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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

**PETITIONER'S EVIDENTIARY  
OBJECTIONS TO DECLARATION  
OF RODNEY COLLINS IN  
SUPPORT OF RESPONDENTS'  
OPPOSITION TO OSC RE:  
PRELIMINARY INJUNCTION**

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

Petitioner, ASSOCIATION OF DEPUTY DISTRICT ATTORNEYS FOR LOS ANGELES COUNTY (ADDA), hereby object to portions of the evidence filed by Respondents, GEORGE GASCON, LOS ANGELES COUNTY DISTRICT ATTORNEY; LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE; COUNTY OF LOS ANGELES, in reply to Respondents' Opposition to OSC Re: Preliminary Injunction. Petitioner respectfully requests that the Court strike the objectionable portions of the evidence as specifically set forth below.

**PETITIONER'S OBJECTIONS TO EVIDENCE PRESENTED BY DEFENDANTS**

<b>Material Objected to:</b>	<b>Grounds for Objection:</b>	<b>Ruling:</b>
<p>Collins Decl. ¶ 3, lns. 16-20</p> <p>I analyzed this request based on the civil service rules and requirements. Specifically, I analyzed 1) whether the reclassification was to a class of the same rank and grade; 2) whether Ms. Blacknell has demonstrated possession of the skills and aptitudes required in the position of Deputy District Attorney IV; and 3) whether there were any significant issues of concern with Ms. Blacknell's current performance in the position of Deputy Public Defender IV.</p>	<p>1) Lack of Foundation (California Evid. Code § 403)</p> <p>Respondent's Exhibit 1, attachment "A" specifically requires that a Deputy District Attorney IV possess specialized legal knowledge to supervise a small staff of attorneys as a <b>Calendar Deputy</b>. Declarant's Declaration lacks foundation to demonstrate the Declarant has knowledge as to the duties and responsibilities of a Calendar Deputy.</p> <p>2) Hearsay (California Evid. Code § 1200, <i>et seq.</i>)</p> <p>3) Lack of Personal Knowledge (California Evid. Code § 702)</p> <p>Whether or not Ms. Blacknell has demonstrated possession of the skills required in the position of Deputy District Attorney IV is a hearsay statement that can only be the product of information given to the Declarant. Moreover, there is no foundation that Declarant has the requisite skill, ability or insight to make such a determination.</p>	<p>Sustained: _____</p> <p>Overruled: _____</p> <p>Judge</p>

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<p>Collins Decl. ¶ 4, lns. 24-26</p> <p>Blacknell's reclassification from Deputy Public Defender IV to Deputy District Attorney IV would be a reclassification to a position of the same rank and grade; that Ms. Blacknell demonstrated possession of the skills and aptitudes required in the position of Deputy District Attorney IV.</p>	<p>1) Lack of Foundation (California Evid. Code § 403)</p> <p>Respondent's Exhibit 1, attachment "A" specifically requires that a Deputy District Attorney IV possess specialized legal knowledge to supervise a small staff of attorneys as a <b>Calendar Deputy</b>. Declarant's Declaration lacks foundation to demonstrate the Declarant has knowledge as to the duties and responsibilities of a Calendar Deputy.</p> <p>2) Hearsay (California Evid. Code § 1200, <i>et seq.</i>)</p> <p>3) Lack of Personal Knowledge (California Evid. Code § 702)</p> <p>Whether or not Ms. Blacknell has demonstrated possession of the skills required in the position of Deputy District Attorney IV is a hearsay statement that can only be the product of information given to the Declarant. Moreover, there is no foundation that Declarant has the requisite skill, ability or insight to make such a determination.</p>	<p>Sustained: _____</p> <p>Overruled: _____</p> <p>Judge</p>
<p>Collins Decl. ¶ 6, lns. 8-10</p> <p>At the time, the District Attorney's Office did not deny any promotions to any other Deputy District Attorneys.</p>	<p>1) Lack of Foundation (California Evid. Code § 403)</p> <p>2) Hearsay (California Evid. Code § 1200, <i>et seq.</i>)</p> <p>3) Lack of Personal Knowledge (California Evid. Code § 702)</p>	<p>Sustained: _____</p> <p>Overruled: _____</p> <p>Judge</p>
<p>Collins Decl. ¶ 7, lns. 13-16</p> <p>Specifically, I analyzed 1) whether the reclassification was to a class of the same rank and grade; 2) whether Ms. Joseph has demonstrated possession of the skills and aptitudes required in the position of Deputy District Attorney IV; and 3) whether</p>	<p>1) Lack of Foundation (California Evid. Code § 403)</p> <p>Respondent's Exhibit 1, attachment "A" specifically requires that a Deputy District Attorney IV possess specialized legal knowledge to supervise a small staff of attorneys as a <b>Calendar</b></p>	<p>Sustained: _____</p> <p>Overruled: _____</p> <p>Judge</p>

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there were any significant issues of concern with Ms. Joseph’s current performance in the position of Deputy Public Defender IV.

**Deputy.** Declarant's Declaration lacks foundation to demonstrate the Declarant has knowledge as to the duties and responsibilities of a Calendar Deputy.

2) Hearsay  
(California Evid. Code § 1200, *et seq.*)

3) Lack of Personal Knowledge  
(California Evid. Code § 702)

Whether or not Ms. Joseph has demonstrated possession of the skills required in the position of Deputy District Attorney IV is a hearsay statement that can only be the product of information given to the Declarant. Moreover, there is no foundation that Declarant has the requisite skill, ability or insight to make such a determination.

