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**SUPERIOR COURT OF CALIFORNIA**

**COUNTY OF LOS ANGELES**

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| MIZRAIN ORREGO,<br><br>Petitioner,<br><br>vs.<br><br>COUNTY OF LOS ANGELES,<br><br>Respondent. | Case No.: 20STCP04129<br><br>**PETITIONER'S OPENING BRIEF IN SUPPORT OF PEREMPTORY WRIT OF MANDATE; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATIONS OF JASON FRANKOVITZ AND SHERRY H. LAWRENCE, AND EXHIBITS THERETO, IN SUPPORT THEREOF**<br><br>[*Government Code* §§ 6250, *et seq; Code of Civil Procedure* §§ 1085, *et seq.*]<br><br>**Trial: September 9, 2021**<br>**Dept: 82**<br>**Judge: Honorable Mary H. Strobel** |

Petitioner, Mizrain Orrego, respectfully submits his Opening Brief in Support of his Peremptory Writ of Mandate to enforce the California Public Records Act**.**

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## INTRODUCTION

As this Court is undoubtedly aware, the California Public Records Act ("CPRA") codifies the public's right to access information concerning public business. The Legislature made clear that such access is a fundamental and necessary right held by every person in the State[1]. Its purpose is to allow the public to monitor the functioning of their government.[2] Therefore, upon proper request, public entities must provide copies of the actual sources of information, not just extractions of information derived from those documents.[3]

In September of 2019, Petitioner Mizrain Orrego served the following CPRA request upon the County of Los Angeles:

> "All 'writings', as that term is defined in *Evidence Code* Section 250, relating to all communications between Diana Teran, Eli Vera, Michael Thatcher, and/or Joseph Gooden regarding Mizrain Orrego."

On November 27, 2019, the County of Los Angeles responded as follows:

> "We are unable to provide the records you requested as the request is voluminous and burdensome. Your request is overly burdensome as a search of our database resulted in 8.04 GB of e-mails."

(*See* Exhibit "B" to Jason Frankovitz' attached Declaration)

Following several months of back and forth negotiations between Respondent and Petitioner regarding Petitioner's CPRA Request, the County of Los Angeles finally produced 82 heavily-redacted and highly-duplicative pages of emails; even a cursory review of such documents reveals that Respondent produced only three pages which contained any content of

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[1] *See Government Code* Section 6250.

[2] *New York Times, Co. Superior Court* (1997) 52 Cal.App.4th 97; *CBS, Inc. v. Block* (1986) 42 Cal.3d 646.

[3] *See Government Code* Section 6252(e), 6252(f), 6253, Ops. Cal.Atty.Gen. 235, 236 (1988); *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762, 774; *Cook v. Craig* (1976) 55 Cal.App.3d 773, 782; *California Fist Amendment Coalition v. Superior Court* (1998) 67 C.A.4th 159; *Rogers v. Superior Court* (1993) 19 C.A.4th 469.

value. (*See* pages 3-5 of Exhibit "C" to Declaration of Jason Frankovitz and Declaration of Sherry H. Lawrence.) As technology expert Jason Frankovitz explains in his Declaration, Respondent's production constitutes, *at most*, 0.00004177% of the documents Respondent *acknowledges* possessing which are responsive to Petitioner's CPRA request. By withholding virtually all of the documents Petitioner requested, Respondent blatantly violated its legal duties. As such, Petitioner respectfully requests that this Court issue a writ of mandate to compel Respondent's full compliance with the CPRA.

While the evidence makes it clear that Respondent withheld nearly all of the requested documents in this case, understanding the *significance* of the missing documents requires an understanding of the long and complicated history which proceeded the CPRA request at bar. The fact that Deputy Orrego was hired by the Sheriff's Department in 2007, and discharged in August of 2017, only begins the story as to why he has two related writs pending before this Court.

## BACKGROUND INFORMATION

Who Mizrain Orrego was as a deputy is relevant to the issues before this Court.[4] Upon being hired, Deputy Orrego rose very quickly to near superstar status. Deputy Aaron Reynoso testified at the Civil Service Hearing that Deputy Orrego had an "outstanding" work ethic. He went on to say that:

> "[Orrego is] a hard charger, always trying to do good for the station, do good for the people of Compton, and he was just a hard worker. You could tell by his work ethic that ... the goal of his career was to make sure that he provided the best he could as a deputy."

Asked whether he thought Deputy Orrego was an asset to the Department, Deputy Reynoso answered, "absolutely, yes." A second deputy called by the Department, Engelbert

[4]The following are references to testimony provided at Petitioner's Civil Service Hearing, which is the subject of Case No. 19STC04567, presently pending as a related case before this Court. The references to this testimony will be cited to, and included in, the Brief and Administrative Record in that case. *See* Declaration of Sherry H. Lawrence.

Perez, testified that he modeled himself after Deputy Orrego: "[Orrego was] hardworking ... I kind of base my work ethic around his. I saw how hard he worked and [was] just on his feet all the time, never sitting down and just non-stop working, so ... I try to do the same." Deputy Perez went on to say that Deputy Orrego respected Departmental rules and authority. Asked whether he believed that Deputy Orrego is of value to the Department, Deputy Perez responded, "yes, I do very much"; he testified that Deputy Orrego's discharge was a loss to the Department. A third Departmental witness, Detective Timothy Lee, testified that Deputy Orrego was an "excellent deputy" who he always heard good things about. He went on to say that Deputy Orrego was known to be a "great worker and was very proactive and just an excellent deputy."

Sergeant Donald Nichiporouk testified at hearing that Deputy Orrego's work ethic and performance were "unbelievable. Outstanding ... Of all the deputies I have met during my career, absolutely, he's one of the best." Sergeant Keith Schumaker testified that when he could choose only four deputies to be on the 2016 Compton Summer Enforcement Team, he selected Deputy Orrego for his "work ethic and work product." And that Team, in the end, led all of Los Angeles County in total arrests, taking guns off the streets, and narcotics arrests. Deputy Orrego personally led that Summer Team, and therefore the *entire* County of Los Angeles, in gun recovery. Yet, Sergeant Schumaker noted, not a single citizen complaint was lodged against Deputy Orrego. Deputy Jesus Sandoval testified that Deputy Orrego was known for working hard and being proactive. "His skill set was amazing. He prepared more than everyone before going out ... All his training officers had nothing but good things to say about him ... [E]verything he did was always ethical. His character was amazing. He treated everyone with respect. And he was consistent with his work ... I know he got a lot of commendations ...[he was] if not the best, one of the best deputies the station ever had. So by far, he's the biggest asset that, I think, the station has or had at the time." Deputy Saldana further testified that Deputy Orrego held himself to very high standards, was ethical, honest, and learned from his mistakes.

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Deputy Jaime Juarez testified that in his ten years with the Department, he had never met a harder working deputy; he testified regarding Orrego's "great observation skills ... He's great at arresting people." He "led the station every year he was there in gun-related arrests, by far ... [W]e took a big hit when he was fired." Deputy Edward Gonsalves testified that Deputy Orrego had more passion, enthusiasm, and zeal for his job than anyone he knows. He said that for Deputy Orrego, law enforcement was a calling; he went on to say that Deputy Orrego prevented murders and assaults with his proactivity. Deputy Gonsalves further testified that "everyone misses Deputy Orrego at the Compton Station", and that even private citizens have asked about him. He went on to say that, "something is missing. It's just not the same [without him]." Deputy Gonsalves stated that Deputy Orrego always, "looks out for people. He'll do anything for you."

Chief of the Westminster Police Department, Ralph Ornelas, testified that when he worked at LASD with Deputy Orrego, he found his skills to be at a "very, very high level." When Sheriff's Department executives visited Los Angeles, Chief Ornelas asked Deputy Orrego to show them the city and the Department. He also selected Deputy Orrego to go to Mexico to train Mexican deputies, and said that Mexican authorities were very pleased with his work there. Deputy Rogelio Benzor testified that Deputy Orrego was easily the hardest worker at the Compton Station, "the most proactive and coupled with that, had the best attitude." Testifying that he looked up to Deputy Orrego, Deputy Benzor testified that he "admired his hard work, his honesty, his fairness ... I was really, really looking forward to a very long career beside him."

That career was placed in jeopardy on October 2, 2015. That night, Deputy Orrego attended a Station celebration at the Tilted Kilt Restaurant. He testified that because he was fairly new to the Station, and worked the early morning shift, he didn't know a lot of his co-workers yet. He thought the gathering would provide him with a chance to become acquainted with more of his partners. Upon arrival, though, he testified to feeling shy and socially ill at ease. Instead of joining coworkers he hardly knew on the restaurant's back patio, he drank alone at the bar. When his then-partner, Deputy Samuel Aldama, found Deputy Orrego at 2:00 am, they

walked out together. Knowing that he was too intoxicated to drive home, Deputy Orrego made the unwise decision to drive his vehicle away from the restaurant --which had posted a sign stating that vehicles left unattended will be towed– to a place it could be safely parked overnight, and then have Deputy Aldama drive him home.

About a block from the restaurant, however, Deputy Orrego was pulled over by Orange Police Officer Lucia Zvonaru for allegedly running a red light.[5] Dash Cam and Body Worn Camera footage reveal what happened next. Asked for his driver's license, Deputy Orrego first gave Officer Zvonaru his L.A.S.D. badge and informed her that he had a firearm in the car. Thereafter, Deputy Orrego complied with Officer Zvonaru's commands. Two more officers and a sergeant then arrived at the scene, as did Deputy Aldama. It is undisputed that Deputy Aldama was wearing civilian clothes, told the officers that he too had been drinking, refused to take a breathalyzer test, asked the officers to not arrest Deputy Orrego, and falsely told the Orange officers that he had called their Station and that a car was being sent to pick them up.

While Deputy Aldama was speaking with the officers to try to help Deputy Orrego, Deputy Orrego answered Officer Zvonaru's questions. After failing a field sobriety test, he was handcuffed and told to sit on the sidewalk, where he remained for two hours and twenty minutes. Apart from a few quiet but inappropriate comments, such as once referring to Officer Zvonaru as "sweetie," and asking whether they were really going to arrest a deputy, Body Worn Camera footage reveals that Deputy Orrego was subdued and cooperative. He was at no time threatening or aggressive, and never tried to flee or made any type of furtive gestures. Eventually, the officers gave Deputy Orrego's gun and car keys to Deputy Aldama –who they had never even asked for identification, run for warrants, or gotten an address from. Although the Orange officers told investigators that they believed that a Sheriff's Department vehicle had been sent to pick both deputies up, they did not wait for the arrival of such vehicle.

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[5]There was testimony at hearing stating and showing that, according to available video, Deputy Orrego actually went through a yellow, not red, signal.

Within a few days of the incident, Deputy Orrego returned to work at the Compton Station, and was selected to be on the 2016 Summer Enforcement Team referenced above. He earned an "Outstanding" Performance Evaluation and continued to impress his Captain, Michael Thatcher, and his peers. The Department was, of course, aware of Deputy Orrego's arrest. At hearing, Sergeant Nichiporouk testified that he was told that Deputy Orrego had been cooperative with arresting officers. Captain Michael Thatcher told Sergeant Nichiporouk that Orrego was one of their best deputies and that he expected him to receive a 20-day suspension. On August 26, 2016, ten months after the D.U.I. and before any discipline for it was imposed, Deputy Orrego and Deputy Aldama were involved in an on-duty shooting. Deputy Orrego was never investigated administratively for such shooting, and it was subsequently cleared by the District Attorney's Office. On June 8, 2017, Deputy Orrego was served with a Letter of Intent to Discharge him for allegedly making false statements during the D.U.I. administrative investigation.

Following an unsuccessful *Skelly* hearing before then-Chief Joseph Gooden, the matter went to hearing before a Civil Service Commission Hearing Officer. Captain Michael Thatcher wished to testify on Deputy Orrego's behalf at the CSC hearing, but was prevented from doing so by Manual of Policy and Procedure Section 3-01/030.14, a now-rescinded policy Sheriff Jim McDonnell put in place prohibiting any supervisor from expressing disagreement with a Departmental decision concerning discipline; if a supervisor violated such policy, they were subject to discipline. (*See* Exhibit "D".) But for Section 3-01/030.14, then-Captain Thatcher, later promoted to Commander, would have testified that he (1) did not feel that Deputy Orrego should be discharged; (2) found Mizrain Orrego to be an exceptional patrol deputy; and (3) believed that a 20-day suspension was the appropriate discipline. Petitioner did not make such offer of proof at hearing, however, because doing so may have led to the imposition of discipline against Captain Thatcher, and derailed his upcoming promotion to Commander. (*See* Declaration Sherry H. Lawrence at Paragraph 2.)

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At the CSC hearing, former-Chief Joseph Gooden testified as the Department's decision-maker. He stated that but for the statements made by Deputy Orrego which he deemed to be false, he would have suspended Deputy Orrego for 25 days. Chief Gooden then agreed that for a statement to be false, it must contain three elements: (1) The deputy must know the statement to be false when it's made; (2) the statement must have been made with the intent to deceive; and (3) the statement must involve an issue material to the charges or policy violations at issue. On cross-examination, Chief Gooden acknowledged that the statements he deemed to have been false did *not* involve matters material to either the criminal or administrative investigations in this case. Nonetheless, the Hearing Officer proposed upholding the discharge.

On February 25, 2019, Petitioner filed Objections to the proposed decision; such Objections were to be heard by the full Commission on July 24, 2019. Both Chief Eli Vera and Commander Michael Thatcher wished to, and did, attend such hearing. Commander Thatcher even *personally* paid for a ticket to return to Los Angeles from an out-of-state vacation to be there. (*See* Exhibit "C" at page 82; *see also* Declaration of Sherry H. Lawrence.)

On July 22, 2019, two days before the hearing on Petitioner's Objections, Commander Thatcher drafted an email intended for Petitioner's counsel, Sherry H. Lawrence. This email, included in the handful of documents Respondent produced in response to Petitioner's CPRA request, can be found at pages 3-5 of Exhibit "C". In such email, Commander Thatcher explains his belief that Deputy Orrego's discharge:

> "[W]as a targeted and deliberate act which took place after various Executives and high ranking Civilian members of the Sheriff['s] Department deduced that his discharge would enhance the Department's public perception and ability to deal with civil litigation that arose after the tragic killing of Mr. [redacted] by Orrego and his partner [redacted] during a deputy involved shooting. Also, during and after the investigative and discipline process, I was treated in such a manner to discourage me from sharing my thoughts/opinions about Orrego and others."

Commander Thatcher's email goes on to say that he recommended that Deputy Orrego be given a 20-day suspension for his D.U.I. arrest. He wrote that he refused to "relent on [his] insistence that Orrego not be fired." Commander Thatcher explained that, in preparation for the Department's Case Review regarding the D.U.I., he outlined examples of Deputy Orrego's "quality police work." Commander Thatcher explained that he was discouraged from presenting this at Case Review, however, because Chief Gooden found such praise to be something he "routinely see[s] at Skelly hearings presented by counsel. It's a bit much for Case Review." (*See* Exhibit "C" at p. 5.)

Commander Thatcher went on to write that when asked about Deputy Orrego at Case Review, he began explaining that he is a quality deputy whom he likes. In response, Chief Gooden touched his leg and glared at him; Commander Thatcher said that all the executives present had "obvious looks of displeasure on their faces." It was then clear to Commander Thatcher that their minds were made up and his opinions regarding Deputy Orrego were unwelcome. (*See* Exhibit "C" at p. 5.)

The full Civil Service Commission commenced hearing on Petitioner's Objections on July 24, 2019. In the fifteen minutes before the CSC hearing was to begin, Petitioner and his counsel were approached by Chief Eli Vera, Commander Thatcher, and counsel for the Department, to discuss possible settlement of the case; Petitioner was asked whether he would accept a 25-day suspension in lieu of discharge, which he gratefully accepted. Because the matter was called before the agreement could be discussed further, the parties entered the CSC hearing room. When Petitioner's matter was called, Petitioner's counsel stated that a tentative settlement agreement had just been reached, and requested a two-week extension of the hearing on Petitioner's Objections in the hopes that the matter could be resolved. The Commission denied the extension request without explanation. Evidence of the potential settlement can be seen at Exhibit "C", page 14. Petitioner's counsel never received a proposed settlement agreement, however, or an explanation as to why the settlement agreement discussed was never effectuated. (*See* Declaration of Sherry H. Lawrence.)

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During the CSC hearing, Petitioner's counsel maintained that because Policy Section 3-01/030.14 violated Petitioner's due process right to call witnesses, fairness required that the Commissioners hear from executives regarding what they *would* have been testified to but for such later-rescinded policy. The Commission refused to hear from either the Chief or the Commander and voted to overrule Petitioner's Objections.

Petitioner apologizes to the Court for this extensive background and case history, but believes it's necessary to show the very real possibility that Deputy Orrego was *not* discharged for his first-time D.U.I., as Respondent maintains, but for an entirely unrelated matter for which Deputy Orrego was never investigated. It is also worth noting, as Commander Thatcher does at page 2 of his email, that when an employee is the subject of an administrative investigation in which discharge is a possibility, they are relieved of duty. In this case, Deputy Orrego was not relieved of duty until receipt of his Letter of Intent to Discharge on June 8, 2017, almost two two years after his D.U.I. and *after* the O.I.S. had occurred.

Although virtually no documents were produced in this case, the few that were reveal that Captain-turned-Commander Michael Thatcher was heavily involved in discussions with multiple executives regarding Deputy Orrego's fate; his name is on almost every email produced. As such, his belief that Deputy Orrego was discharged for reasons *entirely unrelated* to his D.U.I. must be taken seriously. The Department's unwillingness to be forthcoming about its decision-making process only strengthens the impression that it was not done in accordance with the *Peace Officers Bill of Rights* and other applicable laws. As is often said, "those who have nothing to hide, hide nothing." It has long appeared that the Respondent has something to hide regarding the manner in which made its decision in this case.

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## MEMORANDUM OF POINTS AND AUTHORITIES

### 1. THE CALIFORNIA PUBLIC RECORDS ACT REQUIRES ALL NON-EXEMPT RECORDS KEPT BY A PUBLIC AGENCY TO BE PRODUCED UPON PROPER REQUEST.

Under the California Public Records Act, *Government Code* Section 6250, *et seq.,* all records which are prepared, owned, used, or retained by any public agency, and are not subject to the CPRA's statutory exceptions to disclosure, must be made publicly available for inspection and copying upon request. *See Government Code* Section 6253. In the case at bar, Petitioner's request was very clearly framed: It sought communications relating to Petitioner which took place between or among four specified public employees. As technology expert Jason Frankovitz explained, "[p]roducing 8.04 GB of documents is well within the capabilities of any reasonably-modern computer hardware. A quick search on Google shows that a USB flashdrive with 128 GB of storage costs around twenty dollars. Put another way, the 8.04 GB of documents the department mentioned would cost less than two dollars to store." *(See* Declaration of Jason Frankovitz at paragraph 13.)

Of course, Petitioner's request does impose *some* burden upon the Respondent, but it is an imposition the CPRA allows for. And as the Court in *California First Amendment Coalition v. Superior Court* (1998) 67 Cal.App.4th 159, 166 stated:

> "Record requests, however, inevitably impose some burden on government agencies. An agency is obliged to comply so long as the record can be located with reasonable effort. (*State Bd. of Equalization v. Superior Court* (1992) 10 Cal.App.4th 1177, 1186, [13 Cal.Rptr.2d 342].) Fn. 3."

