, October 19, 2021.

7. On Thursday, October 21, 2021, counsel for Respondents filed with the Civil Service Commission a written request to dismiss DDA Maria Ghobadi’s pending appeal on the basis that the appeal was moot due to Ms. Ghobadi’s recent promotion. A copy of the Respondents’ request to dismiss the Ghobadi appeal is attached hereto and marked as

1 Exhibit "B."

2 8. DDA Ghobadi's appeal contested the assignment of DPD Alisa Blair to a DDA
3 III position, for which Ms. Ghobadi was qualified and eligible, in violation of the Civil Service
4 Rules, including Rule 25. Ms. Ghobadi was the only Grade II DDA who had filed an appeal
5 with the Civil Service Commission contesting the appointment of Blair as a Grade III DDA.

6 9. DDA Ghobadi's appeal was filed with the Commission in March, 2021. Due to a
7 clerical error by the Commission staff, DDA Ghobadi's appeal was not included on the agenda
8 for the Commission's July 21, 2021 Agenda Meeting at which the companion appeal of DDA
9 Siddall was considered and granted.

10 10. The Commission initially scheduled DDA Ghobadi's appeal for its consideration
11 at its agenda meeting on August 18, 2021. Due to another scheduled appearance, and despite my
12 offer to stipulate to the granting of the Ghobadi appeal on the same terms as the Siddall appeal,
13 the request by counsel for Respondents to continue the Ghobadi agenda item was granted by the
14 Commission. The Ghobadi matter was continued in August, 2021 to the Commission's agenda
15 meeting of October 27, 2021.

16 11. I personally attended the Commission's agenda meeting on October 27, 2021 via
17 WebEx. Attached hereto and marked as Exhibit "C" is a transcript of the Commission's official
18 audio recording of the agenda item regarding DDA Ghobadi's appeal. I have compared the
19 transcript to the audio recording and the transcript is a true and accurate reflection of the audio
20 recording.

21 12. Subsequent to the Commission's agenda meeting on October 27, 2021, at which
22 the voting Commissioners (Commissioner Segal recused herself) all expressed significant
23 disagreement with the District Attorney's past and apparently continued intent to appoint deputy
24 public defenders into deputy district attorney promotional positions (see, Ex. B), I have been
25 informed and, based on information and belief, believe that the District Attorney has delayed his
26 appointment of three additional deputy public defenders and deputy alternate public defenders
27 until on or about November 16, 2012, after the hearing date on the Order to Show Cause issued
28 by Judge Strobel.

13. Attached hereto and marked as Exhibit “D” is a transcript of the pretrial proceeding in the case of *People v. Taylor, Harris, and Littlejohn*, in Department SCD of the Compton Court, on November 1, 2021.

14. During this pretrial proceeding, defense attorney Alan Jackson raised an objection on the record to a potential conflict of interest in the District Attorney's further prosecution of the case based on the fact that Mr. Apt, a Deputy Alternate Public Defender, "has been provided a provisional agreement by the District Attorney's Office to become employed by the DA's Office." (Ex. D, pp.33-34) Mr. Apt, who was present in court at the time of Mr. Jackson's objection, did not dispute Mr. Jackson's description of Mr. Apt's employment status, thereby adoptively admitting the truth of that description.

15. Based upon this admission by Mr. Apt, I am informed and believe that DAPD Mr. Apt is scheduled to begin working as a DDA IV on or about November 16, 2021. Based on the prior admission by Mr. Perroni which is set forth in the previously filed Declaration of Sean Carney, and on information and belief, I am informed and believe that DPDs John Perroni and Nancy Theberge are scheduled to begin working as DDA IIIs and/or IVs on or about November 16, 2021.

I declare under penalty of perjury that the foregoing is true and correct, to the best of my knowledge.

Executed this 3rd day of November, 2021 at Los Angeles, California.

Elizabeth J. Gibbons
ELIZABETH J. GIBBONS

Exhibit “B”

Geoffrey S. Sheldon, Bar No. 185560
gsheldon@lcwlegal.com
Danny Y. Yoo, Bar No. 251574
dyoo@lcwlegal.com
Richard Daniel Seitz, Bar No. 334028
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Telephone: 310.981.2000
Facsimile: 310.337.0837

Attorneys for Respondent County of Los Angeles

BEFORE THE CIVIL SERVICE COMMISSION
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Maria Ghobadi,

Petitioner,

v.

County of Los Angeles,

Respondent.

Case No.: CSC No. 21-111

**RESPONDENT LOS ANGELES COUNTY
DISTRICT ATTORNEY'S OFFICE'S
SUPPLEMENTAL OPPOSITION TO
PETITIONER MARIA GHOBADI'S
REQUEST FOR APPEAL**

[Filed Concurrently with Declaration of Julie Dixon
Silva]

Date: October 27, 2021
Time: 9:30 a.m.
Location: Civil Service Commission
Room 522
500 W. Temple Street
Los Angeles, CA 90012

1 **I. INTRODUCTION**

2 Petitioner Maria Ghobadi (“Petitioner”) has requested a hearing before the Civil Service
3 Commission (“Commission”). Petitioner requested a hearing on the grounds that the Los Angeles
4 County District Attorney’s Office (“DA’s Office” or “Respondent”) allegedly failed to promote
5 her to Deputy District Attorney (“DDA”) III. The District Attorney recently announced the
6 promotions of fifty-two DDA IIs to DDA III. Petitioner is one of the DDA IIs selected for
7 promotion. Petitioner no longer has a basis to allege failure to promote her to DDA III since she
8 has been selected for promotion to DDA III. The Commission should deny her request for a
9 hearing on the grounds that her promotion to DDA III renders her appeal moot. Additionally, the
10 Commission should deny Petitioner’s request for a hearing because she no longer has an
11 individualized basis to appeal to the Commission under the Civil Service Rules. Accordingly, the
12 DA’s Office respectfully requests that the Commission deny Petitioner’s request for a hearing.