Collins Decl. ¶ 8, lns. 18-21

Joseph’s reclassification from Deputy Public Defender IV to Deputy District Attorney IV would be a reclassification to a position of the same rank and grade; that Ms. Joseph had demonstrated possession of the skills and aptitudes required in the position of Deputy District Attorney IV.

1) Lack of Foundation  
(California Evid. Code § 403)

Respondent's Exhibit 1, attachment "A" specifically requires that a Deputy District Attorney IV possess specialized legal knowledge to supervise a small staff of attorneys as a **Calendar Deputy.** Declarant's Declaration lacks foundation to demonstrate the Declarant has knowledge as to the duties and responsibilities of a Calendar Deputy.

2) Hearsay  
(California Evid. Code § 1200, *et seq.*)

3) Lack of Personal Knowledge  
(California Evid. Code § 702)

Whether or not Ms. Joseph has demonstrated possession of the skills required in the position of Deputy District Attorney IV is a hearsay statement that can only be the product of information given to the Declarant. Moreover, there is no foundation that Declarant has

Sustained: \_\_\_\_\_

Overruled: \_\_\_\_\_

Judge

1		the requisite skill, ability or insight to make such a determination.	
2	Collins Decl. ¶ 10, lns. 27, 1-2	1) Lack of Foundation (California Evid. Code § 403)	Sustained: _____
3	Similarly, the District Attorney transferred other Deputy Public Defenders to the equivalent Deputy District Attorney positions. At the time, the District Attorney's Office did not deny any promotions to any other Deputy District Attorneys.	2) Hearsay (California Evid. Code § 1200, <i>et seq.</i> )	Overruled: _____
4		3) Lack of Personal Knowledge (California Evid. Code § 702)	Judge
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6	Collins Decl. ¶ 11, lns. 6-9	1) Lack of Foundation (California Evid. Code § 403)	Sustained: _____
7	Specifically, I analyzed 1) whether the reclassification was to a class of the same rank and grade; 2) whether Ms. Blair has demonstrated possession of the skills and aptitudes required in the position of Deputy District Attorney III; and 3) whether there were any significant issues of concern with Ms. Blair's current performance in the position of Deputy Public Defender III.	2) Hearsay (California Evid. Code § 1200, <i>et seq.</i> )	Overruled: _____
8		3) Lack of Personal Knowledge (California Evid. Code § 702)	Judge
9		Whether or not Ms. Blair has demonstrated possession of the skills required in the position of Deputy District Attorney III is a hearsay statement that can only be the product of information given to the Declarant. Moreover, there is no foundation that Declarant has the requisite skill, ability or insight to make such a determination.	
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18	Collins Decl. ¶ 12, lns. 12-14	1) Lack of Foundation (California Evid. Code § 403)	Sustained: _____
19	Blair's reclassification from Deputy Public Defender III to Deputy District Attorney III would be a reclassification to a position of the same rank and grade; that Ms. Blair had demonstrated possession of the skills and aptitudes required in the position of Deputy District Attorney III.	2) Hearsay (California Evid. Code § 1200, <i>et seq.</i> )	Overruled: _____
20		3) Lack of Personal Knowledge (California Evid. Code § 702)	Judge
21		Whether or not Ms. Blair has demonstrated possession of the skills required in the position of Deputy District Attorney III is a hearsay statement that can only be the product of information given to the Declarant. Moreover, there is no foundation that Declarant has the requisite skill, ability or insight to make such a determination.	
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Collins Decl. ¶ 14, lns. 1-6

After DHR approved the request, the District Attorney's Office transferred Ms. Blair from her position as a Deputy Public Defender III to the position Deputy District Attorney III. Similarly, the District Attorney transferred other Deputy Public Defenders to the equivalent Deputy District Attorney positions. At the time, the District Attorney did not deny any promotions to any other Deputy District Attorneys.

1) Lack of Foundation  
(California Evid. Code § 403)

2) Hearsay  
(California Evid. Code § 1200, *et seq.*)

3) Lack of Personal Knowledge  
(California Evid. Code § 702)

Whether or not Ms. Blair has demonstrated possession of the skills required in the position of Deputy District Attorney III is a hearsay statement that can only be the product of information given to the Declarant. Moreover, there is no foundation that Declarant has the requisite skill, ability or insight to make such a determination.

Sustained: \_\_\_\_\_

Overruled: \_\_\_\_\_

Judge

Collins Entire Decl.

Lack of Foundation  
(California Evid. Code § 403)

Declarant's entire Declaration should be stricken because Declarant attached blank pages to his Declaration purportedly reflecting class specifications or documents which assisted him in his analysis of the skill sets of the various deputy public defenders referred to in his Declaration.

Sustained: \_\_\_\_\_

Overruled: \_\_\_\_\_

Judge

Dated: November 3, 2021

Respectfully submitted,

THE GIBBONS FIRM, PC

By: Elizabeth J. Gibbons  
Elizabeth J. Gibbons

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

1 PROOF OF SERVICE

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

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

7 On the date written below, I served the within:

8 **PETITIONER'S EVIDENTIARY OBJECTIONS TO**  
9 **DECLARATION OF RODNEY COLLINS IN SUPPORT OF**  
10 **RESPONDENTS' OPPOSITION TO OSC RE: PRELIMINARY**  
11 **INJUNCTION**

12 *Association of Deputy District Attorneys for Los Angeles County (ADDA) v.*  
13 *George Gascón, Los Angeles County District Attorney, et al.*  
14 LASC Case No. 21STCP03412

15 on the interested parties in said action as follows:

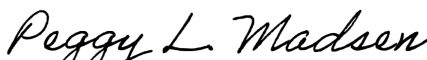
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26 Los Angeles, CA 90017

27 [ X ] **BY MAIL:** I am readily familiar with the firm's practice of collection and  
28 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