

IN THE CALIFORNIA SUPREME COURT

No. S268480

ARNETTE TRAVIS ET AL.,

PETITIONERS,

V.

BILL BRAND ET AL.,

RESPONDENTS,

After a Decision by the California Court of Appeal,
Second Appellate District, Division Three
Case Nos. B298104 and B301479

Appeal from the Superior Court of the State of California,
Los Angeles County, Case No. BC 665330
The Honorable Malcolm H. Mackey Presiding

**PETITIONERS' MOTION REQUESTING JUDICIAL NOTICE;
DECLARATION OF JOHN D. SPURLING; [PROPOSED] ORDER**

Shumener, Odson & Oh LLP
Betty M. Shumener (SBN 137220)
John D. Spurling (SBN 252324)*
Daniel E. French (SBN 329809)
550 South Hope Street, Suite 1050
Los Angeles, California 90071-2678
Phone: (213) 344.4200
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Attorneys for Petitioners

Pursuant to Rule 8.54 of the California Rules of Court and California Evidence Code Sections 452 and 459, Petitioners Arnette Travis and Chris Voisey hereby request that the Court take judicial notice of two exhibits offered in support of its Opening Brief on the Merits. The authenticity of the exhibits is established by the Declaration of John D. Spurling, included herein.¹

The Court may take judicial notice of “[o]fficial acts of the legislative, executive, and judicial departments ... of any state of the United States.” (Evid. Code § 452(c).) The Court may also consider “facts and propositions that are not reasonably subject to dispute and are capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy.” (Evid. Code § 452(h); see also § 459(a) [“The reviewing court may take judicial notice of any matter specified in Section 452.”].)

Exhibit A is a certified copy of the Abstract of Judgment Respondents² recorded against Petitioner Chris Voisey’s modest home in Redondo Beach, California. The Abstract of Judgment was filed in the Official Records Recorder’s Office for Los Angeles County on August 15, 2019, where it was assigned Record Number 20190821104. It states that a

¹ Exhibits A and B were not presented to the trial court because they concern post-judgment events and did not exist or were not relevant to the trial court proceedings.

² Respondents means, collectively, Bill Brand, Linda Moffat, Nils Nehrenheim, Wayne Craig, Rescue Our Waterfront PAC, and Bill Brand for Mayor.

stay of enforcement “has not been ordered by the court” (Ex. A at p. 3), even though enforcement has been stayed since October 2, 2019, when Petitioners filed their Notice of Appeal.

Exhibit A is subject to judicial notice under sections 452 and 459. The document was recorded by an executive department of the State of California and its contents are not reasonably subject to dispute. (Cal. Evid. Code § 452(c) & (h); *Mira Overseas Consulting Ltd. v. Muse Fam. Enterprises, Ltd.* (2015) 237 Cal.App.4th 378, 386 [taking judicial notice of two recorded abstracts of judgment], as modified on denial of reh’g (June 30, 2015).)

Exhibit B is a true and correct copy of the Los Angeles County Assessor Portal’s webpage for parcel number 7508-024-019, available at <https://portal.assessor.lacounty.gov/parceldetail/7508024019>. This webpage indicates that Petitioner Chris Voisey’s home at 526 Sapphire Street, Redondo Beach, California 90277, has an assessed tax valuation for 2021 of \$910,113. The authenticity of Exhibit B is established by the Declaration of John D. Spurling, included herein.

Exhibit B is subject to judicial notice under sections 452 and 459. The webpage was prepared and published by an executive department of the State of California and its contents are not reasonably subject to dispute. (Cal. Evid. Code § 452(c) & (h); see *City of Los Angeles v. Waller* (1979) 90 Cal.App.3d 766, 775 [taking judicial notice of appraisal valuation]; *Shaw v. People ex rel. Chiang* (2009) 175 Cal.App.4th 577, 606 at fn. 10 [taking

judicial notice of existence and contents of California Department of Transportation website because “[s]uch matters are relevant and may be judicially noticed as official acts and public records”], disapproved of on other grounds by *County of San Diego v. Commission on State Mandates* (2018) 6 Cal.5th 196.)

Accordingly, the Court should grant this motion.