13 **II. FACTUAL BACKGROUND**

14 Petitioner has appealed to the Commission regarding the County’s alleged “failure . . . to
15 promote her to a [DDA] Grade III position.” (Petitioner’s Request for Hearing, p. 1 (Mar. 12,
16 2021) (“Request for Hearing”).) Petitioner requested an evidentiary hearing “in order to provide
17 Petitioner with an opportunity to appeal the decision not to promote her to Deputy District
18 Attorney III.” (Request for Hearing, p. 11.) However, on October 18, 2021, the DA’s Office
19 published General Office Memorandum (“GOM”) 21-099 to all District Attorney personnel.
20 (Declaration of Julie Dixon Silva ¶ 2, Exh. 1 (“Silva Decl.”).) GOM 21-099 announces the
21 promotions, effective November 1, 2021, of Petitioner and fifty-one other DDA IIs to DDA III.
22 (Silva Decl. ¶¶ 3-4.)

23 **III. LEGAL ARGUMENT**

24 **A. PETITIONER’S IMMINENT PROMOTION TO DDA III RENDERS HER**
25 **APPEAL MOOT**

26 The Commission should deny Petitioner’s request for a hearing on the grounds that her
27 appeal is moot. Moot cases “are those in which an actual controversy did exist but, by the
28 passage of time or a change in circumstances, ceased to exist.” (*Wilson & Wilson v. City Council*

1 *of Redwood City* (2011) 191 Cal.App.4th 1559, 1573 (internal citations and quotation marks
2 omitted).) “[A]lthough a case may originally present an existing controversy, if before decision it
3 has, through act of the parties or other cause, occurring after the commencement of the action,
4 lost that essential character it becomes a moot case or question which will not be considered.”
5 (*Wilson v. Los Angeles County Civil Service Commission* (1952) 112 Cal.App.2d 450, 453
6 (internal citation omitted).) “Mootness has been described as the doctrine of standing set in a
7 time frame: *The requisite personal interest that must exist at the commencement of the litigation*
8 *(standing) must continue throughout its existence (mootness).*” (*Wilson & Wilson*, 191
9 Cal.App.4th at 1574 (internal citations and quotation marks omitted) (emphasis added).)

10 Here, the Commission should recognize that the basis for Petitioner’s appeal—her alleged
11 failure to promote—no longer exists. Petitioner’s imminent promotion to DDA III (along with
12 fifty-one other DDA IIs) renders her request for appeal moot. Allowing further proceedings in
13 this matter would inevitably waste the time and resources of the Commission and the parties, in a
14 futile effort to gain the result that has already occurred: Petitioner’s promotion to DDA III.

15 **B. THE CIVIL SERVICE RULES SUPPORT DENIAL FOR MOOTNESS**
16 **HERE, WHERE PETITIONER NO LONGER HAS AN INDIVIDUALIZED**
17 **BASIS TO REQUEST A HEARING**

18 While the above authorities derive from case law, the Civil Service Rules also support a
19 denial of hearing. A County employee or applicant has an *individualized* right to petition the
20 Commission for a hearing where that applicant or employee was “adversely affected by any
21 action or decision” of the director of personnel or the Commission, or is “otherwise entitled to a
22 hearing under the [County] Charter or these Rules.” (Civil Service Rule 4.01.) The Civil Service
23 Rules examine an individual’s right to request and pursue a hearing. Here, Petitioner no longer
24 has an individualized basis to allege failure to promote since she has been selected for promotion
25 to DDA III. As a result, Petitioner no longer has a basis to seek an appeal. The Civil Service
26 Rules require that a petitioner have an individual basis for appeal. Because that basis no longer
27 exists here, the Rules support denial of Petitioner’s request for hearing.

1 **IV. CONCLUSION**

2 The Commission should deny Petitioner's request for a hearing as moot in recognition of
3 her imminent promotion to DDA III.

4
5
6 Dated: October 21, 2021

LIEBERT CASSIDY WHITMORE

7
8
9 By: /s/ Geoffrey S. Sheldon
10 Geoffrey S. Sheldon
11 Danny Y. Yoo
12 Richard Daniel Seitz
13 Attorneys for Respondent County of
14 Los Angeles
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF COUNTY

I am employed in the County of County, State of California. I am over the age of 18 and not a party to the within action; my business address is: **6033 West Century Boulevard, 5th Floor, Los Angeles, California 90045.**

On **October 21, 2021**, I served the foregoing document(s) described as **RESPONDENT LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE'S SUPPLEMENTAL OPPOSITION TO PETITIONER MARIA GHOBADI'S REQUEST FOR APPEAL** in the manner checked below on all interested parties in this action addressed as follows:

Elizabeth Gibbons
The Gibbons Firm, P.C.
811 Wilshire Blvd., 17th Floor
Los Angeles, CA 90017
telephone: (323) 591-6000
facsimile: (323) 591-6006
email: egibbons@thegibbonsfirm.com

Attorneys for Petitioner MARIA GHOBADI

- ☒ **(BY U.S. MAIL)** 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 Los Angeles, California, in the ordinary course of business. I am aware that on motion of the 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 am personally and readily familiar with the business practice of Liebert Cassidy Whitmore for collection and processing of document(s) to be transmitted by facsimile. I arranged for the above-entitled document(s) to be sent by facsimile from facsimile number 310.337.0837 to the facsimile number(s) listed above. The facsimile machine I used complied with the applicable rules of court. Pursuant to the applicable rules, I caused the machine to print a transmission record of the transmission, to the above facsimile number(s) and no error was reported by the machine. A copy of this transmission is attached hereto.
- ☐ **(BY OVERNIGHT MAIL)** By overnight courier, I arranged for the above-referenced document(s) to be delivered to an authorized overnight courier service, FedEx, for delivery to the addressee(s) above, in an envelope or package designated by the overnight courier service with delivery fees paid or provided for.

- 1 ☒ **(BY ELECTRONIC SERVICE)** By electronically mailing a true and correct copy
2 through Liebert Cassidy Whitmore's electronic mail system from
3 mgruen@lcwlegal.com to the email address(es) set forth above. I did not receive,
4 within a reasonable time after the transmission, any electronic message or other
5 indication that the transmission was unsuccessful.
- 6 ☐ **(BY ELECTRONIC SERVICE PROVIDER)** I am readily familiar with the firm's
7 practice for filing electronically. Through use of OneLegal, an electronic service
8 provider, I arranged a true and correct copy of the above-reference documents to be
9 electronically served to the e-mail address(es) registered with the court this day in the
10 ordinary course of business following ordinary business practices.
- 11 ☐ **(BY PERSONAL DELIVERY)** I delivered the above document(s) by hand to the
12 addressee listed above.