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The CPRA also requires Respondent to "[a]ssist the member of the public to make a focused and effective request that reasonably describes an identifiable record or records ..." California *Government Code* Section 6253.1(a). An agency which receives a request must also "[p]rovide suggestions for overcoming any practical basis for denying access to the records or information sought." *See* Section 6253.1(a)(3). In this case, Respondent offered no suggestions as to how to tailor Petitioner's request to allow for greater production; because the request is already so narrow in scope, however, it is difficult to see how it could be further narrowed without defeating its purpose.

**2. <u>BECAUSE OF THE SEVERE INADEQUACY OF RESPONDENT'S DOCUMENT PRODUCTION, IT SHOULD BE ORDERED TO FULLY DISCLOSE THE RECORDS OR SHOW CAUSE AS TO WHY IT NEED NOT DO SO</u>.**

*Government Code* Section 6259(a) states very clearly that:

> "Whenever it is made to appear by verified petition to the superior court of the county where the records or some part thereof are situated that certain public records are being improperly withheld from a member of the public, the court shall order the officer or person charged with withholding the records to disclose the public record or show cause why the officer or person should not do so. The court shall decide the case after examining the record in camera, if permitted by subdivision (b) of Section 915 of the Evidence Code, papers filed by the parties and any oral argument and additional evidence as the court may allow".

*Evidence Code* Section 915(b) provides that when a court is ruling on a claim of privilege, it may review the documents *in camera* while accompanied by the holder of the claimed privilege. The statutory scheme also encourages that, "the times for responsive pleadings and

for hearings in these proceedings shall be set by the judge of the court with the object of securing a decision as to these matters at the earliest possible time." *See Government Code* Section 6258.

### 3. THE CALIFORNIA CONSTITUTION ALSO PROVIDES FOR RIGHT OF ACCESS TO GOVERNMENT RECORDS.

The California Constitution provides an additional, independent right of access to government records: "The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny." Cal. Const., Article 1, Section 3(b)(1). This provision was adopted by voters in 2004 after a finding that, as the ballot argument put it, Californians asking questions of their government were increasingly finding those answers hard to get. This Constitutional provision was enacted to reverse that trend.

### 4. IF THE COURT FINDS THAT RESPONDENT IMPROPERLY WITHHELD RECORDS, COURT COSTS AND ATTORNEY'S FEES MUST BE AWARDED.

*Government Code* Section 6259(d) provides that, "the court shall award court costs and reasonable attorney's fees to the requester should the requester prevail in litigation filed pursuant to this section." Such costs and fees are requested in this case should the Petitioner prevail.

## CONCLUSION

As Americans, we know that secrecy is antithetical to a democratic system of "government of the people, by the people, and for the people." The California Public Records Act was enacted to bring daylight and accountability to governmental actions, which is exactly what is needed in this case. Respondent's claim that it discharged a deputy of exceptional value

and skill because it found that he had been dishonest regarding matters utterly insignificant to any criminal or administrative investigation has never made sense. Commander Thatcher's belief that Deputy Orrego was, in reality, discharged for political reasons completely unrelated to his D.U.I. appears to be much more likely. Because basing discharge upon an incident never investigated violates the law and is an abuse of the administrative process, Petitioner respectfully requests that this writ be granted, and Respondent be ordered to produce the records requested.

Dated: July 8, 2021

Respectfully Submitted,

STONE BUSAILAH, LLP

/s/ Sherry H. Lawrence

SHERRY H. LAWRENCE, Attorneys for Petitioner Mizrain Orrego

# DECLARATION OF SHERRY H. LAWRENCE

I, SHERRY H. LAWRENCE, do hereby declare:

1. I am an attorney at law licensed to practice before all courts in the State of California and am an associate with the law firm of Stone Busailah, counsel of record for Petitioner Mizrain Orrego. Unless otherwise stated, the following facts are of my own personal knowledge and if called upon to testify thereto, I could and would do so.

2. I represented Deputy Orrego throughout the Sheriff's Department's administrative investigation of his D.U.I., as well as at his Civil Service Commission hearing. Before the CSC hearing commenced, then-Captain Michael Thatcher and I spoke about this case. He told me of his desire to testify on Deputy Orrego's behalf, but that he felt constrained from doing so by Departmental Policy 3-01/030.14. Absent such policy, he said he would have testified to Deputy Orrego's exceptional abilities, very high value to the Department, and his belief that a 20-day suspension for the D.U.I. was appropriate. Because we did not wish to subject Captain Thatcher to discipline, however, we decided that he would not be called as a witness.

3. When I asked Chief Eli Vera and then-Commander Thatcher whether they would like to attend the July 24, 2019 Civil Service Commission hearing on Petitioner's Objections to the Hearing Officer's proposed decision, both agreed to do so. Commander Thatcher said he was going to be out-of-state on vacation, but would personally pay for a ticket to return to Los Angeles for a day. Our collective hope was that the Commission would allow them to speak to Deputy Orrego's value to the Department and their belief that he was being discharged for political reasons unrelated to his D.U.I.

4. Just prior to the July 19th hearing, I was approached by several people, some of whom I knew, and some of whom I didn't. Although I was uncertain of his name, I understood one of them to be an attorney with County Counsel; he was accompanied

by Chief Eli Vera and Commander Thatcher. They asked Mizrain Orrego whether he would be willing to accept a 25-day suspension in lieu of discharge; an offer he gratefully accepted. Almost immediately thereafter, our matter was called before the full Commission. Appearing before them, I explained to the Commission that we had just begun settlement negotiations, and requested a two-week continuance to see whether we could resolve the matter. When the Commission denied the continuance without explanation, the hearing proceeded. They also refused to hear from either Commander Thatcher or Chief Vera. The Commission then voted to overrule Petitioner's Objections and uphold the discharge. An audio recording of that hearing, as well as the CSC hearing transcripts, will be included in the administrative record in Case No. 19STC04567, presently pending as a related case before this Court.

5. Although Mizrain Orrego accepted the settlement proposal of a 25-day suspension, and reference to a Settlement Agreement is alluded to at page 14 of Exhibit "C", there was no follow through. I never received a proposed Settlement Agreement or explanation as to why not.

6. Exhibit "A" to Jason Frankovitz' Declaration is a true and correct copy of Mr. Frankovitz' C.V.

7. Exhibit "B" to Jason Frankovitz' Declaration is a true and correct copy of the original response I received to Petitioner's Public Records Act request.

8. Exhibit "C" to Jason Frankovitz' Declaration are true and correct copies of the documents produced by Respondent in response to Deputy Orrego's Public Records Act Request.

9. The quotations of, and references to, testimony provided at the Civil Service Hearing are accurate to the best of my knowledge.

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10. At no time did Respondent offer any meaningful way to rephrase our Public Records Act request to obtain more documents than we did.

I declare under penalty of perjury, pursuant to the laws of the State of California, that the foregoing is true and correct. Executed this 8th day of July, 2021 at Pasadena, California.

/s/ Sherry H. Lawrence

SHERRY H. LAWRENCE, Declarant

# DECLARATION OF JASON FRANKOVITZ

I, JASON FRANKOVITZ, do hereby declare:

1. I am a Computer Scientist and Senior Testifying Expert with Quandary Peak Research, a litigation consulting firm in Los Angeles. I was asked by counsel for appellant Mizrain Orrego, Sherry H. Lawrence, and the law firm of Stone Busailah, LLP to provide an expert opinion in the consolidated cases of 20STCP04129 and 19STCP04567.

2. Unless otherwise stated, the following facts are of my own personal knowledge and if called upon to testify thereto, I could and would do so.

3. Attached hereto as Exhibit A is a true and correct copy of my curriculum vitae. I am a software engineering and computer expert with over 25 years of experience. I have been retained on more than eighty legal matters in both state and federal court. I have testified as an expert under oath in depositions, bench trials and jury trials twenty-five times.

4. Ms. Lawrence informed me that she had served a Public Records Act Request upon the County of Los Angeles in the consolidated cases above. I am informed that in response to such request, Captain Albert M. Maldonado of the County of Los Angeles Risk Management Bureau sent the letter which is attached hereto as Exhibit B. Ms. Lawrence informed me that Exhibit B is a true and correct copy of the letter she received from Captain Maldonado; I have reviewed the letter.

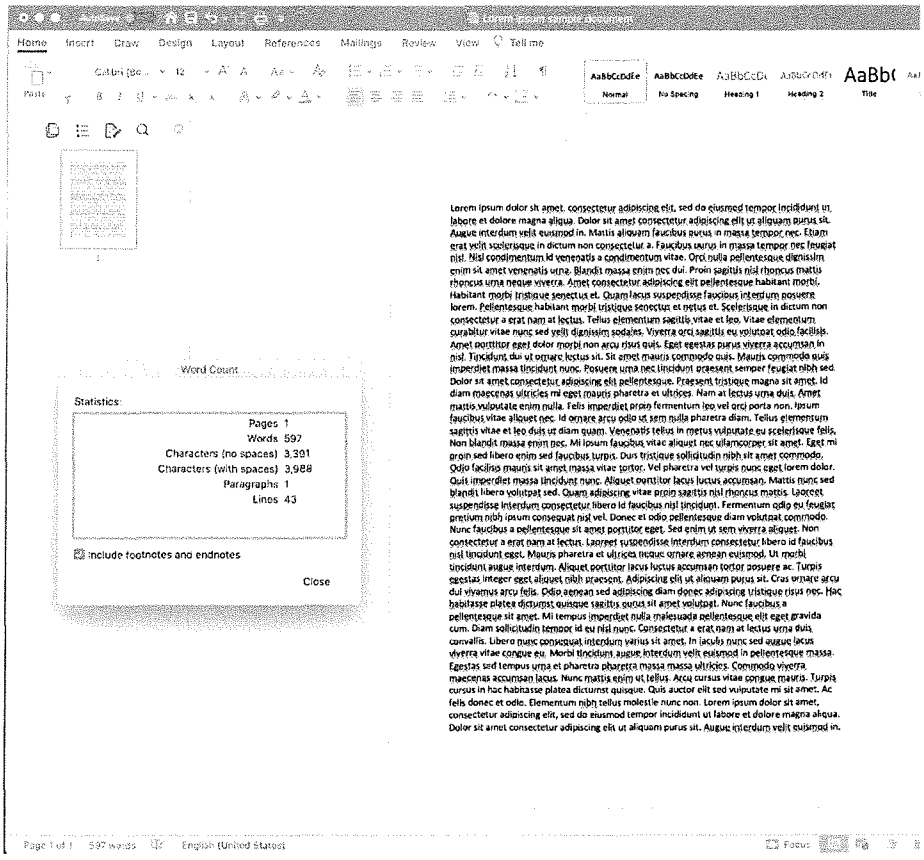
5. I am informed and believe that the County of Los Angeles did ultimately produce

documents in response to the above request. The documents Ms. Lawrence informed me were received are attached hereto as Exhibit C.

6. I was asked to render an expert opinion comparing the County's representation that it possesses 8.04 gigabytes of data which are responsive to appellant's Public Records Act Request to the amount of data actually produced.

7. Examining Exhibit C, I can see it is an 82-page document, I can see that each page contains text, some of which is redacted. There are a few pages that are redacted entirely.

8. In general, a page of regular English text on a Letter-size page document with standard margins is roughly 4000 characters (including spaces). For example, here is a Word document consisting of sample Latin text filling the entire page:



9. If we assume that the contents of the document are the only component of the file that consume storage, this amount of text (1 page filled with 12-point type) consumes a bit less than 4 KB (4096 bytes).

10. If Exhibit C, which is 82 pages long, had each page completely filled with 4 kilobytes of typed text as the example above, it would consume a total of approximately 328,000 bytes, or about 320 KB of storage.

11. The number of documents required to consume 8.04 gigabytes of storage (8 GB), which is 8.04 billion bytes (8,004,000,000), is much larger than 82 pages. Assuming again that each page is 4096 bytes, then I would expect a complete production of Exhibit C to have about 1,962,891 pages, not 82 pages.

12. The production of 82 pages of content divided by 1,962,891 pages represents 0.00004177% of the content the department says it found. In other words, less than a five-hundred-thousandth of the contents requested were given.

13. Producing 8.04 GB of documents is well within the capabilities of any reasonably-modern computer hardware. A quick search on Google shows that a USB flash drive with 128 GB of storage capacity costs around twenty dollars. Put another way, the 8.04 GB of documents the department mentioned would cost less than two dollars to store.

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

Executed this 1st day of July, 2021 at Los Angeles, California.

JASON FRANKOVITZ
Declarant

Jason Frankovitz

Digitally signed by Jason Frankovitz
DN: cn=Jason Frankovitz, o=Quandary Peak Research, email=jason@quandarypeak.com, c=US
Date: 2021.07.01 16:45:09 -07'00'
Adobe Acrobat version: 2021.005.20048

# EXHIBIT A

# JASON FRANKOVITZ

**Computer Scientist**
**Senior Testifying Expert**
Quandary Peak Research
205 S Broadway, Suite 300
Los Angeles, CA 90012
Phone: 323.545.3660
Email: jason@quandarypeak.com

## PROFESSIONAL ACCOMPLISHMENTS

- Expert in software with **25+ years of experience** as an engineer and programmer.
- Software inventor of **US patent 9,858,341**, "Method and apparatus for remotely monitoring a social website".
- **Testified 24 times** as an expert in software and Internet technologies in the US and Canada.
- Reviewed code, authored affidavits, declarations and expert reports for **over 80 cases**.
- Consulting on multiple **Facebook class action** cases.
- Built **the Web's first social bookmarking site** in 1996, cited as prior art for multiple patent matters.
- Selected as **Entrepreneur-in-Residence** at Main Street Partners on MIT campus.
- Currently serves as a **software intellectual property** consultant focusing on **software patents & trade secrets**, **Web and social media** technologies, software development **best-practices**, and digital **copyright/code theft**.

## EMPLOYMENT

- **Software IP Consultant** **Apr 2014 – present**
  *Quandary Peak Research*, Los Angeles, CA
  - Providing software analysis services for patent infringement and trade secret disputes.
  - Performing forensic investigations of computer systems, including examination of digital data.
  - Installing, configuring and using source code analysis tools for litigation support.
  - Creating claim charts for patent infringement and invalidity analysis.

- **Intellectual Property and Technology Advisor** **Jun 2013 – Apr 2014**
  *TechKnow Consulting*, Los Angeles, CA
  - Provided consulting for a range of software-related matters including patent licensing, infringement, brokerage, and general software IP advising.
  - Researched products and companies for similarities to patents being sold to maximize buyer interest.
  - Interviewed inventors to help brokers understand a patent's potential sale value.

- **Software IP Consultant** **Mar 2011 – May 2013**
  *Intellectual Ventures*, Bellevue, WA
  - Provided technical analysis for patent licensing negotiations related to cloud computing, social networking, ecommerce, mobile, video games, operating systems, electronic gambling, travel, and imaging.
  - Examined and investigated a variety of software technologies for potential patent infringement.

- Reverse-engineered numerous software systems to document system operations and services.
- Evaluated patent claims for likelihood of infringement and licensing potential.
- Scored patent portfolios for prioritizing licensing efforts.

- **Founder & CTO** **Feb 2006 – Feb 2011**
  *Seethroo.us*, Los Angeles, CA
  - Launched online advertising and marketing startup specializing in social media.
  - Created scalable cloud-based Ruby on Rails application for ad networks and publishers to manage advertising campaigns.
  - Designed proprietary jQuery-based publisher integration system.
  - Managed software engineering and used agile practices to drive test-driven development.
  - Developed internal tool "brainiac" for creating and managing machine learning models for a natural language processing (NLP) system that analyzed user-generated content for targeted ads.

- **Software Engineer** **Aug 2008 – Dec 2009**
  *AT&T Interactive*, Glendale, CA
  - As a member of the R&D department, worked on various experimental/exploratory projects for AT&T Interactive's Social Services team.
  - Used Ruby and jQuery to co-develop an internal QA tool measuring relevancy of search results for yp.com.
  - Wrote a large-scale web ad scraping system using Ruby and nokogiri, an XML parsing library.
  - Contributed to the development and use of a REST-oriented framework written in Ruby.
  - Wrote backend code powering an iOS/mobile application for reserving products from brick-&-mortar retailers.

- **Software Engineer** **May 2007 – Jun 2008**
  *DialedIn.com*, Los Angeles, CA
  - Developed Ruby on Rails applications for mobile event management product.
  - Implemented group messaging features for email, Web, and SMS.
  - Built multiple-stage development environment enabling uninterrupted service for end users.
  - Wrote unit and functional tests and installed continuous integration services to find bugs faster.

- **Segment Producer** **Apr 2002 – Feb 2006**
  *TechTV, G4, and g-NET*, San Francisco, CA and Los Angeles, CA
  - Produced technology television segments for cable and online distribution covering consumer electronics product reviews, interviews with notable software leaders, and industry commentary and analysis.
  - Pitched concepts, wrote scripts, booked talent, and shot and edited packages between 2 minutes and 9 minutes total running time.
  - Coordinated with software companies to acquire demo products to meet production schedule.
  - Maintained, administered, and upgraded lab hardware and content library.

- **Founder & CTO** **Apr 1996 – Apr 2002**
  *itList.com*, Cambridge, MA
  - Created the first online bookmark site in the world.
  - Developed a complete suite of online tools to enable bookmark submission, sharing, storage, organization, searching, and user account management.

- Programmed a custom perl API to Mysql databases on Linux.
- Installed, configured, and customized Apache httpd with mod_perl.
- Developed an infrastructure to rapidly deploy (<1 hour) partner sites for itList service.
- Handled technical support needs for 30,000 users.

- **Systems Administrator** **Feb 1997 – Apr 1999**
  *Liszt.com*, Sebastopol, CA
  - Provided Linux systems administration to major online search engine.
  - Debugged Apache, perl, and mod_perl issues and monitored traffic and local CPU load.
  - Implemented performance and security enhancements involving httpd, sendmail, pop3, telnet, ssh, and ftp.
  - Performed automated backups nightly and scheduled downtimes for upgrades.

- **Certified ClearCase/Software Configuration Management Specialist** **Sep 1996 – Dec 1998**
  *Pencom Systems*, Boston, MA
  - Provided software configuration management (SCM) expertise in heterogeneous development environments (SunOS/Solaris, SCO, HP-UX, Windows NT.)
  - Performed administration and configuration of ClearCase, CVS, RCS , and Visual SourceSafe systems.
  - Gathered requirements, designed, deployed, and administered distributed development environments
  - Implemented automated build systems for C, Java, and perl.
  - Instituted code branching and version labeling policies.
  - Audited software engineering to identify technical and procedural problems in development efforts.
  - Wrote and taught ClearCase courses to development teams in the USA and United Kingdom.
  - Coded programs for system monitoring and automatic backups.
  - Designed and installed new server room layout, specified and purchased hardware and component storage.

- **Network Administrator** **May 1995 – Aug 1996**
  *Interart/Sunrise Publications*, Bloomington, IN
  - Managed Mac network for design department of the third largest greeting card company in North America.
  - Implemented revrdist file synchronization software for automatic administration of Macs.
  - Programmed custom image processing system using AppleScript, Solaris and Helios Universal File Server.

