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ELECTRONICALLY FILED
Superior Court of California,
County of San Diego

08/03/2022 at 03:49:00 PM

Clerk of the Superior Court
By E- Filing, Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN DIEGO – HALL OF JUSTICE

10	CHRISTOPHER WILLIAMS,)	CASE NO. 37-2018-00023369-CU-PO-CTL
11	Plaintiff,)	
12	vs.)	PLAINTIFF CHRISTOPHER WILLIAMS'S
13	DAVID ARAMBULA; CITY OF LEMON)	OPPOSITION TO DEFENDANTS'
14	GROVE; and DOES I through 1,000,)	MOTION <i>IN LIMINE</i>, 19 OF 23
15	Defendants.)	Action Filed: March 01, 2017
)	Department: C-68 (Whitney)
)	Trial Date: August 5, 2022
)	Trial Time: 8:30 a.m

16
17 Plaintiff Christopher Williams ("Plaintiff") respectfully submits this brief in opposition to Defendant
18 David Arambula ("Arambula") and City of Lemon Grove ("City") (collectively, "Defendants")'s Motion *In*
19 *Limine* No. 19 to preclude Plaintiff from presenting the jury with the deposition testimony of Matt Mendoza
20 and any demonstrative evidence containing excerpts of the deposition testimony of Mr. Mendoza. The motion
21 should be denied.

22 Defendants contest that Mr. Mendoza's testimony should be excluded at trial because Mr. Mendoza
23 lacks personal knowledge of the events at issue and because the testimony would otherwise confuse and
24 mislead the jury under Evidence Code 352. On the contrary, Mr. Mendoza was witness to the practices of
25 the City Council when conducting business and hosting meetings during time period in which Plaintiff was
26 attacked by Arambula.

27 All relevant evidence is admissible except as otherwise provided by statute. EVID. CODE § 351. For
28 evidence to be relevant, it must have "any tendency in reason to provide or disprove any disputed fact that is

1 of consequence to the determination of the action". EVID. CODE § 210. Mr. Mendoza's testimony is highly
2 relevant to Plaintiff's claims in this lawsuit. Mr. Mendoza and Arambula were colleagues who both served as
3 Council Members for the City on the date of the altercation (i.e., the attack) that is the subject of Plaintiff's
4 lawsuit. Plaintiff claims that Arambula was hosting a meeting at his home to discuss City business on July 14,
5 2017 and was attacked by Arambula while he was acting in his official capacity. The City denies that the
6 gathering was related to City business and claims it was merely a social gathering. During his deposition, Mr.
7 Mendoza provided testimony as to whether City officials had a pattern of conducting City-related meetings
8 outside of City Hall and/or on private property. See, e.g., Decl. Pasin, ¶1, Ex.1. This testimony is pertinent
9 to Plaintiff's claims and should not be precluded from evidence at trial. Mr. Mendoza further provided
10 testimony concerning his request for a City led investigation into the events that transpired the night of Plaintiff's
11 attack. See, e.g. Decl. Pasin, ¶2, Ex.2. Mr. Mendoza's testimony will provide relevant information as to the
12 pattern of City business- information that is highly relevant to determining this action.

13 Further, Mr. Mendoza's testimony will not confuse or mislead the jury under Evidence Code 352.
14 And even if the possibility could exist, the highly probative value of his testimony greatly outweighs any
15 possibility of confusion.

16 Based on the foregoing, motion *in limine* no. 19 to exclude the deposition of Matt Mendoza at trial
17 should be denied.

18
19 Date: August 3, 2022

Respectfully submitted,
BRIGGS LAW CORPORATION

20
21
22 By: Nora Pasin
23 Nora Pasin
24 Cory J. Briggs
25 Attorneys for Plaintiff Christopher Williams
26
27
28

EXHIBIT 1

1 A. That's correct. Outside of the -- I
2 don't know if you can call them the monthly
3 meetings that I have with the residents City
4 business, but correct.

5 Q. I would call them City business if you
6 were talking about the City of Lemon Grove. Were
7 those resident meetings held outside of City Hall?

8 A. Yes. We had it at the restaurant. And
9 we talked about various things coming and going.
10 But we would have a speakers there like the
11 representative of the fire department there to
12 talk about stuff that went on at the Fire
13 Department with the City, and the Sheriff would be
14 there one month and various citizens, and the DA
15 would be there. We would have different speakers.

16 Q. Why would you not do those events at
17 City Hall?

18 A. We wanted to have a open seating and we
19 had food and stuff there from the restaurant.

20 Q. You don't have access to food and drinks
21 at City Hall?

22 A. Not unless the City Manager would come
23 and cook it for us.

24 Q. Okay. So that's a no?

25 A. That's a no.

1 Q. Mr. Mendoza, do you know whether there
2 was a Neighborhood Watch program in the City of
3 Lemon Grove while you were on the council?

4 A. I'm sure there is. There is some areas
5 that had Neighborhood Watches and some that don't.

6 Q. The Neighborhood Watch meetings are
7 usually held at someone's house; right?

8 A. Yes.

9 Q. During a public meeting of the City
10 Council, did you ever call for an investigation
11 into the fight between my client and Mr. Arambula?

12 MS. SEGAL: Objection. Irrelevant.
13 Calls for speculation. Assumes facts not in
14 evidence. Argumentative.

15 BY MR. BRIGGS:

16 Q. Did you ever do that?

17 MR. MICHELS: I'll join.

18 A. On one of the City council meetings?

19 Q. Were you ever in a public City Council
20 meeting when you called for an investigation into
21 the fight between my client and Mr. Arambula?