Dated: July 23, 2021

SHUMENER, ODSON & OH LLP

By: _____



Betty M. Shumener
John D. Spurling
Daniel E. French
Attorneys for Petitioners Chris
Voisey and Arnette Travis

DECLARATION OF JOHN D. SPURLING

I, John D. Spurling, declare as follows:

1. I am an attorney duly licensed to practice law in the State of California. I am a partner at the law firm Shumener, Odson & Oh LLP, attorneys for Petitioners Arnette Travis and Chris Voisey. I have personal knowledge of the matters set forth in this declaration and if called upon to testify to those matters, I could and would so testify.

2. Attached hereto as **Exhibit A** is a certified copy of the recorded Abstract of Judgment that my office obtained from the County Recorder.

3. Attached hereto as **Exhibit B** is a true and correct copy of the Los Angeles County Assessor Portal's webpage for parcel number 7508-024-019, available at <https://portal.assessor.lacounty.gov/parceldetail/7508024019>. My office visited the County Assessor's webpage and archived this document on July 21, 2021.

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

Executed on July 23, 2021 in Los Angeles, California.



John D. Spurling

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IN THE CALIFORNIA SUPREME COURT

No. S268480

ARNETTE TRAVIS ET AL.,

PETITIONERS,

V.

BILL BRAND ET AL.,

RESPONDENTS,

[PROPOSED] ORDER

Pursuant to Rule 8.54 of the California Rules of Court and California Evidence Code Sections 452 and 459, the Motion Requesting Judicial Notice filed by Petitioners in support of their Opening Brief on the Merits is GRANTED.

The Court therefore takes judicial notice of the following documents:

Exhibit A _____

Exhibit B _____

IT IS SO ORDERED.

Dated: _____

Justice of the Supreme Court

Exhibit A

This page is part of your document - DO NOT DISCARD



20190821104



Pages:
0005

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

08/15/19 AT 02:42PM

FEES:	38.00
TAXES:	0.00
OTHER:	0.00
SB2:	75.00
PAID:	113.00



LEADSHEET



201908153290029

00017011061



010046792

SEQ:
01

DAR - Counter (Upfront Scan)



THIS FORM IS NOT TO BE DUPLICATED

Recording requested by:

STEVAN COLIN, ESQ.

When recorded mail to:

STEVAN COLIN, ESQ.
801 Pacific Avenue
Long Beach, CA 90813

SPACE ABOVE FOR RECORDER'S USE ONLY

ABSTRACT OF JUDGMENT - CIVIL

EJ-001

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, and State Bar number):

After recording, return to:
STEVAN COLIN, ESQ. SBN 110360
801 Pacific Avenue
Long Beach, Calif. 90813

TEL NO.: 562.472.0879 FAX NO. (optional):

E-MAIL ADDRESS (Optional):

ATTORNEY FOR JUDGMENT CREDITOR ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 111 N. Hill Street

MAILING ADDRESS: 111 N. Hill Street

CITY AND ZIP CODE: Los Angeles, Calif. 90012

BRANCH NAME: Stanley Mosk - Central

FOR RECORDER'S USE ONLY

PLAINTIFF: Arnette Travis and Chris Voisey
DEFENDANT: Bill Brand, Brand For Mayor 2017, Linda Moffat, et al.,

CASE NUMBER:
BC 665330

**ABSTRACT OF JUDGMENT—CIVIL
AND SMALL CLAIMS**

Amended

FOR COURT USE ONLY

1. The judgment creditor assignee of record applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

CHRIS VOISEY
526 Sapphire Street
Redondo Beach, Calif. 90277

b. Driver's license no. [last 4 digits] and state:

Unknown

c. Social security no. [last 4 digits]:

Unknown

d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address): N/A TH

2. Information on additional judgment debtors is shown on page 2.

4. Information on additional judgment creditors is shown on page 2.

3. Judgment creditor (name and address):

BILL BRAND, 125 S. Broadway Street
Redondo Beach, Calif. 90277

5. Original abstract recorded in this county:

a. Date:

b. Instrument No.:

Date: August 13, 2019

STEVAN COLIN, ESQ.