- **Support Engineer** **Nov 1992 – May 1995**
  *University Computing Services*, Bloomington, IN
  - Provided technical support via email and telephone for students, faculty, and staff.
  - Wrote technical articles for the UCS Knowledge Base, one of the first Web-based helpdesk systems.
  - Performed data recoveries and backups for corrupted thesis files.
  - Conducted technical trainings for various campus systems.
  - Diagnosed, repaired and upgraded on-site hardware.

EDUCATION

- **B.A. in Telecommunications** with Minor in Biology, *Indiana University* **Dec 1993**
  Coursework included:

W350 Advanced Expository Writing
S404 Honors Semester in Telecom
X395 Minds, Brains, and Computers
R322 Telephony History & Technology

M&A TECHNICAL DILIGENCE

- **(Confidential Public Company, Fortune 500)** **Sep-Oct 2018**
  - Source code review of startup for possible acquisition
- **(Confidential)/US Department of Health & Human Services** **Nov 2016 – Nov 2017**
  - Safety-related audit of source code for EMR system
- **Greenheart International** **Jan 2017 – Feb 2017**
  - Code quality audit of outsourced software project
- **(Confidential Public Company, Mkt Cap $200M)** **Jan 2015**
  - Source code review of startup for possible acquisition

LITIGATION CONSULTING

- **Kilterly v. SolutionStream, LLC** **Nov 2020 – present**
  Counsel: Hopkins & Huebner, PC
  Nature of Suit: Breach-of-contract
  Jurisdiction: State
  Services Provided: Consulting, Expert Report
- **FinancialApps, LLC v. Envestnet, Inc. and Yodlee, Inc.** **Aug 2020 – present**
  Counsel: Kasowitz Benson Torres
  Nature of Suit: Intellectual Property – Trade secret
  Jurisdiction: State
  Services Provided: Consulting, Code Review
- **Express Lien, Inc. v. Handle, Inc** **Sep 2020 – present**
  Counsel: Bowie Jensen LLP
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: State
  Services Provided: Consulting, Expert Report
- **Oliver Bassil v. Jacques Webster** **Aug 2020 – present**
  Counsel: McPherson LLP
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: State
  Services Provided: Consulting, Expert Report
- **Nokia v. Motorola** **Aug 2020 – present**
  Counsel: Sheppard Mullin
  Nature of Suit: Intellectual Property – Patent
  Jurisdiction: Federal

Services Provided: Consulting

- **Los Angeles County Sherriff's Department v Orrego** **Aug 2020 – present**
  Counsel: Stone Busailah, LLP
  Nature of Suit: Internal Affairs
  Jurisdiction: County
  Services Provided: Consulting

- **Impact Engine, Inc. v. Google LLC** **Jan 2020 – present**
  Counsel: Kirkland & Ellis
  Nature of Suit: Intellectual Property – Patent
  Jurisdiction: Federal
  Services Provided: Consulting

- **Hertz Corporation v Accenture LLP** **Jul 2019 – present**
  Counsel: Wiggin Dana LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: Federal
  Services Provided: Consulting, Code Review

- **Vargas et al. v Facebook, Inc.** **Dec 2019 – present**
  Counsel: Mantese Honigman, PC
  Nature of Suit: Class action
  Jurisdiction: Federal
  Services Provided: Consulting

- **Tenstreet, LLC v. Driverreach, LLC** **Jul 2019 – present**
  Counsel: Faegre Baker Daniels LL
  Nature of Suit: Intellectual Property – Trade Secret
  Jurisdiction: Federal
  Services Provided: Consulting, Code Review

- **Olin et al. v Facebook, Inc.** **May 2019 – present**
  Counsel: Bursor & Fisher PA
  Nature of Suit: Class action
  Jurisdiction: Federal
  Services Provided: Consulting, Code Review, Declaration

- **BrandRep Holdings v Employer Advertising LLC & Business Solutions LLC** **May 2019 – present**
  Counsel: Benesch, Friedlander, Coplan & Aronoff LLP
  Nature of Suit: Intellectual Property – Trade Secret
  Jurisdiction: Federal
  Services Provided: Consulting, Code Review

- **Calendar Research LLC v Stubhub, Inc. and eBay Inc.** **Jan 2019 – present**
  Counsel: Quinn Emanuel Urquhart & Sullivan LLP
  Nature of Suit: Intellectual Property – Copyright

Jurisdiction: Federal
Services Provided: Consulting, Expert Report

- **Robillard v Opal Labs, Inc.** **Jan 2020 – Mar 2021**
  Counsel: Angeli Law Group
  Nature of Suit: Intellectual Property – Trade Secret
  Jurisdiction: Federal
  Services Provided: Consulting

- **Porchlight LLC v Ventive LLC** **Dec 2020 – Feb 2021**
  Counsel: Mooney Wieland
  Nature of Suit: Breach-of-contract
  Jurisdiction: State
  Services Provided: Consulting, Expert Report

- **Social Equity Owners & Workers Association, Inc v City of LA** **Jun 2020 – Aug 2020**
  Counsel: Ivie, McNeill Wyatt Purcell & Diggs
  Nature of Suit: Regulatory failure
  Jurisdiction: State
  Services Provided: Consulting, Declaration

- **Coulter Ventures, LLC, d/b/a Rogue Fitness v Titan Fitness** **Apr 2019 – Feb 2020**
  Counsel: Banner & Witcoff, Ltd.
  Nature of Suit: Intellectual Property – Trademark
  Jurisdiction: Federal
  Services Provided: Consulting

- **Shaghal, Ltd. v Children's Network LLC d/b/a Sprout** **May 2019 – Dec 2019**
  Counsel: Fox Rothschild LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting, Testimony (arbitration)

- **irth Solutions LLC v Apex Data Solutions d/b/a DigTix** **Dec 2018 – Jan 2019**
  Counsel: Boylan Code
  Nature of Suit: Intellectual Property – Trade Secret
  Jurisdiction: Federal
  Services Provided: Consulting

- **O'Hara v Facebook, Inc, Cambridge Analytica, LLC, Kogan, Bannon** **May 2018 – present**
  Counsel: Coast Law Group LLP
  Nature of Suit: Class action
  Jurisdiction: Federal
  Services Provided: Consulting, Declaration

- **Sound View Innovations, LLC v Hulu, LLC** **Nov 2017 – present**
  Counsel: Desmarais LLP

Nature of Suit: Intellectual Property - Patent
Jurisdiction: Federal
Services Provided: Consulting, Code Review

- **Beard v Gerdau S.A.** **May 2017 – present**
  Counsel: Reaud Morgan and Quinn LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: Federal
  Services Provided: Consulting

- **Softech USA d/b/a Gemfind v Chasin** **Feb 2017 – present**
  Counsel: Robinson & Robinson
  Nature of Suit: Intellectual Property – Trade Secret
  Jurisdiction: Federal
  Services Provided: Code Review & Consulting

- **Ensource Investments LLC v Tatham et al** **Nov 2018 – Feb 2020**
  Counsel: Panakos Law
  Nature of Suit: Fraud
  Jurisdiction: Federal
  Services Provided: Consulting, Code Review, Report, Testimony (jury trial)

- **Patel v Facebook, Inc. (State of Illinois/biometric privacy)** **Nov 2016 – Jan 2020**
  Counsel: Robbins Geller Rudman & Dowd, Labaton Sucharow, Edelson
  Nature of Suit: Class action
  Jurisdiction: State
  Services Provided: Consulting, Code Review

- **Los Angeles County Sherriff's Department v Rodriguez** **Jun 2019**
  Counsel: Stone Busailah, LLP
  Nature of Suit: Internal Affairs
  Jurisdiction: County
  Services Provided: Consulting, Testimony (Skelly hearing)

- **OnSors LLC v Sabrina Schueppl dba NuMe, ABV Group, Inc.** **May 2019 – Sep 2019**
  Counsel: Ulich Balmuth Fisher LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting, Code Review, and Testimony (deposition & bench trial)

- **Cohen v Ramirez** **Dec 2018 – Oct 2019**
  Counsel: Colman Law Group
  Nature of Suit: Personal Injury
  Jurisdiction: State
  Services Provided: Consulting

- **Really Big Coloring Books, Inc. v Delta Dental Insurance Company** **Jan 2019 – May 2019**
  Counsel: Troutman Sanders LLP
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: Federal
  Services Provided: Consulting, Expert Report

- **M. A. Mobile Ltd. v Indian Institute of Technology Kharagpur et al** **Feb 2019 – Jun 2019**
  Counsel: Sanjiv N. Singh
  Nature of Suit: Intellectual Property – Trade Secret
  Jurisdiction: Federal
  Services Provided: Consulting, Code Review, Expert Report, Declaration, Testimony (deposition)

- **Christopher Hayden d/b/a Cgraydesign v Eagles Nest Outfitters, Inc.** **Mar 2019 – Apr 2019**
  Counsel: Ward and Smith P. A.
  Nature of Suit: Intellectual Property – Trade Secret
  Jurisdiction: Federal
  Services Provided: Consulting

- **Flying Nurses International LLC v FlyingNurse.com** **Sep 2018 – Dec 2018**
  Counsel: Dale Jensen, PLC
  Nature of Suit: Fraud
  Jurisdiction: Federal
  Services Provided: Consulting, Declaration

- **Liberi v Taitz** **Dec 2017 – Oct 2018**
  Counsel: Schumann Rosenberg
  Nature of Suit: Fraud/Defamation/Embezzlement
  Jurisdiction: Federal
  Services Provided: Consulting, Code Review, Declaration

- **Krubim 26 Intl Inc / Woofers Etc v Golden Communications, Inc.** **Jan 2017 – Oct 2018**
  Counsel: Law Offices of P. Paul Aghaballa
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting & Testimony (deposition)

- **Cornerstone OnDemand, Inc. v Modular Mining Systems, Inc.** **Jan 2018 – Mar 2018**
  Counsel: Gordon Rees Scully Mansukhani, LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: Federal
  Services Provided: Consulting

- **Aquilina v Wriggelsworth et al.** **Apr 2017 – Nov 2017**
  Counsel: Bostic & Associates
  Nature of Suit: Civil Rights
  Jurisdiction: Federal
  Services Provided: Consulting

- **Lexxiom Inc. v Converze Interactive Inc., Lido Labs Llc, et al** **May 2017 – Mar 2018**
  Counsel: Foundation Law Group
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: Federal
  Services Provided: Consulting & Code Review

- **Turkey v Ali Çihan** **May 2017 – Nov 2017**
  Counsel: Akkoç Law Group
  Nature of Suit: Criminal
  Jurisdiction: Republic of Turkey
  Services Provided: Code Review, Consulting & Expert Report

- **Securus Technologies, Inc. v Public Communication Services Inc.** **Oct 2016 – Feb 2018**
  Counsel: Grubel Elrod Johansen Hail Shank
  Nature of Suit: Breach of Contract
  Jurisdiction: Federal
  Services Provided: Consulting

- **Rogue Wave Software Inc. v BTI Systems Inc. & Juniper Networks Inc.** **Feb 2017 – Jan 2018**
  Counsel: Snell & Wilmer LLP
  Nature of Suit: Intellectual Property - Copyright
  Jurisdiction: Federal
  Services Provided: Code Review, Expert Report, Consulting & Testimony (deposition)

- **Liang v AWG Remarketing, Inc., Group 3 Auctions, LLC** **Jun 2017 – Sep 2017**
  Counsel: WHGC, P.L.C.
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: Federal
  Services Provided: Consulting

- **Peri Domante v Dish Network, L.L.C.** **Sep 2017 – Nov 2017**
  Counsel: Law Office of Michael A. Ziegler, P.L.
  Nature of Suit: Breach of Contract
  Jurisdiction: Federal
  Services Provided: Consulting

- **Integrated Dynamic Solutions, Inc. N. Gashtili v VitaVet Labs, Inc.** **Jul 2017 – Oct 2017**
  Counsel: Westlake Legal Services
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting & Testimony (deposition & arbitration)

- **Zaghi dba Angel Dental Care v Salama** **May 2016 – Sep 2017**
  Counsel: Jalilvand Law APC
  Nature of Suit: Online Defamation
  Jurisdiction: State

Services Provided: Consulting & Testimony (deposition)

- **Fox Television Stations, Inc. v FilmOn X, LLC** **Nov 2016 – Mar 2017**
  Counsel: Baker Marquart LLP
  Nature of Suit: Intellectual Property - Copyright
  Jurisdiction: Federal
  Services Provided: Consulting

- **Level One Technologies, Inc. v Penske Truck Leasing Co.** **Apr 2016 – Aug 2017**
  Counsel: Riezman Berger, P.C.
  Nature of Suit: Intellectual Property – Trade Secrets
  Jurisdiction: Federal
  Services Provided: Consulting

- **(Confidential) v (Confidential)** **Feb 2017 – Jun 2017**
  Counsel: (Confidential)
  Nature of Suit: Intellectual Property - Copyright
  Jurisdiction: Federal
  Services Provided: Consulting, Code Review, Expert Report & Testimony (deposition)

- **Applied Business Software Inc. v Citadel Servicing Corporation** **Sep 2017 – Mar 2019**
  Counsel: Law Office of David Richman
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: Federal
  Services Provided: Consulting

- **Expo Ed Inc. v Anaca Technologies Ltd.** **Oct 2016 – Sep 2017**
  Counsel: Norton Rose Fulbright Canada LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: Ontario Superior Court Of Justice, Canada
  Services Provided: Consulting, Expert Report & Testimony (bench trial)

- **Chrome Systems, Inc. v Autodata Solutions, Inc.** **Jun 2016 – Dec 2016**
  Counsel: Wachtell, Lipton, Rosen & Katz
  Nature of Suit: Breach of Contract
  Jurisdiction: Federal
  Services Provided: Code Review & Consulting

- **Deal Segments, Inc. v Dream Warrior Group, Inc.** **Jan 2016 – Jul 2016**
  Counsel: Law Office of Parag L. Amin
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting

- **Alertus Technologies, LLC v Blake Robertson** **Jan 2016 – Oct 2016**
  Counsel: Joseph, Greenwald & Laake, P.A.
  Nature of Suit: Intellectual Property – Trade Secrets

Jurisdiction: State
Services Provided: Code Review & Consulting

- **Alertus Technologies, LLC v Callinize, Inc.** **Jan 2016 – Oct 2016**
  Counsel: Bowie & Jensen, LLC
  Nature of Suit: Intellectual Property – Trade Secrets
  Jurisdiction: Federal
  Services Provided: Code Review, Consulting & Expert Report

- **ABS, Inc. v FCI, Inc.** **Nov 2015 – Feb 2016**
  Counsel: Law Office of David Richman
  Nature of Suit: Intellectual Property – Trade Secrets
  Jurisdiction: Federal
  Services Provided: Consulting

- **Trichel v Union Pacific Railroad** **Nov 2015 – May 2016**
  Counsel: VB Attorneys
  Nature of Suit: Digital Forensic Investigation
  Jurisdiction: State
  Services Provided: Consulting

- **BeUbiq, Inc. v Curtis Consulting Group, Inc.** **Dec 2015 – May 2016**
  Counsel: Farbstein & Blackman
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting & Testimony (two depositions & jury trial)

- **Vincent Wellrich v Dream Warrior Group, Inc.** **Dec 2015 – Feb 2016**
  Counsel: Wolke & Levine LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting

- **Nicole, Inc. v BLK International and Sanjay Khullar** **Sep 2015 – Mar 2016**
  Counsel: Greenberg & Bass LLP
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: Federal
  Services Provided: Consulting & Declaration

- **Chipp'd Ltd. v Crush & Lovely LLC** **Jul 2015 – Sep 2015**
  Counsel: White and Williams LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting

- **Johnson v Storix, Inc.** **Jun 2015 – Jan 2016**
  Counsel: Eastman & McCartney LLP

Nature of Suit: Intellectual Property – Copyright
Jurisdiction: Federal
Services Provided: Code Review & Consulting

- **Learning Technology Partners LLC v University of the Incarnate Word** **Apr 2015 – Mar 2016**
  Counsel: Glynn & Finley, LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: Federal
  Services Provided: Consulting, Expert Report & Testimony (deposition & jury trial)

- **Nomadix, Inc. v Hospitality Core Services LLC** **Apr 2015 – Jul 2015**
  Counsel: Mehrman Law Office, PC
  Nature of Suit: *Inter Partes* Review - Patent
  Jurisdiction: Federal
  Services Provided: Consulting

- **Hull et al v Marriott International, Inc.** **Mar 2015 – present**
  Counsel: Conn Maciel & Carey PLLC
  Nature of Suit: Software Accessibility/ADA
  Jurisdiction: Federal
  Services Provided: Consulting

- **Copart, Inc. v Lightmaker USA, Inc.** **Mar 2015 – present**
  Counsel: Porter Scott LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting

- **Arrazate V H&B Group, INC., dba Nissan of Bakersfield** **Apr 2015 – Jun 2015**
  Counsel: Rodriguez Law Firm
  Nature of Suit: Social Media Investigation
  Jurisdiction: State
  Services Provided: Consulting & Declaration

- **SecureAuth Corporation v miniOrange Inc.** **Mar 2015 – Apr 2015**
  Counsel: Abelman, Frayne & Schwab
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: Federal
  Services Provided: Code Review, Consulting & Declaration

- **Jonathan Demichael v Peak Franchising, Inc.** **Mar 2015 – Apr 2015**
  Counsel: Lee, Hong, Degerman, Kang & Waimey
  Nature of Suit: Product Liability Tort
  Jurisdiction: State
  Services Provided: Consulting & Declaration

- **Mad River Community Hospital v CPSI, Inc.** **Jan 2015 – Mar 2015**
  Counsel: Janssen Malloy LLP
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting

- **Smarty Had a Party LLC v Barrett Brothers, Inc.** **Jan 2015 – present**
  Counsel: Capes, Sokol, Goodman & Sarachan, P.C.
  Nature of Suit: Trade Name Infringement
  Jurisdiction: Federal
  Services Provided: Consulting

- **Core Wireless Licensing S.A.R.L. v LG Electronics, Inc.** **Jan 2015 – present**
  Counsel: Bunsow de Mory Smith & Allison LLP
  Nature of Suit: Intellectual Property - Patent
  Jurisdiction: Federal
  Services Provided: Code Review & Consulting

- **Mass Appeal Media, Inc. v Davina Douthard, Inc.** **Oct 2014 – present**
  Counsel: Krakowsky Michel
  Nature of Suit: Intellectual Property - Trademark
  Jurisdiction: Federal
  Services Provided: Consulting & Declaration

- **Hablian, et al. v Zurich U.S., et al.** **Jan 2015 – present**
  Counsel: Marlin & Saltzman LLP
  Nature of Suit: Source Code Verification
  Jurisdiction: State
  Services Provided: Code Review, Consulting, Expert Report & Testimony (deposition)

- **(Confidential) v Vantage Point Technology, Inc.** **Jan 2015**
  Counsel: Winston & Strawn LLP
  Nature of Suit: *Inter Partes* Review - Patent
  Jurisdiction: Federal
  Services Provided: Consulting

- **Tool Circle Inc. v Nulinx International, Inc.** **Dec 2014**
  Counsel: Humphrey + Law
  Nature of Suit: Breach of Fiduciary Duty
  Jurisdiction: State
  Services Provided: Consulting

- **Verso Paper LLC v Go2Paper, Inc.** **Nov 2014**
  Counsel: Bass Berry & Sims PLC
  Nature of Suit: Intellectual Property - Patent
  Jurisdiction: State
  Services Provided: Consulting