22 MS. SEGAL: Same objections.

23 A. No. At least I don't recall that.

24 BY MR. BRIGGS:

25 Q. Did anyone ever tell you that Taisha

EXHIBIT 2

1 MR. BRIGGS: I don't have any further
2 questions for this witness. Does either of you?

3 MS. SEGAL: No. I do not.

4 MR. MICHELS: I do not.

5 MR. BRIGGS: Let's go off the record
6 briefly.

7 (DISCUSSION OFF THE RECORD.)

8 BY MR. BRIGGS:

9 Q. Mr. Mendoza, do you recall sending a
10 letter to the City Manager, Lydia Romero, and City
11 Attorney Jim Lowe requesting an investigation into
12 the details about the fight?

13 MS. SEGAL: Objection. Calls for
14 speculation. Not reasonably calculated to lead to
15 admissible evidence. Irrelevant. Argumentative.
16 And I think that's it.

17 BY MR. BRIGGS:

18 Q. Do you recall sending that letter, sir?

19 A. I may have to refer that to Nate.

20 Q. Did you send a letter to the City
21 Manager requesting an investigation into the
22 details surrounding the fight?

23 A. Is this under client-lawyer privilege?

24 Q. I'm not asking what the lawyer said. I
25 want to know whether you sent the letter?

1 MS. SEGAL: Same objections.

2 BY MR. BRIGGS:

3 Q. I'm not asking what's in the letter. I
4 just want to know whether you sent it?

5 A. Yes, I did.

6 Q. And that was in March of 2018; correct?

7 MS. SEGAL: Same objections.

8 MR. MICHELS: I'll object it's
9 irrelevant. But go ahead.

10 A. I think it was in March. It was
11 probably a couple of days after I had read the
12 article.

13 BY MR. BRIGGS:

14 Q. Did you ever get a response to the
15 letter?

16 MS. SEGAL: Objection. Irrelevant. Not
17 reasonably calculated to lead to admissible
18 evidence. Assumes facts not in evidence. Lacks
19 foundation.

20 MR. MICHELS: I'll join. To the extent
21 any information is sought of information within a
22 closed session, I'm instructing you not to answer.
23 But if it's outside of a closed session, you can
24 answer.

25 A. I believe it took several weeks to get

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21 any information is sought of information within a
22 closed session, I'm instructing you not to answer.
23 But if it's outside of a closed session, you can
24 answer.

25 A. I believe it took several weeks to get

1 anything back. I had to ask them twice.

2 BY MR. BRIGGS:

3 Q. So you recall sending a letter in March
4 of 2018; correct?

5 A. Yes.

6 Q. Eventually you got a response, but you
7 had to ask them a couple of times before you got
8 that response; correct?

9 MS. SEGAL: Same objections.

10 A. Yes. I vaguely remember -- and I can't
11 remember if I had that e-mail them twice about if
12 he's going to look into it as far as investigation
13 or if I had to e-mail them again to ask them when
14 it started. So I do remember bugging him about
15 when is this going to start, yes.

16 BY MR. BRIGGS:

17 Q. Do you know whether the investigation
18 was ever completed?

19 A. No.

20 Q. Did the City Manager ever respond to
21 your letter?

22 A. She didn't have too much to say because
23 it went to Mr. Lowe. So I just cc'd her on it if
24 I remember right. I wanted to make sure she knew
25 about it.

PROOF OF SERVICE

1. My name is Keri Taylor. I am over the age of eighteen. I am employed in the State of California, County of San Bernardino.

2. My business _____ residence address is Briggs Law Corporation, 99 East "C" Street, Suite 111 Upland, CA 91786

3. On August 3, 2022, I served _____ an original copy a true and correct copy of the following documents: Plaintiff Christopher Williams's Opposition to Defendants' Motion in Limine 19

4. I served the documents on the person(s) identified on the attached mailing/service list as follows:

___ *by personal service.* I personally delivered the documents to the person(s) at the address(es) indicated on the list.

___ *by U.S. mail.* I sealed the documents in an envelope or package addressed to the person(s) at the address(es) indicated on the list, with first-class postage fully prepaid, and then I

___ deposited the envelope/package with the U.S. Postal Service

___ placed the envelope/package in a box for outgoing mail in accordance with my office's ordinary practices for collecting and processing outgoing mail, with which I am readily familiar. On the same day that mail is placed in the box for outgoing mail, it is deposited in the ordinary course of business with the U.S. Postal Service.

I am a resident of or employed in the county where the mailing occurred. The mailing occurred in the city of Upland, California.

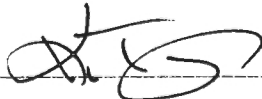
___ *by overnight delivery.* I sealed the documents in an envelope/package provided by an overnight-delivery service and addressed to the person(s) at the address(es) indicated on the list, and then I placed the envelope/package for collection and overnight delivery in the service's box regularly utilized for receiving items for overnight delivery or at the service's office where such items are accepted for overnight delivery.

___ *by facsimile transmission.* Based on an agreement of the parties or a court order, I sent the documents to the person(s) at the fax number(s) shown on the list. Afterward, the fax machine from which the documents were sent reported that they were sent successfully.

by e-mail delivery. Based on the parties' agreement or a court order or rule, I sent the documents to the person(s) at the e-mail address(es) shown on the list. I did not receive, within a reasonable period of time afterward, any electronic message or other indication that the transmission was unsuccessful.

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

Date: August 3, 2022

Signature: 

SERVICE LIST

Christopher Williams vs. Lemon Grove
Superior Court of the State of California Case No. 37-2018-00023369-CU-PO-CTL

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