(TYPE OR PRINT NAME)



(SIGNATURE OF APPLICANT OR ATTORNEY)

6. Total amount of judgment as entered or last renewed:
\$ 896,896.60

10. An execution lien attachment lien is endorsed on the judgment as follows:

7. All judgment creditors and debtors are listed on this abstract.

a. Amount: \$

8. a. Judgment entered on (date): August 7, 2019

b. In favor of (name and address):

b. Renewal entered on (date):

9. This judgment is an installment judgment.

11. A stay of enforcement has

a. not been ordered by the court.

b. been ordered by the court effective until (date):



Sherril R. Carter Executive Officer / Clerk of Court

This abstract issued on (date):
08/13/2019

12. a. I certify that this is a true and correct abstract of the judgment entered in this action.

b. A certified copy of the judgment is attached.

Clerk, by Tyrone Heath, Deputy

PLAINTIFF: ARNETTE TRAVIS and CHRIS VOISEY
DEFENDANT: BILL BRAND, BRAND FOR MAYOR, 2017, et al.,

COURT CASE NO.:
BC 665330

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (name and address):

LINDA MOFFAT
541 Via Del Monte
Palos Verdes Estates, Calif. 90274

14. Judgment creditor (name and address):

NILS NEHRENHEIM
344 Avenue E
Redondo Beach, Calif. 90277

15. Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

16. Name and last known address

ARNETTE TRAVIS
2706 Ruhland Avenue, Apt. 1
Redondo Beach, Calif. 90278

Driver's license no. [last 4 digits] and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (address):

N/A

17. Name and last known address

Driver's license no. [last 4 digits] and state:

Unknown

Social security no. [last 4 digits]:

Unknown

TH Summons was personally served at or mailed to (address):

18. Name and last known address

Driver's license no. [last 4 digits] and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (address):

19. Name and last known address

Driver's license no. [last 4 digits] and state:

Unknown

Social security no. [last 4 digits]:

Unknown

Summons was personally served at or mailed to (address):

20. Continued on Attachment 20.

PLAINTIFF: ARNETTE TRAVIS and CHRIS VOISEY
DEFENDANT: BILL BRAND, BRAND FOR MAYOR 2017, et al.

CASE NUMBER:
BC 665330

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS

Attachment 15

Judgment creditor (name and address): WAYNE CRAIG 511 S. Broadway St. Redondo Beach, CA 90277	Judgment creditor (name and address): RESCUE OUR WATERFRONT P.A.C. 511 S. Broadway St. Redondo Beach, CA 90277
Judgment creditor (name and address): BRAND FOR MAYOR 2017 125 S. Broadway St. Redondo Beach, CA 90277	Judgment creditor (name and address):
Judgment creditor (name and address):	Judgment creditor (name and address):
Judgment creditor (name and address):	Judgment creditor (name and address):
Judgment creditor (name and address):	Judgment creditor (name and address):
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Judgment creditor (name and address):	Judgment creditor (name and address):
Judgment creditor (name and address):	Judgment creditor (name and address):
Judgment creditor (name and address):	Judgment creditor (name and address):
Judgment creditor (name and address):	Judgment creditor (name and address):

This is a true and certified copy of the record
if it bears the seal, imprinted in purple ink,
of the Registrar-Recorder/County Clerk

16 JUL 2021

Deane C. Logan

REGISTRAR-RECORDER/COUNTY CLERK
LOS ANGELES COUNTY, CALIFORNIA



Exhibit B

▼ Summary

AIN: 7508-024-019 ¹

Situs Address:

526 SAPPHIRE ST
REDONDO BEACH CA 90277-4256

Use Type: Single Family Residence
Parcel Type: Regular Fee Parcel
Tax Rate Area: 08055

Parcel Status: **ACTIVE**
Create Date:
Delete Date:
Tax Status: **CURRENT**
Year Defaulted:
Exemption: Homeowners'

Building (0101) & Land Overview

Use Code: 0100
Design Type: 0120
Quality Class: D6A

of Units: 1
Beds/Baths: 2/2
Building SqFt: 1,212

Year Built: 1924
Effective Year: 1942
Land SqFt: 7,001



(<https://maps.assessor.lacounty.gov/GeoCortex/Essentials/PAIS/REST/sites/PAIS/VirtualDirectory/AssessorMaps/ViewMap.html?val=7508-024>)

Parcel Map (<https://maps.assessor.lacounty.gov/GeoCortex/Essentials/PAIS/REST/sites/PAIS/VirtualDirectory/AssessorMaps/ViewMap.html?val=7508-024>) / Map Index (<https://maps.assessor.lacounty.gov/GeoCortex/Essentials/PAIS/REST/sites/PAIS/VirtualDirectory/AssessorMaps/ViewMap.html?val=7508-NDX>)