- **Next Gear IP LLC v Capstone BPO and Rajesh Wadhwa** **Sep 2014 – Sep 2015**
  Counsel: Wayne Wisong, Esq.
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting

- **Nutri-Vet, LLC v Dykas Shaver & Nipper, LLP** **Aug 2014 – Dec 2014**
  Counsel: Hawley Troxell Ennis & Hawley, LLP
  Nature of Suit: Malpractice
  Jurisdiction: Federal
  Services Provided: Consulting & Expert Report

- **Breeze Ventures Management, LLC v The Evans School, Inc.** **Aug 2014 – Oct 2014**
  Counsel: Peretz & Associates
  Nature of Suit: Breach of Contract
  Jurisdiction: State
  Services Provided: Consulting & Testimony (deposition & jury trial)

- **Golden Best Plumbing, Inc. v Baghdasarian** **Jul 2014 – Sep 2014**
  Counsel: Dack Marasigan LLP
  Nature of Suit: Trade Name Infringement
  Jurisdiction: State
  Services Provided: Code Review, Consulting, Declaration & Testimony (bench trial)

- **Hill-Rom Company, Inc. v General Electric Company** **Jul 2014 – Aug 2014**
  Counsel: Schiff Hardin LLP
  Nature of Suit: Intellectual Property - Patent
  Jurisdiction: Federal
  Services Provided: Code Review & Consulting

- **Dealercentric Solutions, Inc. v Market Scan Information Systems, Inc.** **Jun 2014 – Jul 2016**
  Counsel: Burkhalter Kessler Clement & George LLP
  Nature of Suit: Intellectual Property – Trade Secrets
  Jurisdiction: State
  Services Provided: Code Review, Consulting & Testimony (deposition)

- **YPP, Inc. v Supermedia LLC** **Jun 2014**
  Counsel: Kirkland & Ellis LLP
  Nature of Suit: Intellectual Property – Copyright
  Jurisdiction: Federal
  Services Provided: Consulting & Expert Report

- **AgJunction LLC v Agrian Inc., et al.** **May 2014 – Feb 2015**
  Counsel: Husch Blackwell LLP
  Nature of Suit: Intellectual Property – Trade Secrets
  Jurisdiction: Federal

Services Provided: Code Review, Consulting & Expert Report

- **Patent Infringement Action** **Mar 2005 – Apr 2005**
  Counsel: Bingham McCutchen LLP
  Nature of Suit: Intellectual Property – Patent
  Jurisdiction: Federal
  Services Provided: Consulting

PATENT LICENSE CONSULTING

- **U.S. Cl. 235 Patents**
  Technology: Registers
  No. of Patents: 4

- **U.S. Cl. 345 Patents**
  Technology: Computer graphics processing and selective visual display systems
  No. of Patents: 1

- **U.S. Cl. 370 Patents**
  Technology: Multiplex communications
  No. of Patents: 4

- **U.S. Cl. 273 & 463 Patents**
  Technology: Amusement devices: games
  No. of Patents: 2

- **U.S. Cl. 455 Patents**
  Technology: Telecommunications
  No. of Patents: 4

- **U.S. Cl. 705 Patents**
  Technology: Data processing: financial, business practice, management, or cost/price determination
  No. of Patents: 3

- **U.S. Cl. 706 Patents**
  Technology: Data processing: artificial intelligence
  No. of Patents: 1

- **U.S. Cl. 707 Patents**
  Technology: Data processing: database and file management or data structures
  No. of Patents: 12

- **U.S. Cl. 709 Patents**
  Technology: Electrical computers and digital processing systems: multicomputer data transferring
  No. of Patents: 5

PATENT BROKERAGE CONSULTING

- **Global Intellectual Strategies** **Mar 2014**
  Technology: Virtualized computing
  No. of Patents: 1
  - Created claim chart showing infringement by major virtualized computing platform.

- **Quinn Pacific** **Oct 2013**
  Technology: 2D/3D image processing
  No. of Patents: 13
  - Researched portfolio and documented potential infringement by a Fortune 1000 software company.

- **Red Chalk Group** **May 2013**
  Technology: Wireless data processing
  No. of Patents: 85
  - Evaluated patent portfolio for licensing opportunities.

- **Prodigy IP** **May 2013**
  Technology: Online video streaming
  No. of Patents: 8
  - Evaluated patent portfolio for licensing opportunities.

- **Prodigy IP** **Feb 2013**
  Technology: Digital video recording
  No. of Patents: 2
  - Prepared pre-sale research for small digital media portfolio.
  - Conducted inventor interviews.
  - Created materials explaining the invention and its potential value in the market.

- **Open Invention Network** **May 2008**
  Technology: Operating systems
  No. of Patents: 1
  - Researched a patent for similarity to my prior art from 1996.
  - Advised on acquisition/licensing of patent.

NON-IP CONSULTING

- **Software Development Manager** **Jan 2007 – Apr 2007**
  *RealTalk LA*, Los Angeles, CA
  - Launched community-news website in Debian/Ubuntu environment.
  - Audited Ruby on Rails environment and performed triage on broken development components.
  - Integrated Trac defect tracking software with Subversion source code control.
  - Installed Capistrano for automated application deployments.
  - Wrote unit, functional and integration tests, and provided group instruction for test writing.

- **Software Integration Engineer** **Sep 2006 – Dec 2006**
  *Koders.com*, Santa Monica, CA

- Integrated Ruby on Rails web services on VMWare Linux into existing Windows/MSSQL architecture.
- Installed and customized Beast discussion forums and Radiant content-management system.
- Ran httperf benchmarks and configured application servers using mongrel_cluster load balancing
- Provided general Ruby on Rails expertise.

• **Software Developer** **Mar 2006 – Sep 2006**
*YouMee.com*, Los Angeles, CA
- Ruby on Rails programming for social chat site YouMee.com
- Developed features from specs, performed unit tests, and promoted code into main development line.
- Fixed bugs and updated bug tickets.

• **Entrepreneur-in-Residence** **Aug 1999 – May 2000**
*Main Street Partners*, Cambridge, MA
- Provided technology advising to investment and patent consulting firm on the MIT campus.
- Received entrepreneur pitches, developed business plans, and performed technology vetting.

• **Technical Advisor** **Jun 2001**
*Hummer Winblad Venture Partners*, San Francisco, CA
- Provided technology advising to leading VC firm for potential investment in software testing startup.
- Delivered presentations to partners and associates.

• **Build Manager** **Apr 2001 – May 2001**
*Informix*, Oakland, CA
- Implemented cross-platform build automation systems for C and Java codebases on Unix, NT, and Macintosh.
- Integrated CodeWarrior (Mac) and Microsoft Visual Studio (NT) compiles into Unix make.
- Wrote integration code using Applescript, shell, and perl.
- Reduced package construction from 8-plus hours to less than 1 hour.

• **Release Manager** **Jan 2001 – Feb 2001**
*Vodafone*, Walnut Creek, CA
- Release manager for Vodafone Internet Platform (VIP) project, a web services portal.
- Coordinated development, outsourcers, operations, and QA to design flow of code though the release process.
- Established baselines for development efforts.
- Drove CM requirements, internal standards and conventions.
- Performed training for developers on system usage and architecture.

• **Software Configuration Manager/System Administrator** **Apr 2000 – Dec 2000**
*Wind River Systems*, Alameda, CA
- Performed infrastructure planning, purchasing recommendations, and technical support for worldwide rollout of Clearcase/Multisite to 17 international locations.
- Wrote Web-based tools in perl for monitoring sync state of network.
- Performed on-site installation and configuration.
- Conducted staff training and Q&A follow-up.

- **Build Engineer** **Sep 1999 – Oct 1999**
  *CMGi*, Andover, MA
  - Organized development tree using CVS for CMGI business unit.
  - Provided technical assistance and mentoring about sound software configuration management practices.
  - Initiated transition from legacy shell script-based build system to recursive make.
  - Worked with QA to provide testable builds of daily development efforts.
  - Documented new procedures for project managers.

- **Software Configuration Manager/System Administrator** **May 1998 – Dec 1998**
  *GTE Internetworking*, Cambridge, MA
  - Administered Unix/NT ClearCase environment for Web-based perl development project.
  - Installed ClearCase clients, recommended optimal system configurations, performed client upgrades, and coordinated with lead administrators to ensure a productive environment.
  - Established automated build environment and build records archive.
  - Performed technical support and training for developers in use of the system.

- **Systems Administrator** **Jan 1998 – May 1998**
  *Pencom Systems*, Boston, MA
  - Provided Unix and Windows desktop support for technical recruitment firm.
  - Diagnosed and repaired Solaris, SunOS, SCO printing/web/mail/file access problems.
  - Designed and installed new server room layout, specified and purchased hardware and component storage.

- **Systems & Process Auditor** **Nov 1997 – Dec 1997**
  *Simon & Schuster Interactive*, Boston, MA
  - Audited software development system and identified problems in Java development efforts.
  - Interviewed staff and vendor technical support, and investigated system architecture.
  - Gathered technical metrics on servers, client workstations, and network performance.
  - Prepared a final report detailing problems, investigative methodologies, and improvements to staff and management.

- **Software Configuration Manager/System Administrator** **Aug 1997 – Nov 1997**
  *Eaton Corporation*, Cleveland, OH & Glasgow, United Kingdom
  - Implemented ClearCase and Attache rollout on HP-UX for Oracle developers at international diversified parts manufacturer.
  - Studied site requirements, recommended ClearCase configuration and implementation.
  - Coordinated with Unix staff to make needed changes to development, QA, and production systems.
  - Designed and taught a class about the use of ClearCase and Attache for developers, and presented it in several day-long sessions in Cleveland and Glasgow.

- **Software Configuration Manager/System Administrator** **Apr 1997 – Aug 1997**
  *Shiva Networking*, Burlington, MA
  - Provided ClearCase and Unix support for embedded systems developers at network hardware company.
  - Implemented perl scripts for system monitoring.

- Coordinated MultiSite rollout with Edinburgh, Scotland, and Cupertino, California.
- Migrated source code repositories from old hardware to new Ultra Enterprise servers.
- Provided training and mentoring for internal Shiva staff.

- **Software Configuration Manager** **Jan 1997 – Apr 1997**
  *Ascom-Nexion*, Acton, MA
  - Provided ClearCase and SunOS/Solaris support for large telecom hardware manufacturer.
  - Wrote shell and perl scripts to monitor ClearCase and nightly backup system.
  - Implemented NTP across 300 Unix nodes.
  - Configured Web server logging software and analyzed traffic.
  - Provided ClearCase mentoring and training for internal staff.

- **Support Engineer** **Sep 1996 – Dec 1996**
  *Atria Software*, Lexington, MA
  - Completed certification in ClearCase, a distributed software configuration management (SCM) and build system.
  - Provided telephone and email support for ClearCase customers, often involving elaborate remote debugging.
  - Participated in weekly "hot ticket" support sessions to solve difficult customer issues.

- **Network Administrator** **Aug 1996**
  *Security Dynamics/RSA*, Bedford, MA
  - Co-managed heterogeneous network for large engineering department.

TEACHING

- **Programming Instructor** **Mar 2003 – Apr 2003**
  *Bay Area Video Coalition*, San Francisco, CA
  - Designed and taught Applescript programming course for educational technology nonprofit.

- **Technology Instructor in Continuing Education** **Aug 2000 – May 2003**
  *San Francisco State University*, San Francisco, CA
  - Designed and taught technology courses for Information Technology and Multimedia Studies certificate programs:
    - Principles of Programming
    - Mac OS X
    - Programming in AppleScript
    - PC Hardware
    - Internet Architecture
    - Database Design
  - Received "Outstanding Instructor Award" for Fall 2001.

- **Technology Instructor** **Aug 1997 – Nov 1997**
  *Eaton Corporation*, Cleveland, OH & Glasgow, United Kingdom
  - Designed and taught a class about the use of ClearCase and Attache for developers, presented in several day-long sessions.

PATENTS

- **Method and Apparatus for Remotely Monitoring a Social Website,** U.S. Patent 9,858,341
  - The invention consists of a method for monitoring the creation of user-generated content on one website, and duplicating that content at a second, remote website. The duplicated content can be used for a variety of purposes such as trend analysis or individualized advertising.

- **Behaviorally-Targeted Ad Serving,** filed Aug 3, 2006
  - Provisional filing for 11/833,018.

- **Bayesian-Guided Metadata Classification,** filed Jun 5, 2006
  - The invention was a method for using metadata associated with curated content to classify new content. (abandoned provisional)

- **Bookmark Search Engine,** filed Mar 10, 2000
  - The invention was an apparatus and method for compiling Web bookmarks across an audience of users and providing a means to search the bookmarks and their content. (abandoned provisional)

PROFESSIONAL ASSOCIATIONS

- Forensic Expert Witness Association
- IEEE Computer Society
- Application Developers Alliance

PRESS

- The Capital Forum (https://thecapitolforum.com/)
- Social Equity: Up in Smoke (Episode 2)
- This is LA (KCBS)
- Adult Ed with Jake and Amir
- Samsung Battery Recall (KABC)

HONORS AND AWARDS

- **Outstanding Instructor Award,** Fall 2001
  Awarded each semester for exceptional teaching by a continuing education instructor at San Francisco State University.

- **Phi Eta Sigma National Honor Society**, Fall 1993
  National academic fraternity.

- **USC Dean's List,** Spring 1990
  Awarded for GPA of 3.8 or higher.

- **National Merit Scholarship Semifinalist**, Spring 1988
  Awarded for academic achievement to 16,000 high school students each year out of 1.5 million entrants.

TECHNICAL EXPERTISE

- **Web Technologies**
  HTTP, AJAX, REST, SSL (secure sockets), proxies, Amazon Web Services, cloud computing, PaaS, SaaS, web forensics, content management, client/server

- **Programming Languages**
  Ruby, Rails, PHP, perl, python, Java, JavaScript, HTML, XML, Shell

- **Operating Systems**
  Linux, Unix, Mac OS X, iOS, Windows, file systems

- **Databases**
  MySQL, mSQL, Sqlite, Memcached, Cassandra, MongoDB

- **Development and Version Control**
  Git, Github, Bitbucket, JIRA, ClearCase, Subversion, CVS, RCS, make, gmake

- **Other**
  Agile development standards and practices, academic plagiarism analysis using MOSS (Measure of Software Similarity), natural language processing (NLP), machine learning, authentication/authorization, encryption, mobile development, performance tuning, scalability

| # | Litigation | Side | Type of Case | Code Review | Report | Testimony |
|---|---|---|---|---|---|---|
| 84 | Porchlight LLC v Ventive LLC | Plaintiff | Breach of contract | | X | arbitration |
| 83 | FinApps v Yodlee | Plaintiff | IP trade secret | X | | |
| 82 | Anonymous v Anonymous | | | | | |
| 81 | Anonymous v Anonymous | | | | | |
| 80 | Kilterly v. SolutionStream, LLC | Defendant | Breach of contract | | X | |
| 79 | Express Lien, Inc. v. Handle, Inc | Defendant | IP trade secret | | X | |
| 78 | Oliver Bassil v. Jacques Webster | Defendant | IP copyright | | X | |
| 77 | Robillard v Opal Labs | Plaintiff | IP trade secret | X | X | |
| 76 | Nokia v Motorola | Defendant | IP patent | | | |
| 75 | Los Angeles County Sherriff's Department v Orrego | Defendant | Internal affairs | | | |
| 74 | Impact Engine v Google | Plaintiff | IP patent | | | |
| 73 | Social Equity Owners and Workers Association, Inc v Los Angeles | Plaintiff | Regulatory failure | | X | |
| 72 | Vargas et al. v Facebook, Inc. | Plaintiff | Social media class actior | | | |
| 71 | Tenstreet, LLC v. Driverreach, LLC | Defendant | IP patent | X | | |
| 70 | Anonymous v Anonymous | | | | | |
| 69 | Los Angeles County Sherriff's Department v Rodrigu | Defendant | Internal affairs | | | Skelly hearing |
| 68 | Shaghal, Ltd. v Children's Network LLC d/b/a Sprout | Defendant | Breach of contract | | X | arbitration |
| 67 | Olin et al. v Facebook, Inc | Plaintiff | Social media class actior | X | X | |
| 66 | OnSors LLC v Sabrina Schueppl dba NuMe, ABV Gro | Plaintiff | Breach of contract | X | | depo & bench trial |
| 65 | BrandRep Holdings v Employer Advertising LLC | Plaintiff | IP trade secret | X | | |
| 64 | Coulter Ventures, LLC, d/b/a Rogue Fitness v Titan | Plaintiff | IP trademark | | | |
| 63 | Cgraydesign v Eagles Nest Outfitters, Inc. | Defendant | IP trade secret | | | |
| 62 | Calendar Research LLC v Stubhub, Inc. and eBay Inc. | Defendant | IP copyright | X | X | |
| 61 | Really Big Coloring Books, Inc. v Delta Dental Insuran | Defendant | IP copyright | | X | |
| 60 | M. A. Mobile Ltd. v Indian Institute of Technology | Plaintiff | IP trade secrets | X | X | deposition |
| 59 | irth Solutions LLC v Apex Data Solutions d/b/a DigTi | Defendant | IP trade secrets | | | |
| 58 | Cohen v Ramirez | Defendant | Personal injury | | | |
| 57 | Ensource Investments LLC v Tatham et al | Plaintiff | IP trade secrets | X | X | jury trial |
| 56 | O'Hara v Facebook, Inc, Cambridge Analytica | Plaintiff | Social media class actior | | | |
| 55 | Sound View Innovations, LLC v Hulu, LLC | Plaintiff | IP patent | X | | |
| 54 | Liberi v Taitz | Defendant | Defamation | X | X | |
| 53 | Aquilina v Wriggelsworth et al. | Plaintiff | Civil rights | | | |
| 52 | Cornerstone, Inc. v Modular Mining Systems, Inc. | Plaintiff | Breach of contract | | | |
| 51 | Liang v AWG Remarketing, Inc., Group 3 Auctions, LL | Plaintiff | IP copyright | | | |
| 50 | Peri Domante v Dish Network, L.L.C. | Plaintiff | Breach of contract | | | |
| 49 | Applied Business Software Inc. v Citadel Servicing Co | Plaintiff | IP copyright | | | |
| 48 | Expo Ed Inc. v Anaca Technologies Ltd. | Defendant | IP copyright | | X | bench trial (Canada) |
| 47 | Integrated Dynamic Solutions, Inc. N. Gashtili v VitaV Inc. | Plaintiff | Standards & practices | | | depo & arbitration |
| 46 | Lexxiom Inc. v Converze/Lido Labs Llc | Plaintiff | IP copyright | X | | |
| 45 | Turkey v Ali Çihan | Defendant | Criminal | X | X | |
| 44 | Beard v Gerdau S.A. | Plaintiff | Breach of contract | | X | |
| 43 | Softech USA d/b/a/ Gemfind v Chasin | Plaintiff | IP trade secrets | X | | |
| 42 | Krubim 26 Intl Inc v Golden Communications, Inc. & Inc. | Plaintiff | Standards & practices | X | | depo & jury trial |
| 41 | Rogue Wave Software Inc v BTI Systems Inc | Plaintiff | IP copyright | X | X | deposition |
| 40 | (Confidential) v (Confidential) | Plaintiff | IP copyright | X | | deposition |
| 39 | Patel v Facebook, Inc. | Plaintiff | Social media class actior | X | | |
| 38 | Fox Television Stations, Inc. v FilmOn X, LLC | Defendant | IP copyright | | | |
| 37 | Securus Technologies, Inc. v Public Communication S Inc. | Plaintiff | Breach of contract | | | |
| 36 | Zaghi dba Angel Dental Care v Salama | Defendant | Social media | | | deposition |
| 35 | Level One Technologies, Inc. v Penske Truck Leasing | Plaintiff | IP trade secrets | X | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| 34 | Chrome Systems, Inc. v Autodata Solutions, Inc. | Plaintiff | IP copyright | X | | |
| 33 | Deal Segments, Inc. v Dream Warrior Group, Inc. | Plaintiff | Standards & practices | | | |
| 32 | Alertus Technologies, LLC v Blake Robertson | Defendant | IP trade secrets | X | X | |
| 31 | Alertus Technologies, LLC v Callinize, Inc. | Defendant | IP trade secrets | X | X | |
| 30 | ABS, Inc. v FCI, Inc. | Plaintiff | IP trade secrets | | | |
| 29 | Trichel v Union Pacific Railroad | Plaintiff | Digital forensics | | X | |
| 28 | BeUbiq, Inc. v Curtis Consulting Group, Inc. | Defendant | Standards & practices | X | X | 2 depos & jury trial |
| 27 | Vincent Wellrich v Dream Warrior Group, Inc. | Plaintiff | Standards & practices | | | |
| 26 | Nicole, Inc. v BLK International | Plaintiff | IP copyright | | | |
| 25 | Chipp'd Ltd. v Crush & Lovely LLC | Plaintiff | Breach of contract | X | | |
| 24 | Johnson v Storix, Inc. | Plaintiff | IP copyright | X | X | |
| 23 | Learning Technology Partners LLC v U. of the Incarna | Plaintiff | Breach of contract | X | X | depo & jury trial |
| 22 | Nomadix, Inc. v Hospitality Core Services LLC | Plaintiff | IP Inter partes review | | | |
| 21 | Hull et al v Marriott International, Inc. | Defendant | ADA accomodation | X | | |
| 20 | Copart, Inc. v Lightmaker USA, Inc. | Plaintiff | Breach of contract | | | |
| 19 | Arrazate V H&B Group, INC., dba Nissan of Bakersfie | Defendant | Social media | | X | |
| 18 | SecureAuth Corporation v miniOrange Inc. | Neutral | IP copyright | X | X | |
| 17 | Jonathan Demichael v Peak Franchising, Inc. | Defendant | Product liability tort | | X | |
| 16 | Mad River Community Hospital v CPSI, Inc. | Plaintiff | Breach of contract | | | |
| 15 | Smarty Had a Party LLC v Barrett Brothers, Inc. | Plaintiff | IP trademark | X | | |
| 14 | Core Wireless Licensing S.A.R.L. v LG Electronics, Inc. | Plaintiff | IP patent | X | X | |
| 13 | Hablian, et al. v Zurich U.S., et al. | Plaintiff | Source code verification | X | X | deposition |
| 12 | (Confidential) v Vantage Point Technology, Inc. | Plaintiff | IP Inter partes review | | | |
| 11 | Tool Circle Inc. v Nulinx International, Inc. | Plaintiff | Breach of fiduciary duty | | | |
| 10 | Verso Paper LLC v Go2Paper, Inc. | Plaintiff | IP patent | | | |
| 9 | Next Gear IP LLC v Capstone BPO and Rajesh Wadhv | Defendant | Breach of contract | | | |
| 8 | Nutri-Vet, LLC v Dykas Shaver & Nipper, LLP | Defendant | IP copyright | X | X | |
| 7 | Breeze Ventures Management, LLC v The Evans Scho | Defendant | Standards & practices | | X | jury trial |
| 6 | Golden Best Plumbing, Inc. v Baghdasarian | Plaintiff | IP copyright | X | | bench trial |
| 5 | Hill-Rom Company, Inc. v General Electric Company | Plaintiff | IP patent | X | | |
| 4 | Dealercentric Solutions, Inc. v Market Scan, Inc. | Plaintiff | IP trade secrets | | | deposition |
| 3 | YPP, Inc. v Supermedia LLC | Defendant | IP copyright | | X | |
| 2 | AgJunction LLC v Agrian Inc., et al. | Defendant | IP trade secrets | X | X | |
| 1 | (Patent Infringement Action) | Plaintiff | IP patent | | | |