13 Executed on **October 21, 2021**, at Los Angeles, California.

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

16 /s/ Marsha J. Gruen
17 Marsha J. Gruen

Geoffrey S. Sheldon, Bar No. 185560
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Attorneys for Respondent County of Los Angeles

BEFORE THE CIVIL SERVICE COMMISSION OF THE
OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Maria Ghobadi,

Petitioner,

v.

County of Los Angeles,

Respondent.

Case No.: CSC No. 21-111

**DECLARATION OF JULIE DIXON SILVA IN
SUPPORT OF RESPONDENT LOS ANGELES
COUNTY DISTRICT ATTORNEY'S
OFFICE'S SUPPLEMENTAL OPPOSITION
TO PETITIONER MARIA GHOBADI'S
REQUEST FOR APPEAL**

[Filed Concurrently with Respondent's
Supplemental Opposition to Petitioner's Request
for Appeal]

Date: October 27, 2021
Time: 9:30 a.m.
Location: Civil Service Commission
Room 522
500 W. Temple Street
Los Angeles, CA 90012

I, Julie Dixon Silva, declare as follows:

- I am the Director of Employee Relations for the Los Angeles County District Attorney's Office. I have personal knowledge of all the facts set forth herein. If called upon to testify to the same, I could and would so testify. I makes this declaration in support of Respondent Los Angeles County District Attorney's

Office's Supplemental Opposition to Petitioner Maria Ghobadi's Request for Appeal (filed concurrently).

2. On October 18, 2021, the District Attorney published General Office Memorandum ("GOM") 21-099 to all District Attorney personnel. (A true and correct copy of GOM 21-099 is attached hereto as "**Exhibit 1.**")
3. GOM 21-099 announces a list of fifty-two Deputy District Attorney ("DDA") IIs who will be promoted to DDA III, effective November 1, 2021.
4. Maria Ghobadi's name appears on GOM 21-099 as one of the DDA IIs being promoted to DDA III.

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


Executed this 21th day of October 2021, in Los Angeles, California.


Julie Dixon Silva

EXHIBIT 1

GENERAL OFFICE MEMORANDUM 21-099

TO: ALL DISTRICT ATTORNEY PERSONNEL

FROM: GEORGE GASCÓN 
District Attorney

SUBJECT: DEPUTY DISTRICT ATTORNEY III PROMOTIONS

DATE: OCTOBER 18, 2021

I am pleased to announce the following Deputy District Attorney III promotions effective November 1, 2021.

Abbigail Briones	Eric Neff	Melany Avanessians
Ahmed Mian	George Morris	Melissa Opper
Alexander Hogue	Henry Truong	Michael Bauer
Allison Willhite	Jacob Lee	Nasim Razmara
Amarilla Blondia	Jeffrey Megee	Natalie Schachner
Anet Badali	Jeremy Davis	Parag Agrawal
Brian Rosenberg	Jessica Balady-Gamble	Peggy Kane
Brittany Saleeby	Justin Ford	Rebecca Goodrich
Brittney Phillips	Justin Kim	Rosa Zavala
Cesar Rodriguez	Kristopher Gay	Scott Eisen
Christina Lutz	Leila Tahmassebi	Shannon Sexton
Christine Yi	Leslie Hinshaw	Thomas Goff
Cody Cameron Smith	Mackenzie Brown	Thushari Wijesinghe
Daniel Novey	Maria Ghobadi	Timothy Richardson II
David Delgado	Mathew Rudes	William Park
David Nary	Matthew Allen	Yujin Yu
Destiny Ramsey	Mayra Ramirez	
Eric Feil	Megan Loebl	

Please join me in congratulating these deputies.

lp

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: **6033 West Century Boulevard, 5th Floor, Los Angeles, California 90045.**

On **October 21, 2021**, I served the foregoing document(s) described as **DECLARATION OF JULIE DIXON SILVA IN SUPPORT OF RESPONDENT LOS ANGELES COUNTY'S SUPPLEMENTAL OPPOSITION TO PETITIONER GHOBADI'S REQUEST FOR APPEAL** in the manner checked below on all interested parties in this action addressed as follows:

Elizabeth Gibbons
The Gibbons Firm, P.C.
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Attorneys for Petitioner MARIA GHOBADI

- ☒ **(BY U.S. MAIL)** 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 Los Angeles, California, in the ordinary course of business. I am aware that on motion of the 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.
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10 ordinary course of business following ordinary business practices.
- 11 ☐ **(BY PERSONAL DELIVERY)** I delivered the above document(s) by hand to the
12 addressee listed above.

13 Executed on **October 21, 2021**, at Los Angeles, California.

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

16 /s/ Marsha J. Gruen
17 Marsha J. Gruen

Exhibit “C”

**LOS ANGELES COUNTY CIVIL SERVICE COMMISSION MEETING OCTOBER 27, 2021
THE APPEAL OF DDA MARIA GHOBADI, CSC # 21-111**

Delgado: Request for a hearing on her denials for both, Item 3, Maria Ghobadi.

Nightingale: Parties, please introduce yourselves.

Gibbons: Good morning, Commissioners. Elizabeth Gibbons on behalf of the petitioner Maria Ghobadi who is also present.

Ghobadi: Good morning. Maria Ghobadi.

Sheldon: Good morning, Commissioners. Geoff Sheldon, Liebert Cassidy Whitmore, on behalf of the District Attorney's Office.

Nightingale: Okay. Um. Mrs. Gibbons, um, could you move forward with your, um, presentation today and let us know in fact we received documentation that the party was going to be promoted in November. Is that true? Do you have that information --

Gibbons: Yes.

Nightingale: (Unintelligible.)

Gibbons: So what happened was, yes, I do have that -- I -- I'm sorry. I didn't hear your question. I'm sorry.