	2022 Roll Preparation	2021 Current Roll	RC	Year	2013 Base Value
\$	742,653 \$	728,092	T	2013	\$ 640,000
\$	185,661 \$	182,021	T	2013	\$ 160,000
\$	928,314 \$	910,113			\$ 800,000

Assessor's Responsible Division

District: South District Office
Region: 14
Cluster: 14172 W REDON BCH SFR

South District Office (<https://maps.google.com/?q=1401+E.+Willow+St.+Signal+Hill%2C+CA+90755>)
1401 E. Willow St.
Signal Hill, CA 90755

Phone: (562) 256-1701
Toll Free: 1 (888) 807-2111
M-F 7:30 am to 5:00 pm

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PROOF OF SERVICE

I am employed in the City of Los Angeles, 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 550 South Hope Street, Suite 1050, Los Angeles, CA 90071.

On July 23, 2021, I served the following document(s):

**PETITIONERS' MOTION REQUESTING JUDICIAL NOTICE;
DECLARATION OF JOHN D. SPURLING; [PROPOSED] ORDER**

on the interested parties:

SEE ATTACHED SERVICE LIST

[X] **(VIA E-SERVICE)** As follows: I served the above-referenced document(s) to by electronic service to its intended recipient(s) indicated below VIA TRUEFILING.

[X] **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 23, 2021, at Los Angeles, CA.

/s/ Anita Lim

Anita Lim

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SERVICE LIST

Arnette Travis, et al. v. Bill Brand, et al.
California Supreme Court; Case No.: S268480

<p>Stevan Colin, Esq. GABRIEL & ASSOCIATES 801 Pacific Avenue Long Beach, CA 90813 Tel: (562) 436-9292 Fax: (562) 436-3131 Email: stevan.colin@gabriel-law.com</p>	<p><i>Attorneys for Defendants Bill Brand; Bill Brand for Mayor 2017 and Linda Moffat</i></p>
<p>Bobak R. Nayebdadash, Esq. 237 California St. El Segundo, CA 90245 Email: brnlawoffice@gmail.com</p>	<p><i>Attorneys for Defendants, Wayne Graig and Rescue Our Waterfront</i></p>
<p>Jeanne L. Zimmer, Esq. CARLSON & MESSER LLP 5901 W. Century Blvd., Suite 1200 Los Angeles, CA 90045 Email: Zimmerj@cmtlaw.com</p>	<p><i>Attorneys for Defendant, Nils Nehrenheim</i></p>
<p>Los Angeles Superior Court, Court Clerk, Dept. 55 111 H. Hill St. Los Angeles, CA 90012</p>	<p><u><i>VIA U.S. MAIL</i></u></p>

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **TRAVIS v. BRAND (REDONDO BEACH
WATERFRONT)**

Case Number: **S268480**

Lower Court Case Number: **B298104**

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **jspurling@soollp.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
BRIEF	S268480_OBM_Travis
REQUEST FOR JUDICIAL NOTICE	S268480_MRJN_Travis

Service Recipients:

Person Served	Email Address	Type	Date / Time
Stevan Colin Gabriel & Associates 110360	stevan.colin@gabriel-law.com	e-Serve	7/23/2021 2:07:09 PM
Bobak Nayebdadash Protection Law Group, LLP 257976	bobak@protectionlawgroup.com	e-Serve	7/23/2021 2:07:09 PM
Jeanne Zimmer Carlson & Messer, LLP 123321	zimmerj@cmtlaw.com	e-Serve	7/23/2021 2:07:09 PM
John Spurling Shumener Odson & Oh, LLP 252324	jspurling@soollp.com	e-Serve	7/23/2021 2:07:09 PM
Betty Shumener 137220	bshumener@soollp.com	e-Serve	7/23/2021 2:07:09 PM
Daniel French	dfrench@soollp.com	e-Serve	7/23/2021 2:07:09 PM

This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

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

7/23/2021

Date

/s/Anita Lim

Signature

Spurling, John (252324)

Last Name, First Name (PNum)

Shumener, Odson & Od, LLP

Law Firm