# EXHIBIT B

# OFFICE OF THE SHERIFF

## COUNTY OF LOS ANGELES

## HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

November 27, 2019

Sherry H. Lawrence
Stone Busailah, LLP
1055 E. Colorado Blvd., Suite 320
Pasadena, CA 91106
s.lawrence@police-defense.com

Dear Ms. Lawrence:

This letter is in response to your request for records under the California Public Records Act dated and received by the Los Angeles County Sheriff's Department (LASD) Discovery Unit on September 25, 2019.

In your request, you are seeking the following:

"All emails written or received from October 2, 2015 through the date of production by County of Los Angeles employees which regard or reference Mizrain Orrego."

**Response:** We are unable to provide the records you requested as the request is voluminous and burdensome. Your request is overly burdensome as a search of our database resulted in 8.04 GB of e-mails.

It would be unduly burdensome for the Sheriff's Department to review these voluminous records and perform required redactions to information that is exempt from disclosure under the following authorities, including but not limited to: California Constitution, Article I, Section 1; matters protected by the attorney-client, official information, and deliberative process privileges; matters relating to pending litigation, personnel matters, investigations, or where the particular facts and circumstances warrant nondisclosure of the information. (*Gov. Code* §§ 6254 (a), (b), (c), (f), (k), and 6255(a).)

Producing non-exempt responsive records would require manual review and redaction of approximately 8.04 GB of e-mail records by specialized personnel. A search of this nature and volume would require an extensive number of hours and place an unreasonable burden on the Sheriff's Department, contrary to the California Public Records Act. Therefore, the records will not be provided because the request is unreasonably overbroad and burdensome. (*Gov. Code* § 6255(a); *California First Amendment Coalition v. Superior Court* (1998) 67 Cal.App.4th 159, 166).

If you have any questions, please contact Lieutenant Norman of the Discovery Unit at (323) 890-5000.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Albert M. Maldonado, Captain
Risk Management Bureau

# EXHIBIT C

# OFFICE OF THE SHERIFF

## COUNTY OF LOS ANGELES

### HALL OF JUSTICE

ALEX VILLANUEVA, SHERIFF

Captain's Review

July 8, 2020

CONTENTS A. MALDONADO #248096 NOTED

date: 7/8/20

CC: SIBMedia24
Valdez, J.

Sherry H. Lawrence
Stone Busailah, LLP
1055 E. Colorado Blvd., Suite 320
Pasadena, CA 91106
s.lawrence@police-defense.com

Dear Ms. Lawrence:

This letter is in response to your request for records under the California Public Records Act dated and received by the Los Angeles County Sheriff's Department (LASD) Discovery Unit on April 23, 2020.

In your request, you are seeking the following:

> "All 'writings', as that term is defined in *Evidence Code* Section 250, relating to all communications between Diana Teran, Eli Vera, Michael Thatcher, and/or Joseph Gooden regarding Mizrain Orrego."

**Response:** The non-exempt records responsive to this request are enclosed. Portions of the records are exempt from disclosure, and have been redacted based on several authorities including, but not limited to, the following: California Constitution, article I, section I; the attorney-client privilege and/or the attorney work product doctrine; official information, deliberative process, and executive privileges; *County of Los Angeles v. Axelrad* (2000) 82 Cal.App.4th 819.; preliminary draft exemption, pending litigation exemption, personnel exemption, investigatory exemption, other matters otherwise protected from disclosure by law, or where the particular facts and circumstances warrant nondisclosure of the information. (Gov. Code, §§ 6254 (a), (b), (c), (f), (k), and 6255(a)).

If you have any questions, please contact Lieutenant Morsi of the Discovery Unit at (323) 890-5000.

Sincerely,

ALEX VILLANUEVA, SHERIFF

Albert M. Maldonado, Captain
Risk Management Bureau

**From:** Thatcher, Michael E.
**To:** Vera, Eliezer
**Subject:** For Sherry
**Date:** Monday, July 22, 2019 11:19:50 AM
**Attachments:** Document to Sherry Lawrence.docx

Ms. Lawrence,

This is in response to your request for an overview of what I intend to testify about should I be called before the Civil Service Commission with regard to the discharge of Mizrain Orrego from the Los Angeles County Sheriff Department.

I believe Mr. Orrego's firing was a targeted and deliberate act which took place after various Executives and high ranking Civilian members of the Sheriff Department deduced that his discharge would enhance the Department's public perception and ability to deal with civil litigation that arose after the tragic killing of Mr. [redacted] by Orrego and his partner, [redacted] during a deputy involved shooting. Also, during and after the investigative and discipline process, I was treated in such a manner as to discourage me from sharing my thoughts/opinions about Orrego with others.

Mr. Orrego arrest for DUI occurred on 10-02-15. On 06-17-16, he plead guilty.

On 07-20-16 Deputies Orrego and [redacted] were directed to allow two journalists from the New York Times to participate in a ride along with them. On 07-24-16, the Department's Strategic Communications Director, Carol Lin, sent an e-mail to the Sheriff, Executive Officer, Assistant Sheriff of Patrol, the Chief Central Patrol Division, the two Commanders (Gooden and Rivero) of Central Patrol Division, the Captain of Sheriff's Information Bureau, the Public Information Officer and the Lieutenant Aide to the Sheriff. Ms. Lin included a copy of the New York Times article about the ride-along and prefaced it with "Our deputy (Orrego) took liberties to generalize about Hispanics as car thieves and African Americans as meth users." The actual quote of Deputy Orrego was," The reality is that people who steal cars are mostly Hispanics who are involved in criminal activity, they use methamphetamine. So now they need to support their habit. Where African-Americans, they don't do that for the most part. They don't consume methamphetamine." Ms. Lin obviously misquoted the article to the highest level of our Executives in her e-mail.

As the "first" Administrative Investigation of Orrego's DUI arrest was near completion and our Division Executives had been notified of such, the Department's Constitutional Policing Advisor, Diana Teran, sent me an e-mail (dated 08-25-16) informing me she was going to add the case to her monitored cases list. This meant she was to be provided with the case disposition paperwork, to include my recommended discipline. The paperwork was forwarded to her with my recommendation that Orrego be suspended for twenty (20) days. She was dissatisfied with the quality of the investigation and issued several directives on how to proceed.

In November 2016, the Station Lieutenant who was handling the investigation told me he was unable to complete it due to the burdensome requests being made of him by Ms. Teran. I reassigned the case to be completed by Internal Affairs Bureau (IAB). During their investigation, it was learned the Lieutenant I had assigned to investigate the case originally, was present at the location Deputy Orrego had visited prior to his arrest. This was, of course, problematic as well.

As the case is nearing statute date, Advocacy is assisting with the disposition paperwork and Ms. Teran is providing guidance on verbiage and content. I have become increasingly frustrated with knowledge that Gooden's intent to recommend discharge for Orrego. We have several conversations and I do not relent on my insistence that Orrego not be fired. I also recommend that Orrego remain on the

department to assure all that he will then be compelled to answer questions during Administrative Investigation and available during each phase of the civil lawsuit (brought by [redacted] family) process.

In an effort to hopefully bring influence over Gooden, I typed an e-mail to then Commander Perez with an attachment that summarizes Orrego's career the Friday before Case Review. The chronological list included discipline as well as examples of his quality police work. Gooden is cc'd on the e-mail. Perez does not respond however, three hours later, Gooden does. He states in his e-mail "Mike if, and only if the opportunity presents itself a brief overview from the Captain's perspective may be appropriate. What you have attached is what I routinely see at Skelly Hearings presented by counsel. It's a bit much for Case Review."

It should be noted that during Case Review, a Unit Commander (Captain) is present. The panel inquires of the Captain about the employee. This allows the panel to be fully informed prior to reaching their decision.

I was asked about Orrego during the Case Review. I began to state that he was a quality deputy and that I liked him. Gooden touched my leg as I spoke. I looked at him and saw him glaring at me. I looked at the other Executives present. All had obvious looks of displeasure on their faces. I stated that I now knew they had made their decision already and that any input I may have to offer would not be considered. Nobody disagreed or asked me to continue. A decision was then stated by the Executives.

It should also be noted that when employees are the subject of an Administrative Investigation and discharge is a possibility, they are relieved of duty. I did not relieve Orrego nor did I receive any order to do so. He worked up until the letter of intent was served on 06-08-17 as he arrived at the Station.

Orrego's Skelly Hearing was on 06-30-17. I was not invited to attend.

As the months followed, I spoke with Gooden on several occasions with respect to the Orrego case. On 07-11-18, Maya Lau called and left a voice mail on my county phone. She requested that I be interviewed. I advised Gooden of the request. He replied that I should call her and see if I could answer what she needed. I did so and then advised Gooden. He requested that I write a memo recalling our entire conversation. I did so.

On 07-12-18 I, along with Captains Carter, Tardy and Perez were summoned to Assistant Sheriff Denham's office. He told us that we were not to speak with Lau if called. We were instead to refer her to Sheriff's Information Bureau. He then berated Gooden, in front of us, for not passing along that information/directive to us.

On 07-13-18, Lau's article was published. In it, she quoted me as saying Orrego was fired. I did not say that. I told her that he no longer worked for the Department and when pressed as to why, I declined to answer. On 08-02-18, Gooden directed Commander Perez to open an Administrative Investigation on me. The charge was releasing confidential information to the media.

**From:** Thatcher, Michael E.
**To:** Ranasinghe, Pirjo-Leena
**Bcc:** Vera, Eliezer
**Subject:** FW: Case Documents for Mizrain Orrego
**Date:** Monday, July 22, 2019 7:08:00 AM

---

Good morning Pirjo,

[redacted]

[redacted]
Mike

**From:** Thatcher, Michael E.
**Sent:** Sunday, July 21, 2019 8:25 AM
**To:** Ranasinghe, Pirjo-Leena <plranasi@lasd.org>
**Cc:** Martinez, Daniel R. (SGT) <[redacted]>; Vera, Eliezer [redacted]
**Subject:** Re: Case Documents for Mizrain Orrego

Hi Pirjo,

[redacted]

Mike

Sent from my iPhone

On Jul 19, 2019, at 2:27 PM, Ranasinghe, Pirjo-Leena <plranasi@lasd.org> wrote:

[redacted]

---

**From:** Thatcher, Michael E.
**Sent:** Friday, July 19, 2019 2:26:27 PM
**To:** Ranasinghe, Pirjo-Leena; Martinez, Daniel R. (SGT)
**Cc:** Vera, Eliezer

**Subject:** RE: Case Documents for Mizrain Orrego

[redacted]

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Friday, July 19, 2019 2:22 PM
**To:** Martinez, Daniel R. (SGT) <[redacted]>
**Cc:** Vera, Eliezer [redacted]; Thatcher, Michael E. [redacted]
**Subject:** Re: Case Documents for Mizrain Orrego

[redacted]

[redacted]

[redacted]

Pirjo

---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** Case Documents for Mizrain Orrego

[redacted]

[redacted]

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted] (Office)
(Fax)
<image001.gif>

**From:** Thatcher, Michael E.
**To:** Vera, Eliezer
**Subject:** FW: Case Documents for Mizrain Orrego
**Date:** Friday, July 19, 2019 2:08:58 PM
**Attachments:** image001.gif

---

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Friday, July 19, 2019 10:15 AM
**To:** Martinez, Daniel R. (SGT) [redacted]
**Cc:** Vera, Eliezer [redacted]; Thatcher, Michael E. [redacted]
**Subject:** Re: Case Documents for Mizrain Orrego

[redacted]

[redacted]

[redacted]

[redacted]

Pirjo

---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** Case Documents for Mizrain Orrego

[redacted]

[redacted]

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted]

[redacted]

**From:** Thatcher, Michael E.
**To:** Vera, Eliezer
**Subject:** FW: Case Documents for Mizrain Orrego
**Date:** Friday, July 19, 2019 2:08:00 PM
**Attachments:** image001.gif

---

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Friday, July 19, 2019 10:15 AM
**To:** Martinez, Daniel R. (SGT) [redacted]
**Cc:** Vera, Eliezer [redacted]>; Thatcher, Michael E. [redacted]
**Subject:** Re: Case Documents for Mizrain Orrego

[redacted]

[redacted]

[redacted]

[redacted]

Pirjo

---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** Case Documents for Mizrain Orrego

[redacted]

[redacted]

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted]

[redacted]

**From:** Thatcher, Michael E.
**To:** Ranasinghe, Pirjo-Leena
**Subject:** FW: Case Documents for Mizrain Orrego
**Date:** Monday, July 22, 2019 7:08:27 AM

---

Good morning Pirjo,

[redacted]

Thank you,
Mike

**From:** Thatcher, Michael E.
**Sent:** Sunday, July 21, 2019 8:25 AM
**To:** Ranasinghe, Pirjo-Leena <plranasi@lasd.org>
**Cc:** Martinez, Daniel R. (SGT) [redacted]; Vera, Eliezer [redacted]
**Subject:** Re: Case Documents for Mizrain Orrego

Hi Pirjo,

[redacted]

Mike

Sent from my iPhone

On Jul 19, 2019, at 2:27 PM, Ranasinghe, Pirjo-Leena <plranasi@lasd.org> wrote:

[redacted]

---

**From:** Thatcher, Michael E.
**Sent:** Friday, July 19, 2019 2:26:27 PM
**To:** Ranasinghe, Pirjo-Leena; Martinez, Daniel R. (SGT)
**Cc:** Vera, Eliezer

**Subject:** RE: Case Documents for Mizrain Orrego

[redacted]

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Friday, July 19, 2019 2:22 PM
**To:** Martinez, Daniel R. (SGT [redacted]
**Cc:** Vera, Eliezer [redacted]; Thatcher, Michael E. [redacted]
**Subject:** Re: Case Documents for Mizrain Orrego

Hi, there.

[redacted]

Thank you.
Pirjo

---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** Case Documents for Mizrain Orrego

[redacted]

[redacted]

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted]
<image001.gif>

**From:** Thatcher, Michael E.
**To:** [redacted]
**Subject:** FW: Mizrain Orrego Settlement Agreement
**Date:** Monday, July 29, 2019 4:27:00 PM
**Attachments:** MOrrego Settlement Agreement.pdf
image001.jpg
**Importance:** High

---

**From:** Tomlin, A. Michelle
**Sent:** Monday, July 29, 2019 4:20 PM
**To:** Vera, Eliezer [redacted]
**Cc:** Thatcher, Michael E. [redacted]
**Subject:** Mizrain Orrego Settlement Agreement
**Importance:** High

Good afternoon Chief,

Please find attached the Orrego Settlement Agreement for your review and approval. Please let me know if you would like any revisions to the document. Once I have received your approval, I will forward the agreement to Sherry Lawrence for review and signatures.