Nightingale: I -- I was saying that, um, the Commissioners received documentation, um, that the appellant Mrs. Ghobadi was going to be promoted in November, and is that --

Gibbons: Yes, that is true.

Nightingale: (Unintelligible.)

Gibbons: Yes, it is.

Nightingale: And you want to move forward with your presentation today with that knowledge?

Gibbons: Yes.

Nightingale: Okay. Can you --

Gibbons: And here's -- go ahead.

Nightingale: Go ahead.

Gibbons: So the -- the list for Grade III was published by the District Attorney's Office in May of 2020. And at that time, um, the, um, employees were told that no promotions were going to be made off the list because of budget cuts. And in fact no promotions were made off the list until October 14th of 2021. And on October 14th of 2021, (unintelligible) I noticed to the District Attorney's Office that we were going to court on October 15th for a temporary restraining order to stop the District Attorney from carrying (unintelligible) to fill (unintelligible) three or four positions and to (unintelligible) --

Nightingale: Mrs. Gibbons, your speaker is --

Gibbons: -- requiring the district attorney --

Nightingale: We're having problems with your speaker. You're sort of going in and out. Um.

Tevrizian: Is there a way --

Nightingale: Can you start -- yeah, you're --

Gibbons: Let's see if I can turn it off.

Nightingale: -- a connection problem.

Gibbons: Is that better if I turn it off? Do you want me to log and come back on?

Nightingale: It seems to be a little clearer now, but it -- are you having a power problem? It seems like there's a -- a dimming and a lighting in your background. So is that from your computer or is that from a power surge?

Delgado: Maybe if you just turn off your camera and just leave the audio on, that should work, that should help.

Segal: I'm getting a notice that her bandwidth is low.

Nightingale: Uh-huh.

Gibbons: Okay. Okay. So, um, I'll continue. Um. See if this better. Let me know --

Nightingale: That's better.

Gibbons: -- if this is better. Okay. So on --

Nightingale: That's better.

Gibbons: -- October -- okay. Thank you. On October 14th, we gave notice that we were going to court to get an order preventing the District Attorney from killing either one of the lists, the Grade III list or the Grade IV list. And, um, shortly after we served those papers, literally within hours after we served those papers, the District Attorney promoted everyone on the Band III -- or on the Grade III list, including everyone in Band II on that list. He did not promote, I think, three people off the list of fifty-seven. There was one person, Mr. Iniguez (phonetic), who he did promote but did not put on the list of people of the announced promotions. So, um, it was clear that the only reason that the promotion of -- of District Attorney Ghobadi was made was to defeat the Superior Court's ability to issue an order preventing the DA from killing lists, because he killed the list. So, um -- in addition, um, the District Attorney knew on the 15th, October 15th, that he had killed the list, and the reason that we wanted the District -- or the Superior Court to issue an order preventing the DA from killing the list was because if they killed the list, it would deprive the Commission of jurisdiction in this case. And, of course, the proof of that is the fact that they are now moving to dismiss the case because they killed the list. If they killed the list, there's no remedy available for the Commission to issue when we prove that the, um, appointments of the public defenders was in violation of the Civil Services rules.

Tevrizian: You mean the District Attorney stopped the public defender.

Gibbons: I'm sorry. He -- he appointed public defenders to district attorney positions.

Tevrizian: Correct.

Gibbons: -- in violation of the Civil Services rules. And, um, if there's no list, then this Commission doesn't have the jurisdiction to order any -- and I'm not saying a specific person, but to say qualified district attorneys on the list need to be promoted, which it would be the remedy. And while at the same time that they're doing that, the District Attorney is also continuing to hire more public defenders. I think he's got four scheduled to be hired this week, um, which again defeats the Commission's jurisdiction to order that those public defenders be returned to the Public Defender's Office

because the Public Defender's Office will fill in behind them. So the Commission isn't going to order some new public defender to be fired in order to accommodate the unlawfully appointed public defenders that are involved in this case. So I believe that the -- the District Attorney is deliberately attempting to defeat this Commission's jurisdiction. Um. I don't believe the Commission should allow them to do that, but frankly, I don't know that you have any authority to do anything else. So -- and that's the problem is that they're going to get away with doing this. Um. We -- we have brought it to the Superior Court's attention. There is an OSC set for November 10th, I believe, and by then the District Attorney will have, um, hired probably five or six more, um, public defenders, again making it more difficult for this Commission to issue an effective order, um, requiring those public defenders to be returned to the Public Defender's Office. So, um, I'm not certain what to do. I would say we need to go forward on this because, um -- because of the District Attorney's manipulation of the -- of the process, um, but I'm also aware that they have effectively eliminated any, um, available remedy from the Commission. So on that I'll submit.

Tevrizian:

I have a comment to make. My comment is this: I mean, if you want to destroy morale in the office, in the District Attorney's Office, then you do what the District Attorney is doing at the present time, that is, making inter-department transfers and circumventing the Civil Service laws. I'm not so sure we, as the Commission, have the right to intervene in this particular case because of the fact that there's the promotion of Ms. Ghobadi, basically makes her matter moot. With regard to the others, you know, they have to be done on a case by case basis. But if -- if the District Attorney is trying to circumvent the Civil Service rules and regulations, then we have the ability, I think, to voice our concerns and take appropriate action. But I don't know if there's anything really right for us to intervene at this time because of the fact that it's been announced that Ms. Ghobadi is going to be promoted to a Grade III as of November of -- of this year. Now, we could continue this matter until the promotion takes place to make sure that, you know, his announced decision is -- is not circumvented. But I go back to what I said earlier. If you really want to destroy the morale of the District Attorney's Office, you do what the District Attorney is presently doing and that is going around Civil Service laws. But I'm not sure we have the jurisdiction to intervene in this particular matter.

Gibbons:

And if I might add my --

Sheldon:

May I be heard?

(Overlapping speakers.)

Nightingale: Just a moment, sir. We have someone else. Was that you, Ms. Gibbons, that was speaking?

Gibbons: Yes. I just wanted to respond to Mr. Tevrizian's statement and --

Nightingale: And then we will let management speak, Mr. Sheldon.

Gibbons: Thank you.

Segal: I actually need to make a comment as well.

Nightingale: And -- okay, Commissioner Segal.