Respectfully,

Michelle

**Lieutenant Michelle Tomlin**

**Advocacy Unit**
**4900 S. Eastern Avenue, Suite** [redacted]
**Commerce, California 90040**
**Office:** [redacted]
**"A life is not important except in the [positive] impact it has on others." - Jackie Robinson**

***Confidential and Privileged Communication. This email message, including any attachments, is for the sole use of the intended recipient(s). It contains information that may be confidential, privileged, or otherwise protected from disclosure under applicable law. If you have received this message in error, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify the sender immediately if you have received this message in error, and destroy this message, including any attachments. Thank you.***

**From:** Teran, Diana M.
**To:** Gooden, Joseph M. [redacted]
**Cc:** [redacted]
**Subject:** FW: Orrego dispo
**Date:** Monday, June 5, 2017 9:55:00 AM
**Attachments:** Orrego.dispo.dt.docx

Hi Joe,

Since this is at Division I should have also copied you as well. Please let me know if you have any questions or issues with any of the suggestions.

Thanks,

Diana

**From:** Teran, Diana M.
**Sent:** Monday, June 5, 2017 9:45 AM
**To:** [redacted]
**Cc:** Ranasinghe, Pirjo-Leena [redacted]; Thatcher, Michael E. [redacted]
**Subject:** Orrego dispo

[redacted]

[redacted]

[redacted]

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St., [redacted]
Los Angeles, 90012
[redacted]

NOTICE OF CONFIDENTIAL COMMUNICATION: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the Sheriff's Department which may be privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the person responsible for delivery to the intended recipient, this will notify you that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify our Office at 213-229-3095 and destroy this message.

**From:** Teran, Diana M.
**To:** Gooden, Joseph M. [redacted]
**Cc:** [redacted]
**Subject:** FW: Orrego dispo
**Date:** Monday, June 5, 2017 9:55:00 AM
**Attachments:** Orrego.dispo.dt.docx

---

Hi Joe,

Since this is at Division I should have also copied you as well. Please let me know if you have any questions or issues with any of the suggestions.

Thanks,

Diana

**From:** Teran, Diana M.
**Sent:** Monday, June 5, 2017 9:45 AM
**To:** [redacted]
**Cc:** Ranasinghe, Pirjo-Leena [redacted]; Thatcher, Michael E. [redacted]
**Subject:** Orrego dispo

[redacted]

[redacted]

[redacted]

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St., [redacted]
Los Angeles, 90012
[redacted]

NOTICE OF CONFIDENTIAL COMMUNICATION: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the Sheriff's Department which may be privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the person responsible for delivery to the intended recipient, this will notify you that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify our Office at 213-229-3095 and destroy this message.

**From:** Teran, Diana M.
**To:** [redacted]
**Cc:** Ranasinghe, Pirio-Leena [redacted] Thatcher, Michael E.
**Subject:** Orrego dispo
**Date:** Monday, June 5, 2017 9:45:00 AM
**Attachments:** Orrego.dispo.dt.docx

---

[redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St., [redacted]
Los Angeles, 90012
[redacted]

NOTICE OF CONFIDENTIAL COMMUNICATION: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the Sheriff's Department which may be privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the person responsible for delivery to the intended recipient, this will notify you that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify our Office at 213-229-3095 and destroy this message.

**From:** Teran, Diana M.
**To:** [redacted]
**Cc:** Ranasinghe, Pirjo-Leena; Thatcher, Michael E.
**Subject:** Orrego dispo
**Date:** Monday, June 5, 2017 9:45:04 AM
**Attachments:** Orrego.dispo.dt.docx

---

Hi [redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St., [redacted]
Los Angeles, 90012
[redacted]

NOTICE OF CONFIDENTIAL COMMUNICATION: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the Sheriff's Department which may be privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the person responsible for delivery to the intended recipient, this will notify you that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify our Office at 213-229-3095 and destroy this message.

**From:** Gooden, Joseph M.
**To:** [redacted]
**Cc:** [redacted] Thatcher, Michael E.; [redacted] Woolum, Josie S.; Carrizosa, Slade; [redacted]
**Subject:** Re: *Letter of Intent to Discharge - Deputy Mizrain Orrego, [redacted] IV2390151*
**Date:** Thursday, June 8, 2017 10:24:58 AM
**Attachments:** image001.png

---

Thank you very much.

Joseph M. Gooden, Chief
Los Angeles County Sheriff's Department
211 W. Temple Street
Los Angeles, Ca. 90012
[redacted]

On Jun 8, 2017, at 10:20 AM, [redacted] wrote:

> Good Morning,
>
> Sergeant Scott Chapman of Internal Affairs Bureau personally served the above subject his Letter of Intent to Discharge at Compton Station today, June 8, 2017, at 0923 hours. Hard copy to follow via County Mail.
>
> Skelly Hearing: June 30, 2017 at 1000 hours
>
> Thank you.
>
> [redacted]
> LASD: Internal Affairs Bureau
> 4900 South Eastern Avenue, Suite [redacted]
> Commerce, California 90040
> Direct Line: [redacted]
> [redacted]
>
> <image001.png>
>
> <2390151 Orrego Discharge.docx>

**From:** Gooden, Joseph M.
**To:** [redacted]
**Cc:** [redacted] Thatcher, Michael E.; [redacted]; Woolum, Josie S.; Carrizosa, Slade;
**Subject:** Re: *Letter of Intent to Discharge - Deputy Mizrain Orrego, [redacted] IV2390151*
**Date:** Thursday, June 8, 2017 10:24:58 AM
**Attachments:** image001.png

---

Thank you very much.

Joseph M. Gooden, Chief
Los Angeles County Sheriff's Department
211 W. Temple Street
Los Angeles, Ca. 90012
[redacted]

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> Thank you.
> [redacted]
> LASD: Internal Affairs Bureau
> 4900 South Eastern Avenue, Suite [redacted]
> Commerce, California 90040
> Direct Line: [redacted]
> [redacted]
> <image001.png>
>
> <2390151 Orrego Discharge.docx>

**From:** Gooden, Joseph M.
**To:** [redacted]
**Cc:** [redacted] Thatcher, Michael E.; [redacted]; Woolum, Josie S.; Carrizosa, Slade;
**Subject:** Re: *Letter of Intent to Discharge - Deputy Mizrain Orrego, [redacted], IV2390151*
**Date:** Thursday, June 8, 2017 10:25:04 AM
**Attachments:** image001.png

---

Thank you very much.

Joseph M. Gooden, Chief
Los Angeles County Sheriff's Department
211 W. Temple Street
Los Angeles, Ca. 90012
[redacted]

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> Thank you.
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> [redacted]
> LASD: Internal Affairs Bureau
> 4900 South Eastern Avenue, Suite [redacted]
> Commerce, California 90040
> Direct Line: [redacted]
> [redacted]
>
> <image001.png>
>
> <2390151 Orrego Discharge.docx>

| | |
|---|---|
| **From:** | Gooden, Joseph M. |
| **To:** | Nishida, Nicole; La Berge, Jacques A.; Valencia, Dominic J.; Miller, Elizabeth D.; Lin, Carol; Perez, Holly M.; Thatcher, Michael E.; Woolum, Josie S.; Johnson, Scott E. |
| **Cc:** | Ault, Alicia E.; Gage, Scott W.; Gross, Steven E.; Williams, Joseph J. |
| **Subject:** | RE: [redacted] |
| **Date:** | Monday, July 9, 2018 1:36:00 PM |
| **Attachments:** | image007.gif<br>image008.png<br>image009.png<br>image010.png<br>image011.png<br>image012.png<br>image013.png |

Hi Liz,

[redacted]

Joseph M. Gooden, Chief
Central Patrol Division – Headquarters
[redacted] – Office
[redacted] – Cell

**From:** Nishida, Nicole
**Sent:** Monday, July 9, 2018 1:35 PM
**To:** La Berge, Jacques A. <[redacted]>; Valencia, Dominic J. <[redacted]>; Miller, Elizabeth D. <[redacted]>; Lin, Carol <[redacted]>; Gooden, Joseph M. <[redacted]>; Perez, Holly M. <[redacted]>; Thatcher, Michael E. <[redacted]>; Woolum, Josie S. <[redacted]>; Johnson, Scott E. <[redacted]>
**Cc:** Ault, Alicia E. <[redacted]>; Gage, Scott W. <[redacted]>; Gross, Steven E. <[redacted]>; Williams, Joseph J. <[redacted]>
**Subject:** FW: [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

*Nicole Nishida*

Public Information Officer
Sheriff's Information Bureau
Los Angeles County Sheriff's Department
Hall of Justice
211 W. Temple Street, Los Angeles CA 90012
[redacted]

**From:** Lau, Maya [mailto:Maya.Lau@latimes.com]
**Sent:** Monday, July 9, 2018 12:57 PM
**To:** Nishida, Nicole <nnishida@lasd.org>
**Cc:** Harris, Darren D. <DDHarris@lasd.org>
**Subject:** ASAP question today re Compton Station tattoos

Hey Nicole,

I'm working on a story today with an ASAP deadline.

It recently came out in a lawsuit that deputy [redacted] has a leg tattoo associated w/ the Compton Station, that looks like a skeleton with fire behind it, holding a firearm. [redacted] and his partner Mizrain Orrego were involved in the 2016 shooting of [redacted] who was killed after deputies said he pointed a firearm at them (no gun was found). The allegation by attorneys in that lawsuit [redacted] is that the tattoo is part of a bigger picture of hyper-aggressive policing and ill treatment of black residents.

It also came out in a lawsuit that possibly 20 other Compton deputies have this tattoo, and they were administered recently (in the past 2 years or so).

Is LASD aware that some deputies have this tattoo?

Is there a clique at the Compton station and if so, what's its name?

Is there any kind of investigation into the tattoos and why the deputies have them?

What is the current work status and assignment location for [redacted] and Orrego? Were they ever put under investigation tied to the tattoo or biased policing?

Is there a policy in general at LASD against having tattoos associated w/ stations or clique tattoos?

Thank you so much,
Maya

**Maya Lau**
Staff Writer
Los Angeles Times
(213) 237-7109 desk
Maya.Lau@latimes.com
@mayalau

**From:** Gooden, Joseph M.
**To:** Nishida, Nicole; La Berge, Jacques A.; Valencia, Dominic J.; Miller, Elizabeth D.; Lin, Carol; Perez, Holly M.; Thatcher, Michael E.; Woolum, Josie S.; Johnson, Scott E.
**Cc:** Ault, Alicia E.; Gage, Scott W.; Gross, Steven E.; Williams, Joseph J.
**Subject:** RE: [redacted]
**Date:** Monday, July 9, 2018 1:36:27 PM
**Attachments:** image007.gif
image008.png
image009.png
image010.png
image011.png
image012.png
image013.png

---

Hi Liz,

[redacted]

Joseph M. Gooden, Chief
Central Patrol Division – Headquarters
[redacted] – Office
– Cell

**From:** Nishida, Nicole
**Sent:** Monday, July 9, 2018 1:35 PM
**To:** La Berge, Jacques A. <[redacted]>; Valencia, Dominic J. <[redacted]>; Miller, Elizabeth D. <[redacted]; Lin, Carol <[redacted]>; Gooden, Joseph M. <[redacted]>; Perez, Holly M. <[redacted]>; Thatcher, Michael E. <[redacted]>; Woolum, Josie S. <[redacted]>; Johnson, Scott E. <[redacted]>
**Cc:** Ault, Alicia E. <[redacted]>; Gage, Scott W. <[redacted]>; Gross, Steven E. <[redacted]>; Williams, Joseph J. <[redacted]>
**Subject:** FW: [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Public Information Officer
Sheriff's Information Bureau
Los Angeles County Sheriff's Department
Hall of Justice
211 W. Temple Street, Los Angeles CA 90012
Office [redacted]
Cell [redacted]

**From:** Lau, Maya [mailto:Maya.Lau@latimes.com]
**Sent:** Monday, July 9, 2018 12:57 PM
**To:** Nishida, Nicole <nnishida@lasd.org>
**Cc:** Harris, Darren D. <DDHarris@lasd.org>
**Subject:** ASAP question today re Compton Station tattoos

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Thank you so much,
Maya

**Maya Lau**
Staff Writer
Los Angeles Times
(213) 237-7109 desk
Maya.Lau@latimes.com
@mayalau

**From:** Thatcher, Michael E.
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Martinez, Daniel R. (SGT); Vera, Eliezer
**Subject:** Re: [redacted]
**Date:** Sunday, July 21, 2019 8:24:38 AM

---

Hi Pirjo,

[redacted]

Mike

Sent from my iPhone

On Jul 19, 2019, at 2:27 PM, Ranasinghe, Pirjo-Leena [redacted] wrote:

> [redacted]
>
> **From:** Thatcher, Michael E.
> **Sent:** Friday, July 19, 2019 2:26:27 PM
> **To:** Ranasinghe, Pirjo-Leena; Martinez, Daniel R. (SGT)
> **Cc:** Vera, Eliezer
> **Subject:** RE: [redacted]
>
> [redacted]
>
> **From:** Ranasinghe, Pirjo-Leena
> **Sent:** Friday, July 19, 2019 2:22 PM
> **To:** Martinez, Daniel R. (SGT) <[redacted]>
> **Cc:** Vera, Eliezer [redacted]; Thatcher, Michael E. [redacted]
> **Subject:** Re: Case Documents for Mizrain Orrego
>
> [redacted]

[redacted]

[redacted]
Pirjo

---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** [redacted]

[redacted]

[redacted]

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted] (Office)
[redacted] Fax)
<image001.gif>

**From:** Thatcher, Michael E.
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Martinez, Daniel R. (SGT); Vera, Eliezer
**Subject:** [redacted]
**Date:** Sunday, July 21, 2019 8:24:37 AM

---

Hi Pirjo,

[redacted]

Mike

Sent from my iPhone

On Jul 19, 2019, at 2:27 PM, Ranasinghe, Pirjo-Leena <[redacted] wrote:

> I'll take another look. Thanks!
>
> ---
>
> **From:** Thatcher, Michael E.
> **Sent:** Friday, July 19, 2019 2:26:27 PM
> **To:** Ranasinghe, Pirjo-Leena; Martinez, Daniel R. (SGT)
> **Cc:** Vera, Eliezer
> **Subject:** RE: [redacted]
>
> [redacted]
>
> **From:** Ranasinghe, Pirjo-Leena
> **Sent:** Friday, July 19, 2019 2:22 PM
> **To:** Martinez, Daniel R. (SGT) [redacted]
> **Cc:** Vera, Eliezer [redacted]; Thatcher, Michael E. [redacted]>
> **Subject:** Re: [redacted]
>
> Hi, there.

[redacted]

[redacted]
Pirjo

---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** Case [redacted]

[redacted]

[redacted]

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted] (Office)
(Fax)
<image001.gif>

**From:** Thatcher, Michael E.
**To:** Ranasinghe, Pirjo-Leena; Martinez, Daniel R. (SGT)
**Cc:** Vera, Eliezer
**Subject:** RE: [redacted]
**Date:** Friday, July 19, 2019 2:26:29 PM
**Attachments:** image001.gif

---

[redacted]

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Friday, July 19, 2019 2:22 PM
**To:** Martinez, Daniel R. (SGT) <[redacted]>
**Cc:** Vera, Eliezer [redacted]>; Thatcher, Michael E. [redacted]
**Subject:** Re: [redacted]

Hi, there.

[redacted]

Thank you.
Pirjo

---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** Case Documents for Mizrain Orrego

[redacted]

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted] (Office)
(Fax)

**From:** Thatcher, Michael E.
**To:** Ranasinghe, Pirjo-Leena; Martinez, Daniel R. (SGT)
**Cc:** Vera, Eliezer
**Subject:** RE: [redacted]
**Date:** Friday, July 19, 2019 2:26:00 PM
**Attachments:** image001.gif

---

[redacted]

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Friday, July 19, 2019 2:22 PM
**To:** Martinez, Daniel R. (SGT) <[redacted]g>
**Cc:** Vera, Eliezer [redacted]; Thatcher, Michael E. [redacted]
**Subject:** Re: [redacted]

[redacted]

[redacted].

Thank you.
Pirjo

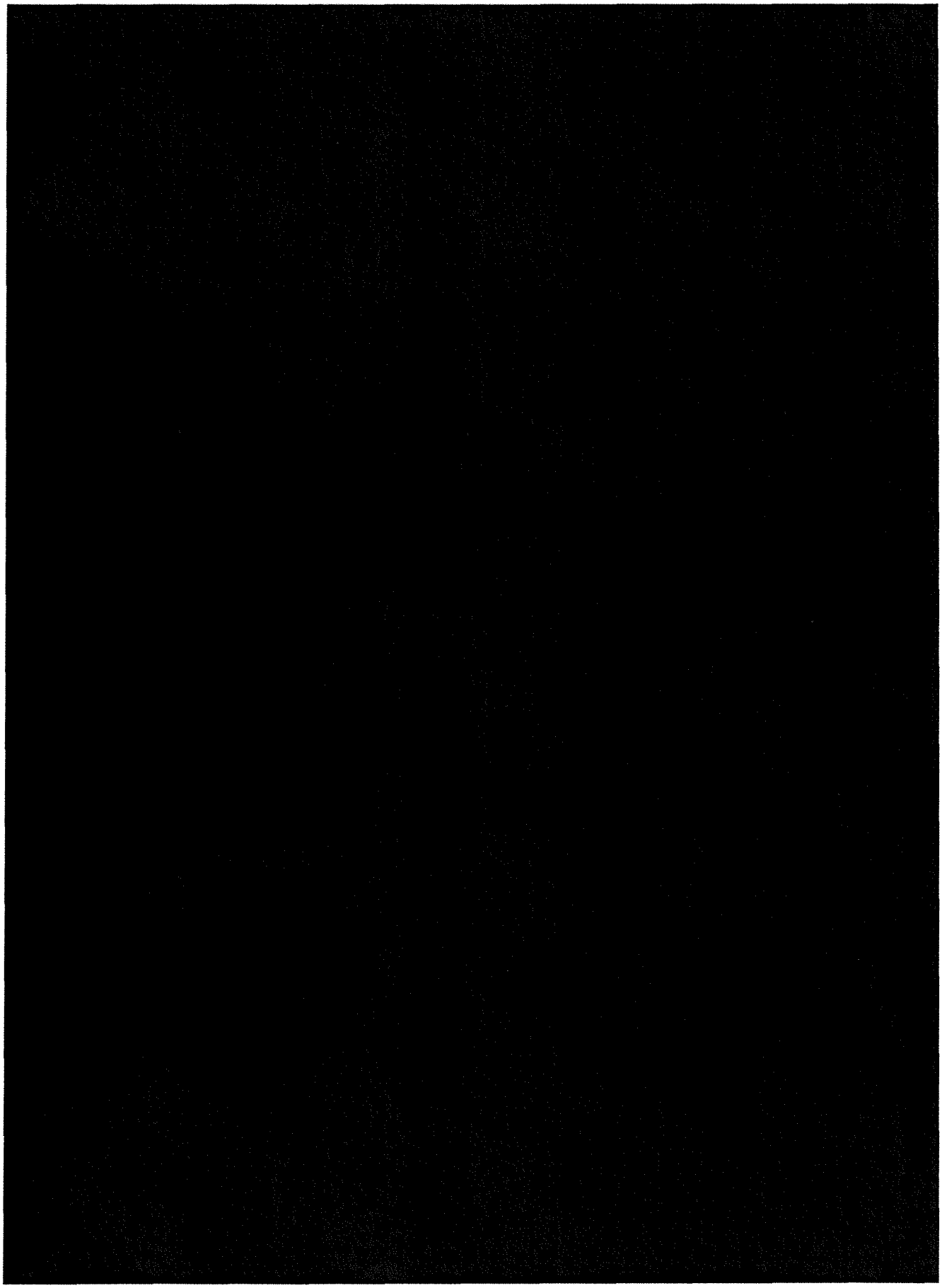
---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** Case Documents for Mizrain Orrego

[redacted]

[redacted].