Segal: Yeah. If I can just quickly just say, just for the purposes of this matter, um, with regard to discussion and any outcome, I would have -- I need to recuse myself.

Nightingale: Okay. Thank you.

Gibbons: Thank you.

Sheldon: May I be heard?

Gibbons: Um --

Nightingale: Mr. Sheldon, if you will let Ms. Gibbons finish her comment and then of course you will be heard. Thank you.

Gibbons: Thank you. And I just wanted to let Mr. Tevrizian know that the morale in the District Attorney's Office is completely destroyed by this. People who are qualified are not being promoted, and it has completely destroyed morale, and -- and they are very concerned about the fact that the Civil Service protections for their job are just being completely ignored. So on that I'll submit.

Tevrizian: Yeah, there's some very serious -- there's some very serious allegations here, political patronage, that have been -- that have been raised as to the promotion of some of these inter-department transfers into Grade III and Grade IV positions within the District Attorney's Office. But I don't know whether or not we have the authority to -- to intervene at this time because Ms. Ghobadi's case appears to be moot.

Nightingale: And I think it's -- thank you, Mr. Tevrizian. But -- I'm sorry. Attorney Sheldon has been asking to speak, so. Um.

Sheldon: Yeah. Um. First of all, on the subject of mootness, I do think the -- the appeal is moot because she will be promoted on Monday. Um. I do have to say, though, I think it's improper to make comments, um, respectfully, Commissioner Tevrizian, about prejudging comments about the morale of the Department and, um, you know, statements that the Civil Service rules have been, in fact, violated. I think fundamentally here there needs to be, um, a look at really what the rules are. There's two ways to fill these positions, and while Ms. Gibbons wants to focus really on one of them, which is the promotional process, the results of the interdepartmental transfer process, um -- and that these promotions or these transfers, rather, were in fact entirely consistent with the Civil Service rules. To say otherwise is prejudging, um, the rules. And in fact in this particular case, the personnel director evaluated the transfer requests and approved the transfer requests because they are consistent with Rules 15.02 and 15.03. Um. The conspiracy about the -- the killing of the list and whatnot, it makes -- it's illogical, it makes no sense, um, and virtually everybody was promoted off the list when the hiring freeze that existed at the County was lifted. And so there -- there's plenty of explanations for this, none of them consistent with the -- Ms. Gibbons' conspiracy theory and, um, assertions about the motivations of the District Attorney. But I -- but I do think it's improper to suggest that an interdepartmental transfer is a violation of the rules. We -- you haven't seen the evidence on that. You haven't heard from the personnel director. Um. And -- and I just think taking a step back and not prejudging and making comments about morale and the Department and things of that nature because that -- I don't believe is the Commission's role here.

Nightingale: Um. I -- I will jump in and make a statement here that the Commission has for several weeks now, probably moving into the month, been dealing with issues from the DA's Office and public defender test and issues. And so it -- it's apparent to us, to the Commissioners, based on statements that we've made on the record in the past, that there is some issues, and for lack of a legal terminology -- and maybe I'll called it shenanigans -- that are going on in the District Attorney's Office in reference to interdepartmental promotions and other kinds of promotions based on testing or not testing or appointments or -- or the interdepartmental decisions that are being made. So I don't think it's inappropriate at this time for the Commissioners to raise some issues and some concerns even though we may not be able to put our finger on any particular law or Civil Service rule that allows us to do anything about it. But we continue to raise our voices about the concerns of the things that are happening within

the DA's Office with public defenders. And, therefore, I don't think, given the continuing request for a hearing based on the same issues, that we can certainly not deny that there could be the high possibility of -- of morale issues in the -- in that office. So I just wanted to make that statement. And I think someone else was trying to speak also, so. Mr. Duran?

Duran: This is Commissioner Duran.

Nightingale: Commissioner Duran, mm-hmm.

Duran: My understanding is that the union representing the district attorneys filed a lawsuit against their boss. And my understanding is the Superior Court supported that activity. So there is some activity going on within the District Attorney's Office.

Nightingale: Right.

Duran: And the comments, again, I think are warranted in terms of what is going on and who we're trying to -- to ensure that they all follow the proper procedures.

Nightingale: Right. So, um --

Sheldon: And -- and I'm not suggesting that no one's -- the concern about following proper procedures is invalid or anything like that. The fact of the matter is, um, for many years promotions were the primary vehicle for filling vacancies within the District Attorney's Office. That was the prerogative of prior District Attorneys. There is also another avenue, though, with interdepartmental transfers. And it doesn't mean because a prior DA chose not to use that -- that avenue, that it's improper or a violation of the rules. And all I'm suggesting is there are these two avenues. There is another hearing that -- that the Commission granted on with respect to Mr. Siddall. He can challenge the viability of filling these positions through 15.02 and 15.03 in that setting. Ms. Ghobadi, though, she's going to be promoted effective Monday and her -- her need for a hearing is moot. And under mootness doctrines, there is no need for a hearing for her.

Nightingale: Thank you. We understand that. But I'm sure everyone wanted to go on record to have it as a matter of record. So, um -- yes?

Donner: Reverend (phonetic) Nightingale --

Nightingale: Yes.

Donner: Here's -- you know, I'm not going to take sides, you know, because this is a confusing issue. You know, I read the job description. It says three years' experience in a Deputy DA II in L.A. County to apply for the job, and then, you know, I read about the interdepartmental transfer. So there seems to be a, you know, rule. So, you know, whether who's right or wrong, just the -- the optics, that's a favorite word of people these days. The optics makes this whole process stink. And I don't know -- I don't know. I'm not saying one side's right and the other's wrong, but I just saying optically it just -- if I had taken a test and all of a sudden somebody in Public Defender III gets promoted or something, my morale might be shot. But they seem to have taken care of that with the 19:52 whole (phonetic) scale promotions. With that I'll be quiet.

Ghobadi: If I may speak?

Nightingale: I'm sorry. I didn't notice who that is.

Ghobadi: Oh, sorry. Maria Ghobadi.

Nightingale: Yes, you may speak on this issue. And the Commission would move on after your presentation. Go ahead.