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted] (Office)
(Fax)



[redacted]

**From:** Thatcher, Michael E.
**Sent:** Sunday, July 21, 2019 8:25 AM
**To:** Ranasinghe, Pirjo-Leena [redacted] >
**Cc:** Martinez, Daniel R. (SGT) [redacted]; Vera, Eliezer [redacted]
**Subject:** Re: Case Documents for Mizrain Orrego

Hi Pirjo,

[redacted]

Mike

Sent from my iPhone

On Jul 19, 2019, at 2:27 PM, Ranasinghe, Pirjo-Leena [redacted] > wrote:

[redacted]

**From:** Thatcher, Michael E.
**Sent:** Friday, July 19, 2019 2:26:27 PM
**To:** Ranasinghe, Pirjo-Leena; Martinez, Daniel R. (SGT)
**Cc:** Vera, Eliezer
**Subject:** RE: [redacted]

[redacted]

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Friday, July 19, 2019 2:22 PM
**To:** Martinez, Daniel R. (SGT) [redacted]
**Cc:** Vera, Eliezer [redacted] Thatcher, Michael E.
[redacted]

**Subject:** Re: [redacted]

[redacted]

[redacted]

[redacted]

Pirjo

---

**From:** Martinez, Daniel R. (SGT)
**Sent:** Friday, July 19, 2019 9:34:12 AM
**To:** Ranasinghe, Pirjo-Leena
**Cc:** Vera, Eliezer; Thatcher, Michael E.
**Subject:** [redacted]

[redacted]

[redacted]

Sergeant Danny Martinez
Central Patrol Division HQ
211 W. Temple Street, [redacted]
Los Angeles, California 90012
[redacted] (Office)
(Fax)
<image001.gif>

**From:** Gooden, Joseph M.
**To:** [redacted]
**Cc:** Williams, Joseph J.; Thatcher, Michael E.
**Subject:** Re: Deputy Orrego
**Date:** Thursday, June 8, 2017 10:25:42 AM

---

Thank you.

Joseph M. Gooden, Chief
Los Angeles County Sheriff's Department
211 W. Temple Street
Los Angeles, Ca. 90012
[redacted]

On Jun 8, 2017, at 10:12 AM, [redacted] wrote:

> Thanks, Joe.
>
> Sent from my iPhone
>
> On Jun 8, 2017, at 10:10, Williams, Joseph J. [redacted] > wrote:
>
> > Sirs,
> >
> > Deputy Mizrain Orrego was officially relieved of duty, today 0900hrs. He was served with notification of discharge by Internal Affairs Bureau, Sergeant Scott Chapman, 0920 hours. Deputy Orrego was escorted from Compton Station without incident.
> >
> > Lieutenant Joseph J. Williams, Operations
> > Compton Station
> > 301 S. Willowbrook Ave.
> > Compton, CA 90220
> > Office [redacted]
> > Cell [redacted]

**From:** Gooden, Joseph M.
**To:** [redacted]
**Cc:** Williams, Joseph J.; Thatcher, Michael E.
**Subject:** Re: Deputy Orrego
**Date:** Thursday, June 8, 2017 10:25:41 AM

---

Thank you.

Joseph M. Gooden, Chief
Los Angeles County Sheriff's Department
211 W. Temple Street
Los Angeles, Ca. 90012
[redacted]

On Jun 8, 2017, at 10:12 AM, [redacted] wrote:

> Thanks, Joe.
>
> Sent from my iPhone
>
> On Jun 8, 2017, at 10:10, Williams, Joseph J. <[redacted] wrote:
>
> > Sirs,
> > Deputy Mizrain Orrego was officially relieved of duty, today 0900hrs. He was served with notification of discharge by Internal Affairs Bureau, Sergeant Scott Chapman, 0920 hours. Deputy Orrego was escorted from Compton Station without incident.
> > Lieutenant Joseph J. Williams, Operations
> > Compton Station
> > 301 S. Willowbrook Ave.
> > Compton, CA 90220
> > Office [redacted]
> > Cell [redacted]

**From:** Gooden, Joseph M.
**To:** [redacted]
**Cc:** Williams, Joseph J.; Thatcher, Michael E.
**Subject:** Re: Deputy Orrego
**Date:** Thursday, June 8, 2017 10:25:41 AM

---

Thank you.

Joseph M. Gooden, Chief
Los Angeles County Sheriff's Department
[redacted]
Los Angeles, Ca. 90012
(213) 229-3036

On Jun 8, 2017, at 10:12 AM, [redacted] wrote:

> Thanks, Joe.
>
> Sent from my iPhone
>
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>
> > Sirs,
> >
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> > Lieutenant Joseph J. Williams, Operations
> > Compton Station
> > 301 S. Willowbrook Ave.
> > Compton, CA 90220
> > Office [redacted]
> > Cell [redacted]

**From:** Teran, Diana M.
**To:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO
**Date:** Friday, August 26, 2016 10:12:09 AM

---

Do you know if they gave statements last night?

**From:** Thatcher, Michael E.
**Sent:** Friday, August 26, 2016 10:10 AM
**To:** Teran, Diana M.
**Subject:** RE: DEPUTY ORREGO

Deputies are, yes.

Thank you

**From:** Teran, Diana M.
**Sent:** Friday, August 26, 2016 9:49 AM
**To:** Thatcher, Michael E. [redacted]
**Subject:** RE: DEPUTY ORREGO

Interesting. They okay?

**From:** Thatcher, Michael E.
**Sent:** Friday, August 26, 2016 9:44 AM
**To:** Teran, Diana M.
**Subject:** Re: DEPUTY ORREGO

Good morning Diana.

I hope you had a good time at the show last night. Sorry I missed it.

The deputies involved in the shooting last night were Orrego and [redacted]

I am working through that this morning so I will get back with you on this in a bit.

Thank you for your help- as always.

Mike

Sent from my iPhone

On Aug 26, 2016, at 9:40 AM, Teran, Diana M [redacted] wrote:

> Hi again,

[redacted]

[redacted]

[redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St. [redacted]
Los Angeles, 90012
([redacted]

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**From:** Teran, Diana M.
**Sent:** Thursday, August 25, 2016 5:45 PM
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

Laura and Mike,

I just re-read the report and the following are my concerns about the case (in the order of reading the report, not the order of significance):

1. He had an expired registration
2. He ran a red light
3. He was asked for his CDL and instead provided his work ID – did he have his CDL in his possession? Was it ever provided to the police?
4. When asked to put both hands on steering wheel, responded with "I'm a Sheriff's deputy, really?"
5. He had his weapon by his right hip.
6. At page two the officer writes that upon contacting him he indicated he was celebrating one of his co-worker's promotion and had a couple of beers with co-workers at the Tilted Kilt. (Later, while asking him the preliminary DUI questions he was asked who he was drinking with and he said "by myself" and when asked where he was going he said, "I don't know."
7. When offered the PAS test, he refused to voluntarily provide.
8. When asked which test he would take he said, "Are you going to arrest a Deputy Sheriff?" What was his demeanor, attitude, tone of voice?
9. [redacted] was asked for a breath sample. What happened? Why did the officer not follow through with him? Did he perform any FSTs on him and determine he was okay to drive? Did a squad car ever arrive? If not, did the officers leave them there at the scene without ensuring that they didn't get back in their respective cars? Did the officers see a patrol vehicle arrive to pick them up?
10. Who else was drinking with them? Were any supervisors there who should have ensured Orrego did not get in his vehicle?
11. Why were they both released on the scene by the officer and his supervisor? In the officer and sergeant's opinion, was Orrego cooperative with their investigation?

**From:** Teran, Diana M.
**Sent:** Thursday, August 25, 2016 4:39 PM
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

Thanks. Does this mean that only the deputy was interviewed for the unit level? If so,

perhaps we can discuss when you have a chance. I expressed my concerns to Mike this morning, but wanted to see if we were on the same page with respect to the investigation. Also, in cases which are case review level discipline, the audio of all material witnesses and the subject's interview needs to be transcribed.

**From:** Lecrivain, Laura E.
**Sent:** Thursday, August 25, 2016 2:10 PM
**To:** Teran, Diana M.
**Cc:** Thatcher, Michael E.
**Subject:** DEPUTY ORREGO

Good afternoon Diana,

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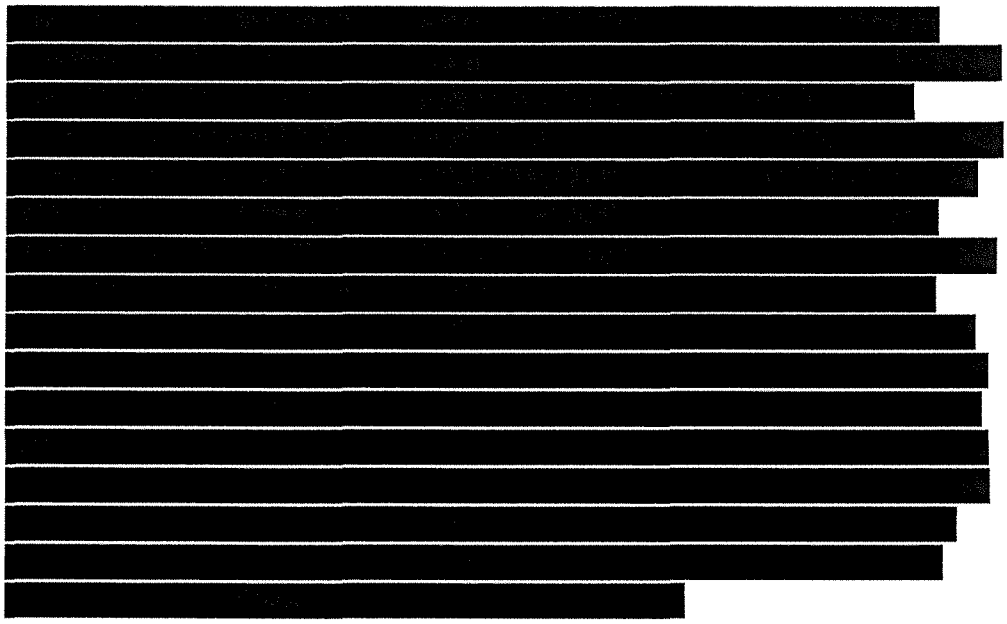
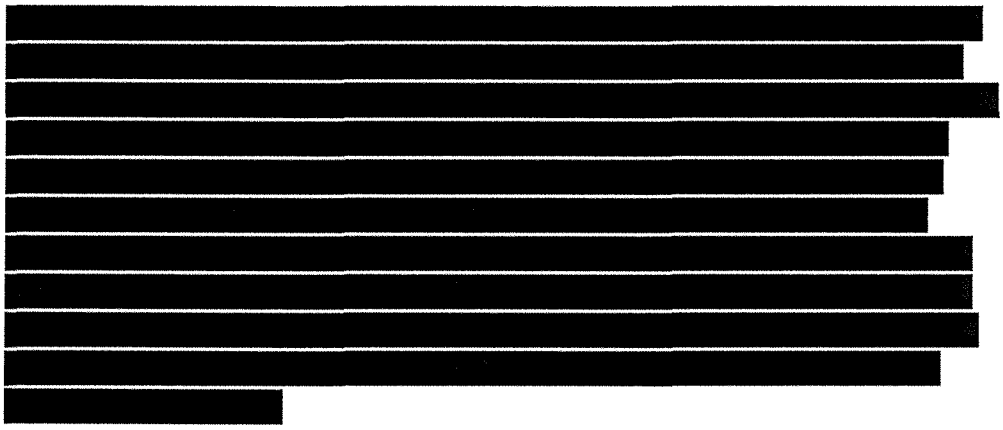
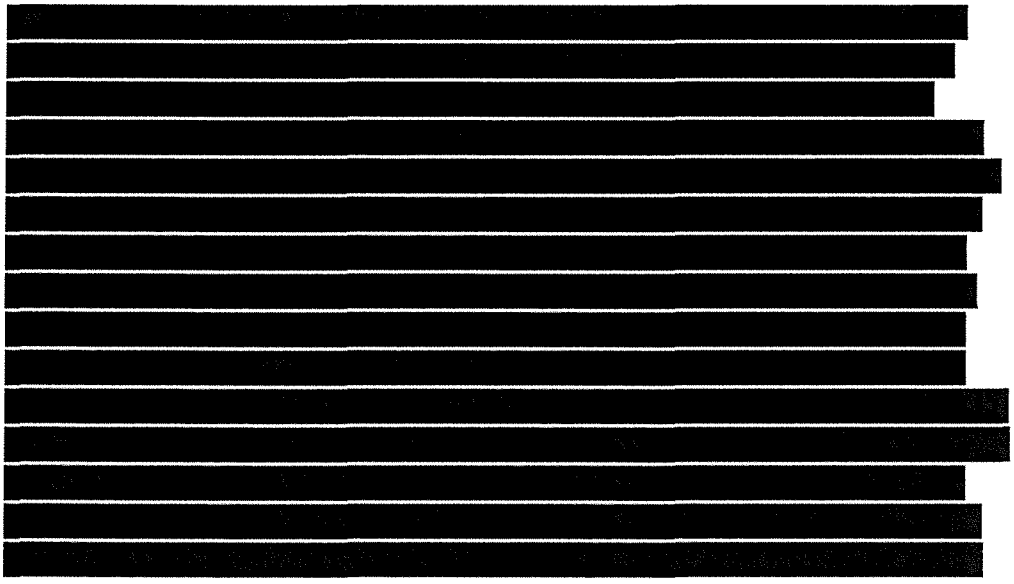
Should you need anything further, please feel free to contact me.

Lieutenant Laura E. Lecrivain, Operations
Compton Station
301 South Willowbrook Avenue
Compton, California 90220
([redacted]







[redacted]

[redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St. [redacted]
Los Angeles, 90012
[redacted]

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**From:** Teran, Diana M.
**Sent:** Thursday, August 25, 2016 5:45 PM
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

Laura and Mike,

I just re-read the report and the following are my concerns about the case (in the order of reading the report, not the order of significance):

1. He had an expired registration
2. He ran a red light
3. He was asked for his CDL and instead provided his work ID – did he have his CDL in his possession? Was it ever provided to the police?
4. When asked to put both hands on steering wheel, responded with "I'm a Sheriff's deputy, really?"
5. He had his weapon by his right hip.
6. At page two the officer writes that upon contacting him he indicated he was celebrating one of his co-worker's promotion and had a couple of beers with co-workers at the Tilted Kilt. (Later, while asking him the preliminary DUI questions he was asked who he was drinking with and he said "by myself" and when asked where he was going he said, "I don't know."
7. When offered the PAS test, he refused to voluntarily provide.
8. When asked which test he would take he said, "Are you going to arrest a Deputy Sheriff?" What was his demeanor, attitude, tone of voice?
9. Aldama was asked for a breath sample. What happened? Why did the officer not follow through with him? Did he perform any FSTs on him and determine he was okay to drive? Did a squad car ever arrive? If not, did the officers leave them there at the scene without ensuring that they didn't get back in their respective cars? Did the officers see a patrol vehicle arrive to pick them up?
10. Who else was drinking with them? Were any supervisors there who should have ensured Orrego did not get in his vehicle?
11. Why were they both released on the scene by the officer and his supervisor? In the officer and sergeant's opinion, was Orrego cooperative with their investigation?

**From:** Teran, Diana M.
**Sent:** Thursday, August 25, 2016 4:39 PM
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

Thanks. Does this mean that only the deputy was interviewed for the unit level? If so,

perhaps we can discuss when you have a chance. I expressed my concerns to Mike this morning, but wanted to see if we were on the same page with respect to the investigation. Also, in cases which are case review level discipline, the audio of all material witnesses and the subject's interview needs to be transcribed.

**From:** Lecrivain, Laura E.
**Sent:** Thursday, August 25, 2016 2:10 PM
**To:** Teran, Diana M.
**Cc:** Thatcher, Michael E.
**Subject:** DEPUTY ORREGO

Good afternoon Diana,

Attached is the information you requested regarding Deputy Mizrain Orrego.

Should you need anything further, please feel free to contact me.

Lieutenant Laura E. Lecrivain, Operations
Compton Station
301 South Willowbrook Avenue
Compton, California 90220
[redacted]

**From:** Teran, Diana M.
**To:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO
**Date:** Friday, August 26, 2016 9:48:35 AM

---

Interesting. They okay?

**From:** Thatcher, Michael E.
**Sent:** Friday, August 26, 2016 9:44 AM
**To:** Teran, Diana M.
**Subject:** Re: DEPUTY ORREGO

Good morning Diana.

I hope you had a good time at the show last night. Sorry I missed it.

The deputies involved in the shooting last night were Orrego and [redacted]

I am working through that this morning so I will get back with you on this in a bit.

Thank you for your help- as always.

Mike

Sent from my iPhone

On Aug 26, 2016, at 9:40 AM, Teran, Diana M. [redacted] wrote:

> Hi again,
>
> [redacted]

[redacted]

[redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St., [redacted]
Los Angeles, 90012
[redacted]

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**From:** Teran, Diana M.
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**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

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Compton Station
301 South Willowbrook Avenue
Compton, California 90220
[redacted]

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**Date:** Friday, August 26, 2016 9:48:00 AM

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[redacted]

[redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St., [redacted]
Los Angeles, 90012
([redacted]

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**Cc:** Thatcher, Michael E.
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Lieutenant Laura E. Lecrivain, Operations
Compton Station
301 South Willowbrook Avenue
Compton, California 90220
([redacted])

**From:** Teran, Diana M.
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.; [redacted]
**Subject:** RE: DEPUTY ORREGO
**Date:** Friday, August 26, 2016 9:40:26 AM

Hi again,

[redacted]

[redacted]

[redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St. [redacted]
Los Angeles, 90012
[redacted]

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**From:** Teran, Diana M.
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**To:** Lecrivain, Laura E.

**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

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**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

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**Sent:** Thursday, August 25, 2016 2:10 PM
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**Cc:** Thatcher, Michael E.
**Subject:** DEPUTY ORREGO

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Lieutenant Laura E. Lecrivain, Operations
Compton Station
301 South Willowbrook Avenue
Compton, California 90220
([redacted])

**From:** Teran, Diana M.
**To:** [redacted]
**Cc:** Thatcher, Michael E.; [redacted]
**Subject:** RE: DEPUTY ORREGO
**Date:** Friday, August 26, 2016 9:40:00 AM

Hi again,

[redacted]

[redacted]

[redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department
Hall of Justice
211 W. Temple St., [redacted]
Los Angeles, 90012
([redacted]

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**From:** Teran, Diana M.
**Sent:** Thursday, August 25, 2016 5:45 PM
**To:** Lecrivain, Laura E.