Ghobadi: Good morning. I want to thank you for giving me this opportunity. I think what I wanted to make sure that I stressed to this Commission is when I transferred to Los Angeles, I had seven years' experience, all prosecutorial. I was told repeatedly that the promotions were not based on experience, but it must be inside the District Attorney's Office. It was years as a deputy district attorney in Los Angeles. When I first got hired on, I was qualified as I had gotten jobs in other counties as a III. And there are similarly situated DAs as myself who have numerous years of experience that were told that we couldn't, we must enter in as a I. The confusion and the morale destruction in our office is that should the DA want to bring people in from the Public Defender's Office, they need to come in as a I, as all of us have been complying with the rules and following the rules. The frustration, I think, on behalf -- on many of our behalf, is that I was kept down at an incredibly lower pay grade for this rule to suddenly six years later be told that rule doesn't exist. And I think I just want to implore to the -- to the Commission, that for all of us that put our heads down and followed these rules and understood that we couldn't -- we weren't qualified because we lacked the years of experience in the Los Angeles District Attorney's Office, even though we had comparable district attorney skills, it's frustrating; and I think that the remedy not only is

for me to get promoted, but certainly for the people coming in to be forced at a I position, but. Thank you for your time.

Nightingale: Thank you. Commissioners, is there a motion here in reference to this matter?

Tevrizian: I'll make a motion --

Duran: This is Commissioner Duran. I would make a motion to continue this matter to determine what -- what the process is in the next few days and give us an opportunity from our legal department to investigate the procedures that are being challenged here. And I don't believe there's an issue 25 at law either in this matter.

Nightingale: Um --

Tevrizian: I'll second the motion.

Nightingale: So continue it until what time, sir?

Duran: I would say give it 60 days.

Nightingale: And is -- is that, um, in reference to putting a hold on any promotion actions that are ongoing at this time?

Duran: Yes.

Nightingale: So as I understand it, Ms. Ghobadi is to be -- to receive a promotion as of Monday; is that correct?

Gibbons: Yes.

Nightingale: And -- and so, um, Commissioner Duran, are -- is your motion to put a hold on that promotion --

Duran: No.

Nightingale: -- or is your -- or is your motion for the Commission to look into this matter, um, notwithstanding --

Duran: It's to look into the matter and see what the process is and -- as it -- as it goes forward. So she would be promoted on Monday and who -- and the other members would also apparently be promoted.

Nightingale: Okay.

Duran: But the impact in terms of the process interchange of individuals within these departments is the question, I think.

Nightingale: Okay. So -- so your motion is for the Commission to ask our legal to look into the processes of the District Attorney's Office as it relates to promotions, but not to hold up the promotions that are currently in process?

Duran: Yes.

Tevrizian: That's my second as well, that these promotions go forward as announced and that we look into the process of these interdepartmental transfers and other promotions that are actively taking place both within the District Attorney's Office and the Public Defender's Office because --

Nightingale: Right.

Tevrizian: -- we get enough of these from both departments to cause concern.

Nightingale: Exactly. It's been moved and seconded.

Gibbons: If I could -- Commissioners, I -- I apologize for interrupting, but, um, I would request that while you're looking into it, that you also look into the issue of the other remedy that we're seeking here, which is the removal of the improperly appointed public defenders, and whether that remedy is still available if the Public Defender's Office fills in behind these public defenders that are still coming over to the District Attorney's Office. And in response to the District Attorney's presentation, I did just want to note that I'm pretty sure the District Attorney didn't tell the, um, director of personnel that every one of the public defenders he's appointing was a campaign contributor, either financially or in working on other parts of his campaign. And I think that --

Nightingale: Okay. So, Ms. Gibbons --

Gibbons: -- makes a difference.

Nightingale: Ms. Gibbons, we do have a motion that's been moved and seconded, and the motion did not include what -- in reference to, um, the district attorney promotions, but we can see if they want to make that a separate motion as well, but we --

Gibbons: Thank you.

Nightingale: -- we've had a motion to -- that's on the floor. And so, Luz, can you call for the vote.

Delgado: I'm going to call the Commission for a vote. Commissioner Duran?

Duran: Aye.

Delgado: Commissioner Tevrizian?

Tevrizian: (No audible response.)

Delgado: Commissioner Segal?

Segal: I'm not participating.

Nightingale: That's -- Commissioner Segal is recused on this matter.

Delgado: Okay. Commissioner Donner?

Donner: (No audible response.)

Delgado: And President Nightingale?

Nightingale: Aye.

Delgado: The motion carries the vote of 4-0-1.

Nightingale: Okay. Now, on the next issue that Ms. Gibbons --

Segal: I don't know -- one moment. I have a question. Am I recorded as an abstention or a recusal? I believe that there is a difference.

(Overlapping speakers.)

Duran: That's recusal, 4-0-1. The zero would be the abstain. The one is the recusal.

Segal: Thank you.

Duran: So, 4-0-1. Yeah.

Nightingale: Okay. So on the -- on the other matter of, um, the promotions to the -- um, DA position, is there a motion in reference to Mrs. Gibbons' concerns --

Tevrizian: I think Mrs. Gibbons -- I think Mrs. Gibbons was asking the Commission to re -- to look into the removal of those public defenders that were transferred into the District Attorney's --

Nightingale: Right.

Tevrizian: -- Office. I'm not so sure we have the authority to do that, to be very frank with you. I would not make that motion myself.

Nightingale: Okay. All right. So I wanted to hear discussion from the Commissioners about that, and so, um, if there is no motion in that regard, um, I think we stated our concerns in reference to actions within the DA and Public Defender's Office, and so it might just extend into those areas. Ms. Gibbon, that's -- the Commission at this time is not going to make a motion in that regard.

Gibbons: Thank you, Commissioners. I appreciate your consideration.

Nightingale: Thank you. That concludes this item on our agenda today.