**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

Laura and Mike,

I just re-read the report and the following are my concerns about the case (in the order of reading the report, not the order of significance):

1. He had an expired registration
2. He ran a red light
3. He was asked for his CDL and instead provided his work ID – did he have his CDL in his possession? Was it ever provided to the police?
4. When asked to put both hands on steering wheel, responded with "I'm a Sheriff's deputy, really?"
5. He had his weapon by his right hip.
6. At page two the officer writes that upon contacting him he indicated he was celebrating one of his co-worker's promotion and had a couple of beers with co-workers at the Tilted Kilt. (Later, while asking him the preliminary DUI questions he was asked who he was drinking with and he said "by myself" and when asked where he was going he said, "I don't know."
7. When offered the PAS test, he refused to voluntarily provide.
8. When asked which test he would take he said, "Are you going to arrest a Deputy Sheriff?" What was his demeanor, attitude, tone of voice?
9. Aldama was asked for a breath sample. What happened? Why did the officer not follow through with him? Did he perform any FSTs on him and determine he was okay to drive? Did a squad car ever arrive? If not, did the officers leave them there at the scene without ensuring that they didn't get back in their respective cars? Did the officers see a patrol vehicle arrive to pick them up?
10. Who else was drinking with them? Were any supervisors there who should have ensured Orrego did not get in his vehicle?
11. Why were they both released on the scene by the officer and his supervisor? In the officer and sergeant's opinion, was Orrego cooperative with their investigation?

**From:** Teran, Diana M.
**Sent:** Thursday, August 25, 2016 4:39 PM
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO

Thanks. Does this mean that only the deputy was interviewed for the unit level? If so, perhaps we can discuss when you have a chance. I expressed my concerns to Mike this morning, but wanted to see if we were on the same page with respect to the investigation. Also, in cases which are case review level discipline, the audio of all material witnesses and the subject's interview needs to be transcribed.

**From:** Lecrivain, Laura E.
**Sent:** Thursday, August 25, 2016 2:10 PM
**To:** Teran, Diana M.
**Cc:** Thatcher, Michael E.
**Subject:** DEPUTY ORREGO

Good afternoon Diana,

Attached is the information you requested regarding Deputy Mizrain Orrego.

Should you need anything further, please feel free to contact me.

Lieutenant Laura E. Lecrivain, Operations
Compton Station
301 South Willowbrook Avenue
Compton, California 90220
[redacted]

**From:** Teran, Diana M.
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO
**Date:** Thursday, August 25, 2016 5:44:47 PM

---

Laura and Mike,

I just re-read the report and the following are my concerns about the case (in the order of reading the report, not the order of significance):

1. He had an expired registration
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3. He was asked for his CDL and instead provided his work ID – did he have his CDL in his possession? Was it ever provided to the police?
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7. When offered the PAS test, he refused to voluntarily provide.
8. When asked which test he would take he said, "Are you going to arrest a Deputy Sheriff?" What was his demeanor, attitude, tone of voice?
9. [redacted] was asked for a breath sample. What happened? Why did the officer not follow through with him? Did he perform any FSTs on him and determine he was okay to drive? Did a squad car ever arrive? If not, did the officers leave them there at the scene without ensuring that they didn't get back in their respective cars? Did the officers see a patrol vehicle arrive to pick them up?
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**Cc:** Thatcher, Michael E.
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transcribed.

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Compton Station
301 South Willowbrook Avenue
Compton, California 90220
([redacted])

**From:** Teran, Diana M.
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO
**Date:** Thursday, August 25, 2016 5:44:00 PM

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**Subject:** RE: DEPUTY ORREGO

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Lieutenant Laura E. Lecrivain, Operations
Compton Station
301 South Willowbrook Avenue
Compton, California 90220
[redacted]

**From:** Teran, Diana M.
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO
**Date:** Thursday, August 25, 2016 4:38:56 PM

---

Thanks. Does this mean that only the deputy was interviewed for the unit level? If so, perhaps we can discuss when you have a chance. I expressed my concerns to Mike this morning, but wanted to see if we were on the same page with respect to the investigation. Also, in cases which are case review level discipline, the audio of all material witnesses and the subject's interview needs to be transcribed.

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**Sent:** Thursday, August 25, 2016 2:10 PM
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**Cc:** Thatcher, Michael E.
**Subject:** DEPUTY ORREGO

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Compton Station
301 South Willowbrook Avenue
Compton, California 90220
[redacted]

**From:** Teran, Diana M.
**To:** Lecrivain, Laura E.
**Cc:** Thatcher, Michael E.
**Subject:** RE: DEPUTY ORREGO
**Date:** Thursday, August 25, 2016 4:38:00 PM

---

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**From:** Lecrivain, Laura E.
**Sent:** Thursday, August 25, 2016 2:10 PM
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**Cc:** Thatcher, Michael E.
**Subject:** DEPUTY ORREGO

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Attached is the information you requested regarding Deputy Mizrain Orrego.

Should you need anything further, please feel free to contact me.

Lieutenant Laura E. Lecrivain, Operations
Compton Station
301 South Willowbrook Avenue
Compton, California 90220
[redacted]

**From:** Thatcher, Michael E.
**To:** Ranasinghe, Pirjo-Leena; Vera, Eliezer
**Cc:** Keosian, Christopher; Tomlin, A. Michelle
**Subject:** RE: [redacted]
**Date:** Wednesday, May 15, 2019 3:21:00 PM

---

Hi Pirjo,

[redacted]

Take care,
Mike

Michael E. Thatcher, Commander
Los Angeles County Sheriff's Department
Central Patrol Division
211 W. Temple Street
Los Angeles, Ca. 90012
[redacted]

---

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Wednesday, May 15, 2019 3:04 PM
**To:** Vera, Eliezer [redacted]
**Cc:** Thatcher, Michael E. [redacted] Keosian, Christopher <[redacted]>; Tomlin, A. Michelle <[redacted]>
**Subject:** [redacted]

[redacted].

[redacted]

*Pirjo L. Ranasinghe*
*Principal Deputy County Counsel*
*Sheriff's Services Division*
[redacted]

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This e-mail message and the attached document(s), if any, are intended only for the official and confidential use of the individual(s) or entity to which it is addressed. This e-mail message and attached document(s), if any, contain information from the Office of the County Counsel, attorneys for the County of Los Angeles, which may constitute among other things, an attorney-client communication, and thus, is privileged, confidential and exempt from disclosure under applicable law. If the reader of this e-mail message is not the intended recipient, or the employee

or agent responsible for delivering the message and/or attached document(s) to the intended recipient(s), you are hereby given notice that any review, use, dissemination, forwarding or copying of this communication is strictly prohibited. If you have received this communication in error, please notify our office immediately by reply e-mail or telephone and delete the original message and any attached document(s) from your system.

**From:** Thatcher, Michael E.
**To:** Ranasinghe, Pirjo-Leena; Vera, Eliezer
**Cc:** Keosian, Christopher; Tomlin, A. Michelle
**Subject:** RE: Mizrain Orrego CSC No. 17-181
**Date:** Wednesday, May 15, 2019 3:21:23 PM

---

Hi Pirjo,

[redacted].

[redacted]
Mike

Michael E. Thatcher, Commander
Los Angeles County Sheriff's Department
Central Patrol Division
211 W. Temple Street
Los Angeles, Ca. 90012
[redacted]

**From:** Ranasinghe, Pirjo-Leena
**Sent:** Wednesday, May 15, 2019 3:04 PM
**To:** Vera, Eliezer [redacted]
**Cc:** Thatcher, Michael E [redacted] Keosian, Christopher [redacted]; Tomlin, A. Michelle [redacted]
**Subject:** [redacted]

[redacted]

[redacted]e
[redacted]

*Pirjo L. Ranasinghe*
*Principal Deputy County Counsel*
*Sheriff's Services Division*
[redacted]

NOTICE/CONFIDENTIAL
This e-mail message and the attached document(s), if any, are intended only for the official and confidential use of the individual(s) or entity to which it is addressed. This e-mail message and attached document(s), if any, contain information from the Office of the County Counsel, attorneys for the County of Los Angeles, which may constitute among other things, an attorney-client communication, and thus, is privileged, confidential and exempt from disclosure under applicable law. If the reader of this e-mail message is not the intended recipient, or the employee

or agent responsible for delivering the message and/or attached document(s) to the intended recipient(s), you are hereby given notice that any review, use, dissemination, forwarding or copying of this communication is strictly prohibited. If you have received this communication in error, please notify our office immediately by reply e-mail or telephone and delete the original message and any attached document(s) from your system.

**From:** Teran, Diana M.
**To:** Thatcher, Michael E.; [redacted]
**Cc:** Ranasinghe, Pirjo-Leena
**Subject:** RE: [redacted]
**Date:** Monday, June 5, 2017 12:14:00 PM
**Attachments:** [redacted]

---

[redacted]

**From:** Thatcher, Michael E.
**Sent:** Monday, June 5, 2017 12:11 PM
**To:** Teran, Diana M. [redacted]
**Cc:** Ranasinghe, Pirjo-Leena [redacted]
**Subject:** RE: Orrego dispo

Thank you Diana,

[redacted]

[redacted]

[redacted]
Mike

**From:** Teran, Diana M.
**Sent:** Monday, June 5, 2017 9:45 AM
**To:** [redacted]
**Cc:** Ranasinghe, Pirjo-Leena [redacted]>; Thatcher, Michael E. [redacted]
**Subject:** [redacted]

[redacted]

[redacted]

[redacted]

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department

Hall of Justice
211 W. Temple St., [redacted]
Los Angeles, 90012
[redacted]

**NOTICE OF CONFIDENTIAL COMMUNICATION: This message is intended only for the use of the individual or entity to which it is addressed. This message contains information from the Sheriff's Department which may be privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the person responsible for delivery to the intended recipient, this will notify you that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify our Office at [redacted] and destroy this message.**

**From:** Teran, Diana M.
**To:** Thatcher, Michael E. [redacted]
**Cc:** Ranasinghe, Pirio-Leena
**Subject:** RE: [redacted]
**Date:** Monday, June 5, 2017 12:15:00 PM
**Attachments:** [redacted]

---

[redacted]

**From:** Thatcher, Michael E.
**Sent:** Monday, June 5, 2017 12:11 PM
**To:** Teran, Diana M. [redacted]
**Cc:** Ranasinghe, Pirjo-Leena [redacted] >
**Subject:** RE: [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]
Mike

**From:** Teran, Diana M.
**Sent:** Monday, June 5, 2017 9:45 AM
**To:** [redacted]
**Cc:** Ranasinghe, Pirjo-Leena [redacted] >; Thatcher, Michael E. [redacted]
**Subject:** Orrego dispo

[redacted]

[redacted]

Respectfully,

**Diana M. Teran**
Constitutional Policing Advisor
Los Angeles Sheriff's Department

Hall of Justice
[redacted]
Los Angeles, 90012
([redacted]

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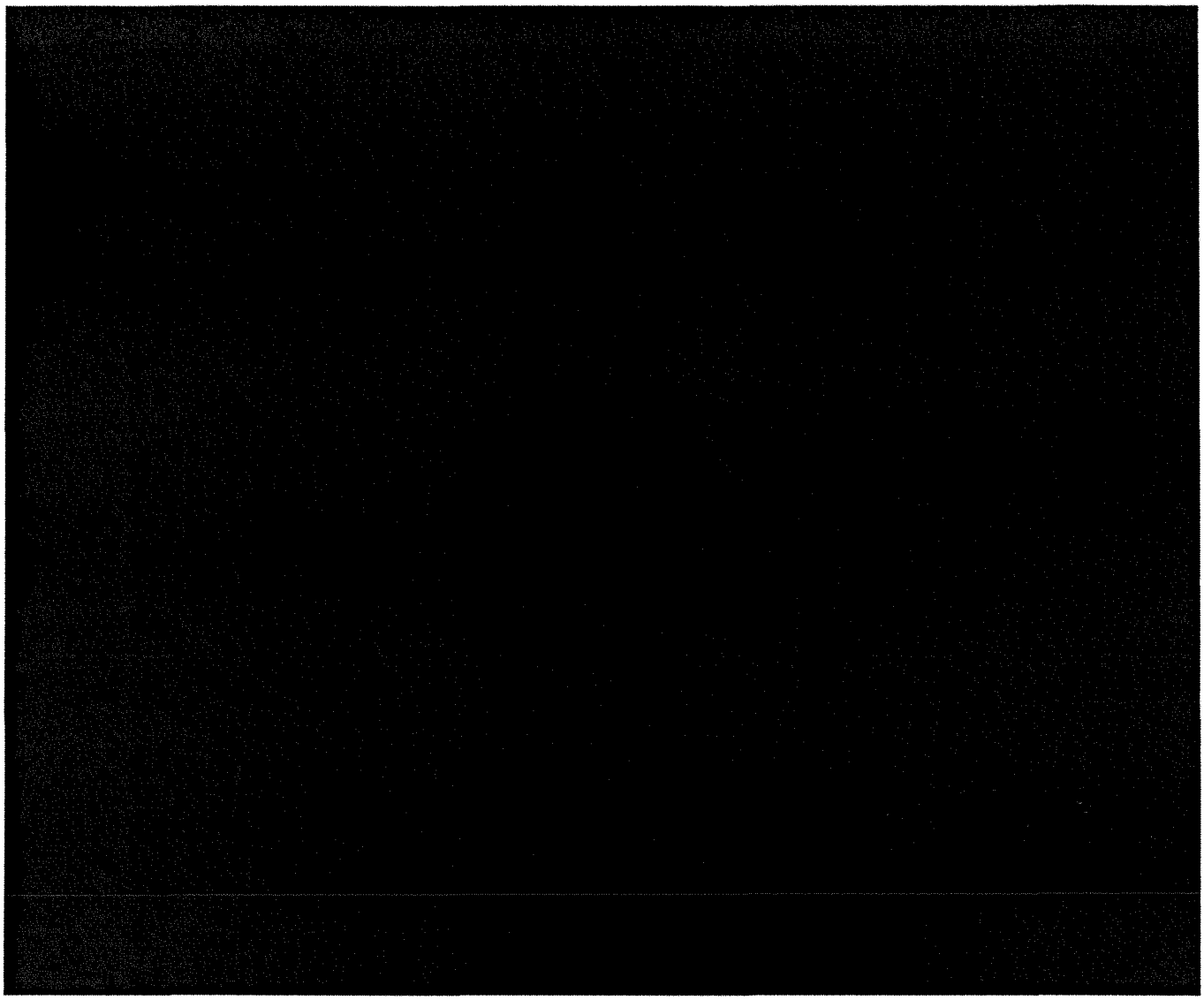

**From:** [redacted]
**Sent:** Monday, July 15, 2019 4:15 PM
**To:** Sherry Lawrence [redacted]
**Cc:** Thatcher, Michael E. [redacted]; Vera, Eliezer [redacted]
**Subject:** FW: Orrego, Mizrain

Good afternoon Sherry,
Deputy Mizrain Orrego's Civil Service Commission is on the calendar for Chief Vera and Commander Michael Thatcher to attend on July 24. Commander Thatcher is scheduled for vacation out of state that week, but will make arrangements to fly in for the hearing. Please advise if hearing date is set in stone, or if there is a possibility of change.

Thanks,

[redacted]

Central Patrol Division

211 W. Temple Street, [redacted]

Los Angeles CA 90012

Phone: [redacted]

---

**From:** Vera, Eliezer
**Sent:** Wednesday, June 26, 2019 10:39 AM
**To:** [redacted] Thatcher, Michael E.
[redacted]
**Subject:** FW: Orrego, M.

Can you put this on our calendar also.....eli

---

**From:** Sherry Lawrence [redacted]
**Sent:** Friday, June 21, 2019 9:42 AM
**To:** Vera, Eliezer [redacted]
**Subject:** FW: Orrego, M.

Chief Vera,

Would you consider attending this hearing at Civil Service Commission with Deputy Orrego and me? It would be incredible to have you there.

Sherry

---

**From:** Omar Busailah [redacted]
**Sent:** Wednesday, June 19, 2019 2:59 PM
**To:** Sherry Lawrence [redacted]
**Cc:** Edna Busailah [redacted]; Dina Danial [redacted]
[redacted]
**Subject:** Orrego, M.

Please view the attached document that came in the mail today.

Thank you,

Omar Busailah

Stone Busailah, LLP
A Partnership of Professional Law Corporations
1055 E. Colorado Blvd., [redacted]
Pasadena, California 91106
[redacted]

This email communication may contain CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distr bution, downloading, or copying of this communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please immediately notify us by reply email, delete the communication and destroy all copies.

# EXHIBIT **D**

The Performance Mentoring Program (PMP) is another proactive, early intervention program designed to enhance a member's professional performance through guidance and supervision when it is determined the member may benefit from a more structured plan. Supervisors and managers carefully monitor the employee's progress to ensure they remain effective and productive members of the Department.

Skilled professionals are prepared to provide referrals to other resources as needed. Members have an affirmative duty to avail themselves to any Department resource they believe would enhance their professional and/or personal development and their ability to meet the very highest standards expected of law enforcement professionals.

## 3-01/030.14 MANAGEMENT DECISIONS

As executives on the Los Angeles County Sheriff's Department, chiefs, commanders, and captains are part of a management team whose duty is to support the Department's mission and promote the Sheriff's vision for the operation, reputation, and future of the Department.

Individual opinions are welcomed during the decision-making process, as that process benefits from vigorous internal debate and the frank discussion of alternate perspectives. Once management reaches a lawful decision, however, all executives are expected to follow and support that decision. Executives who undermine or incite others to undermine lawful managerial decisions, policies, and directives, by treating them with contempt or being disrespectful in language or deportment towards them, may be subject to discipline.

Executives shall not advise subordinates of a Department policy or management decision while at the same time criticizing the policy, directive, or decision or otherwise expressing his/her disapproval of it. A violation of this section may result in discipline

Executives are expected to be familiar with the conduct of those under their command and have an affirmative duty to ensure that Department policies and management decisions are adhered to. Any executive who becomes aware, or who reasonably should be aware, that Department members under his/her command are failing to follow Department policies or management decisions, shall take immediate action to correct the errant behavior and report the violation to his/her chain of command. Failure to take such action could constitute a violation of this section and may result in discipline.

Executives who have a personal or close working relationship with an employee or a member of his/her family shall recuse themselves from any managerial decision-making process that employee is subject to. Any executive who has relevant, material information regarding the specific facts of a pending administrative investigation in a chain of command outside his/her own, may notify the concerned division chief in writing. Upon notification, the division chief shall determine whether the notifying executive is to

**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 Stone Busailah, LLP, 1055 E. Colorado Blvd, Suite 320, Pasadena, California 91106.

On **July 8, 2021**, I served the foregoing document(s) described as **PETITIONER'S OPENING BRIEF IN SUPPORT OF PEREMPTORY WRIT OF MANDATE; MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATIONS OF JASON FRANKOVITZ AND SHERRY H. LAWRENCE, AND EXHIBITS THERETO, IN SUPPORT THEREOF** in the manner checked below on all interested parties in this action addressed as follows:

| | |
|---|---|
| Geoffrey S. Sheldon, Esq.<br>Michael E. Gerst, Esq.<br>Liebert Cassidy WHitmore<br>6033 West Century Boulevard, 5th FLoor<br>Los Angeles, CA 90045<br>Email: gsheldon@lcwlwgal.com<br>Email: mgerst@lcwlegal.com | |

☐ **(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 ELECTRONIC SERVICE)** By electronically mailing a true and correct copy through Green Filing mail system to the email address(es) set forth above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ **(BY PERSONAL SERVICE)** the foregoing document was personally served by attorney service, Express Network, to the addressee(s).

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

☐ **(Federal)** I declare that I am employed in the office of a member of the bar of this Court at which direction the service was made.

Executed on **July 8, 2021**, at Los Angeles, California.

/s/ Edna Busailah
EDNA BUSAILAH