Exhibit “D”

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
DEPARTMENT SCD HON. RICARDO R. OCAMPO, JUDGE

THE PEOPLE OF THE STATE OF)
CALIFORNIA,)
)
PLAINTIFF,)
)
VS.) CASE NO. TA152343
)
HAYDEN P. TAYLOR-01,) **COPY**
JAMES E. HARRIS-02,)
DEVEN LITTLEJOHN-03,)
)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
MONDAY, NOVEMBER 1, 2021

APPEARANCES:

FOR THE PEOPLE:

OFFICE OF THE DISTRICT ATTORNEY
BY: STEPHEN LONSETH, DEPUTY
DAVID AYVAZIAN, DEPUTY
211 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

FOR DEFENDANT HAYDEN P. TAYLOR-01:

OFFICE OF THE PUBLIC DEFENDER
BY: MARCUS HUNTLEY, DEPUTY
11701 S LA CIENEGA BOULEVARD, SUITE 530
LOS ANGELES, CALIFORNIA 90045

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APPEARANCES: (CONTINUED)

FOR DEFENDANT JAMES E. HARRIS-02:

WERKSMAN JACKSON & QUINN LLP
BY: ALAN J. JACKSON, ATTORNEY AT LAW
888 WEST 6TH STREET, FLOOR 4
LOS ANGELES, CA 90017

FOR DEFENDANT DEVEN LITTLEJOHN-03:

OFFICE OF THE ALTERNATE PUBLIC DEFENDER
BY: ARMANDO WOOD, DEPUTY
210 WEST TEMPLE STREET, FLOOR 18
LOS ANGELES, CA 90012

1 CASE NUMBER: TA152343
2 CASE NAME: PEOPLE VS.
3 HAYDEN P. TAYLOR-01
4 JAMES E. HARRIS-02
5 DEVEN LITTLEJOHN-03
6 COMPTON, CA MONDAY, NOVEMBER 1, 2021
7 DEPARTMENT SCD HON. RICARDO R. OCAMPO, JUDGE
8 REPORTER: SARA U. MISA, CSR NO. 13204
9 TIME: A.M. SESSION

10
11 APPEARANCES:

12 DEFENDANT HAYDEN P. TAYLOR-01,
13 WHO IS NOT PRESENT, REPRESENTED
14 BY MARCUS HUNTLEY, DEPUTY PUBLIC
15 DEFENDER; DEFENDANT JAMES E.
16 HARRIS-02, PRESENT WITH COUNSEL,
17 ALAN J. JACKSON, ATTORNEY AT LAW;
18 DEFENDANT DEVEN LITTLEJOHN-03,
19 WHO IS NOT PRESENT, REPRESENTED
20 BY ARMANDO WOOD, ALTERNATE PUBLIC
21 DEFENDER; STEPHEN LONSETH, DEPUTY
22 DISTRICT ATTORNEY, AND DAVID
23 AYVAZIAN, DEPUTY DISTRICT
24 ATTORNEY, REPRESENTING THE PEOPLE
25 OF THE STATE OF CALIFORNIA.

26
27 THE COURT: LET'S GO ON THE RECORD NOW ON NUMBER
28 ONE ON THE CALENDAR, PEOPLE VERSUS TAYLOR, HARRIS, AND

1 LITTLEJOHN.

2 MR. TAYLOR AND MR. LITTLEJOHN ARE NOT
3 PRESENT IN COURT. HOWEVER, WE DO HAVE MR. HARRIS IN
4 CUSTODY.

5 APPEARANCES FOR THE RECORD, PLEASE.

6 MR. JACKSON: GOOD MORNING, ALAN JACKSON ON BEHALF
7 OF MR. HARRIS WHO IS PRESENT IN COURT AND IN CUSTODY.

8 MR. WOOD: ARMANDO WOOD OF THE ALTERNATE PUBLIC
9 DEFENDER ON BEHALF OF MR. LITTLEJOHN WHO NOT PRESENT.

10 MR. HUNTLEY: DEPUTY PUBLIC DEFENDER MARCUS
11 HUNTLEY FOR MR. TAYLOR WHO IS NOT PRESENT.

12 MR. LONSETH: STEPHEN LONSETH AND DAVID AYVAZIAN
13 FOR THE PEOPLE.

14 THE COURT: THANK YOU.

15 THE MATTER IS SET HERE TODAY FOR A PRETRIAL
16 AS A 43 OF 60. THERE'S A CONTINUING DISCLOSURE WITH THE
17 COURT WITH REGARDS TO MY RELATIONSHIP WITH MR. JACKSON.

18 THE MATTER IS CALLED HERE TODAY FOR A
19 PRETRIAL AND MR. TAYLOR AND MR. LITTLEJOHN ARE REFUSALS;
20 HOWEVER, WE HAVE NOT RECEIVED THE PAPERWORK YET. AND
21 THE INTENTION IS TO TRAIL THE MATTER TILL TOMORROW FOR A
22 43 OF 60.

23 ANY OBJECTION AT THIS POINT?

24 MR. LONSETH: NO.

25 MR. JACKSON: NO, YOUR HONOR BUT I WOULD LIKE TO
26 PUT ON THE RECORD BEFORE WE TRAIL THE MATTER OFFICIALLY.
27 I WANT TO MAKE SURE THAT THE COURT -- THAT THE RECORD IS
28 PERFECTLY CLEAR THAT MR. HARRIS DOES NOT WAIVE BY HIS

1 APPEARANCE HERE ANY POTENTIAL ARGUMENTS AND/OR
2 OBJECTIONS AS TO THE DISTRICT ATTORNEY'S OFFICE
3 POTENTIAL CONFLICT BECAUSE WE'VE BEEN APPRISED THAT ONE
4 OF THE LAWYERS MR. APT HAS BEEN PROVIDED A PROVISIONAL
5 AGREEMENT BY THE DISTRICT ATTORNEY'S OFFICE TO BECOME
6 EMPLOYED BY THE DA'S OFFICE. I WANT TO MAKE SURE THAT
7 THE RECORD IS ABSOLUTELY CLEAR THAT OUR APPEARANCE TODAY
8 IS NOT DEEMED AS A FUTURE WAIVER OF ANY OBJECTION TO
9 ARGUMENTS WE MAY MAKE IN TERMS OF CONFLICTS PUT OUT WITH
10 THIS CONCERN.

11 THE COURT: SO NOTED.

12 AND ANYONE JOINING THAT?

13 MR. HUNTLEY: YES, YOUR HONOR, ON BEHALF OF
14 MR. TAYLOR.

15 THE COURT: OKAY. THANK YOU.

16 AND THE RECORD SHOULD REFLECT THAT MR. APT
17 IS PRESENT IN COURT AND WE'RE GOING TO GIVE -- SINCE
18 MR. LITTLEJOHN IS NOT HERE AND MR. TAYLOR IS NOT HERE
19 EITHER, WE WILL DISCUSS THIS AND DO THE DISCLOSURES AND
20 ANY POTENTIAL CONFLICTS TOMORROW AND DEAL WITH THAT.

21 MR. JACKSON: THANK YOU.

22 THE COURT: WITH REGARDS TO THE REFUSALS THOUGH,
23 WE DO NEED THEM HERE. IS THERE A REQUEST AT THIS POINT
24 TO HAVE THEM EXTRACTED IF THEY AGAIN REFUSE TO BE HERE
25 IN COURT TOMORROW? I UNDERSTAND THAT THERE'S A HISTORY
26 OF REFUSALS IN THIS MATTER.

27 MR. AYVAZIAN: YOUR HONOR, I BELIEVE THAT THE LAST
28 TIME WE WERE HERE THE ONLY DEFENDANT THAT WAS HERE WAS

1 MR. LITTLEJOHN. MR. TAYLOR WAS A REFUSAL LAST TIME AND
2 I THOUGHT THAT -- I THINK THAT YOU WERE THE BENCH
3 OFFICER. I THOUGHT THAT YOU HAD ORDERED AN EXTRACTION
4 ORDER FOR THIS DAY. AND I KNOW THAT THERE HAVE BEEN
5 PREVIOUS OCCASIONS WHERE MR. LITTLEJOHN HAS ALSO BEEN A
6 REFUSAL. AND I KNOW THAT AT SOME POINT JUDGE SHULTZ HAD
7 SIGNED A POTENTIAL EXTRACTION ORDER. SO UNLESS THE
8 DEPUTIES SAYS SOMETHING DIFFERENTLY IN TERMS OF WHAT THE
9 ACTUAL SITUATION IS WITH MR. TAYLOR AND MR. LITTLEJOHN,
10 I WOULD DO -- MR. LONSETH AND I ARE ASKING FOR AN
11 EXTRACTION ORDERS BECAUSE IT'S 43 OF 60. THERE ARE SOME
12 LEGAL ISSUES, THERE'S SOME SCHEDULING ISSUES, AND I
13 THINK WE SHOULD ADDRESS BOTH OF THOSE THINGS AS SOON AS
14 POSSIBLE.

15 THE COURT: AND CONFLICT ISSUES NOW AS WELL.

16 SO EXTRACTION ORDERS WILL BE SIGNED BY THE
17 COURT.

18 MR. HUNTLEY: YOUR HONOR --

19 THE COURT: THEY'RE ORDERED OUT FOR TOMORROW'S
20 DATE.

21 YES.

22 MR. HUNTLEY: JUST HOPING THAT I'D HAVE
23 PERMISSION. I WOULD OBJECT TO AN EXTRACTION ORDER. I'M
24 GOING TO HEAD DOWN TO TWIN TOWERS RIGHT NOW TO TALK TO
25 MR. TAYLOR.

26 THE COURT: AND HOPEFULLY AN EXTRACTION ORDER WILL
27 NOT BE NECESSARY AFTER THAT CONVERSATION.

28 AND THAT'S THE ORDER. WE'LL SEE YOU ALL

1 HERE TOMORROW.

2 MR. JACKSON: THANK YOU, YOUR HONOR.

3 MR. HUNTLEY: THANK YOU, YOUR HONOR.

4 THE COURT: THANK YOU.

5

6 (WHEREUPON THE MATTER WAS CONTINUED TO
7 TUESDAY, NOVEMBER 2, 2021, IN DEPARTMENT
8 SCD.)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
DEPARTMENT SCD HON. RICARDO R. OCAMPO, JUDGE

THE PEOPLE OF THE STATE OF)	
CALIFORNIA,)	
)	
PLAINTIFF,)	
)	
VS.)	CASE NO.
)	TA152343
HAYDEN P. TAYLOR-01,)	
JAMES E. HARRIS-02)	
DEVEN LITTLEJOHN-03,)	
)	REPORTER'S
DEFENDANTS.)	CERTIFICATE
)	
)	

I, SARA U. MISA, OFFICIAL REPORTER OF THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES, 32 THROUGH 36, COMPRISE A FULL, TRUE AND CORRECT TRANSCRIPT OF THE PROCEEDINGS HELD IN THE ABOVE-ENTITLED MATTER ON MONDAY, NOVEMBER 1, 2021.

DATED THIS 2ND DAY OF NOVEMBER, 2021.


SARA U. MISA, CSR NO. 13204
OFFICIAL REPORTER

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am a citizen of the United States; I am over the age of eighteen years and not a party to the within action; my business address is 811 Wilshire Boulevard, 17th Floor, Los Angeles, California 90017.

On the date written below, I served the within:

**DECLARATION OF ELIZABETH J. GIBBONS IN SUPPORT OF
PETITIONER'S POINTS AND AUTHORITIES IN REPLY TO
RESPONDENTS' OPPOSITION TO PETITIONER'S MOTION FOR
PRELIMINARY INJUNCTION AND EXHIBITS THERETO**
*Association of Deputy District Attorneys for Los Angeles County (ADDA) v.
George Gascón, Los Angeles County District Attorney, et al.*
LASC Case No. 21STCP03412

on the interested parties in said action as follows:

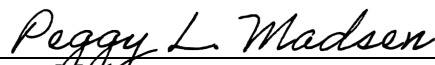
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[X] BY MAIL: I am readily familiar with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepared at Los Angeles, California in the ordinary course of business. I am aware that on motion of the 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.

[X] BY ELECTRONIC MAIL (E-MAIL): I transmitted the document(s) via electronic mail using web mail through the electronic mail server gmail.com and no error was reported by the mail administrator. Pursuant to California Rules of Court, Rule 2006(d), I printed the confirmation of the e-mail transmission.

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

Executed on November 3, 2021 at Los Angeles, California.



Peggy Madsen