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1 BRIGGS LAW CORPORATION [FILE: 1939.00]
2 Cory J. Briggs (State Bar no. 176284)
3 Nora Pasin (State Bar no. 315730)
4 99 East "C" Street, Suite 111
5 Upland, CA 91786
6 Telephone: 909-949-7115

7 Attorneys for Plaintiff Christopher Williams

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)	OPPOSITION TO DEFENDANTS'
14	DAVID ARAMBULA; CITY OF LEMON)	MOTION <i>IN LIMINE</i>, 23 OF 23
15	GROVE; and DOES 1 through 1,000,)	Action Filed: March 01, 2017
	Defendants.)	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. 23 to preclude Cara Anderson from testifying at trial and request for Evidence Code Section 402
20 hearing in the alternative.

21 Through their motion, Defendants contend that Cara Anderson should not be called to testify trial
22 because she was not deposed in this lawsuit or otherwise disclosed as a witness in discovery, has no personal
23 knowledge of the physical altercation at issue or the meeting preceding the physical altercation, and as such
24 her testimony has no probative value and would result in an undue consumption of time. All of these claims
25 fail and the motion should be denied.

26 Defendants feign surprise at the inclusion of Cara Anderson on Plaintiff's witness list for trial.
27 However, this is not the first time parties have learned of this witness. Former City Council Member Matt
28 Mendoza testified as to his communications with Cara Anderson after news broke of Plaintiff's claims that he

1 was attacked by Arambula. At his deposition, Mr. Mendoza confirmed the authenticity of and testified as to
2 the accuracy of an e-mail thread between him and Ms. Anderson concerning City related issues. *See Decl.*
3 *Pasin, ¶1, Ex.1.* In Mr. Mendoza's e-mail correspondence to Ms. Anderson, Mr. Mendoza describes
4 Arambula's behavior and response concerning the attack:

5 *"As for David!! OMG what he has done to the City is unbelievable. A sitting City Councilman*
6 *getting into a fight? And then try and hide [sic] it from the people? This shows the Character*
7 *of a person by taking responsibility [sic] of his actions, but in his case not. And dumping it on*
8 *the City, why didn't he call the sheriff after the altercation if he did not have something that*
9 *he did not want the Sheriff to know about?" See Decl. Pasin, ¶2, Ex.2.*

10 At the end of his e-mail correspondence, Mr. Mendoza asks Ms. Anderson to confirm her phone
11 number in order for him to call her over the phone, suggesting that more was discussed concerning Arambula,
12 the City, and the attack. Additionally, at his deposition, Mr. Mendoza testified that he did not consider Ms.
13 Anderson to be a dishonest reporter. *See Decl. Pasin, ¶3, Ex.3.* After Mr. Mendoza's testimony, neither
14 Arambula nor the City chose to depose Cara Anderson.

15 Because Ms. Anderson received City related information from individuals associated with the City,
16 she has information concerning what the City knew about Arambula's July 14, 2017 meeting at his home and
17 his subsequent attack on Plaintiff. Her inside information about what the City may have known about
18 Arambula's meeting and the attack is relevant to Plaintiff's claims against the City. This relevant testimony
19 would be valuable in providing all pertinent facts to the jury and will not result in an undue consumption of time
20 and would not be misleading or confusing to the jury.

21 Additionally, an evidentiary hearing under Evidence Code Section 402 is unnecessary and will only
22 result in an undue consumption of time. Section 402 hearings are used when the existence of a preliminary fact
23 is disputed. EVID. CODE § 402(a). "'Preliminary fact' means a fact upon the existence or non existence of
24 which depends the admissibility or inadmissibility of evidence." EVID. CODE § 400. Here, all parties have seen
25 the e-mail correspondence between Ms. Anderson and Mr. Mendoza and Mr. Mendoza testified as to its
26 accuracy at his deposition. No question exists as to the existence of their e-mail conversation or that they had
27 discussed City related issues.

1 Based on the foregoing, both motion *in limine* no. 23 to preclude Cara Anderson from testifying at
2 trial and the request in the alternative for an evidentiary hearing under Evidence Code Section 402 should be
3 denied.

4
5 Date: August 3, 2022

6 Respectfully submitted,
7 BRIGGS LAW CORPORATION

8 By: Nora Pasin
9 Nora Pasin
10 Cory J. Briggs
11 Attorneys for Plaintiff Christopher Williams
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1 **DECLARATION OF NORA PASIN**

2 I, Nora Pasin, am over the age of 18 years and if called as a witness in this lawsuit will testify as
3 follows:

4 0. I am an attorney licensed to practice law before all courts in the State of California. I am
5 one of the attorneys of record for Plaintiff Christopher Williams in this lawsuit.

6 1. Attached hereto as **Exhibit 1** are true and correct copies of excerpts from the deposition
7 transcript of Matt Mendoza in this lawsuit, which is maintained by our firm in the ordinary course of
8 business. The excerpts show that Mr. Mendoza testified at his deposition as to the e-mail correspondence
9 between him and Cara Anderson.

10 2. Attached hereto as **Exhibit 2** is a true and correct copy of the e-mail correspondence
11 between Cara Anderson and Matt Mendoza that served as Exhibit 1 to the deposition of Mr. Mendoza.

12 3. Attached hereto as **Exhibit 3** are true and correct copies of excerpts from the deposition
13 of Matt Mendoza in this lawsuit, which is maintained by our firm in the ordinary course of business. The
14 excerpts show that Mr. Mendoza testified at his deposition that he did not question the accuracy of Ms.
15 Anderson's reporting.

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

18 Date: August 3, 2022



19 _____
20 Nora Pasin
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EXHIBIT 1

1 1.

2 THE WITNESS: Okay.

3 (WHEREUPON, THE ABOVE-MENTIONED DOCUMENT
4 WAS MARKED AS EXHIBIT NO. 1 TO THE TESTIMONY OF
5 THE WITNESS AND IS ATTACHED HERETO.)

6 BY MR. BRIGGS:

7 Q. Do you recognize this e-mail thread?

8 A. Yes.

9 Q. This is an e-mail to and from your
10 Boeing.com e-mail address; correct?

11 A. Yes.

12 Q. You recognize this as a true and correct
13 copy of the mail thread?

14 A. Could you give me a few seconds to read
15 it?

16 Q. Sure.

17 A. Yes.

18 Q. This appears to be a true and correct
19 copy of the e-mail thread?

20 A. It appears to be. It appears to be
21 without putting it side by side. But I do
22 remember this.

23 Q. Okay. Do you know whether -- did you
24 ever hear whether Mr. Arambula had a temper?

25 MS. SEGAL: Objection. Argumentative.

EXHIBIT 2

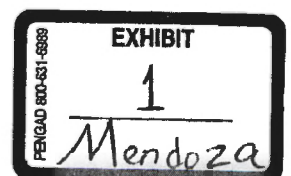
From: Cara Anderson [<mailto:cara@candidchronicle.com>]
Sent: Wednesday, November 13, 2019 11:35 PM
To: Mendoza (US), Matthew J <matthew.j.mendoza@boeing.com>
Subject: Re: Request for comment

Hey Matt,

Hope you're doing well. I wanted to reach out to see what you think about this... I was checking out David Arambula's Facebook today and came across a post he made about filling your council seat. I know that you held weekly meetings with the community, at least back in March 2018 when we spoke on the phone. I also saw from attending council meetings that you were active, paid attention to speakers, treated the community with respect, and acted fairly.

It leaves me to assume that Arambula's wife is displeased that you requested an investigation on the Arambula assault case. Did Alma ever express her displeasure with you?

I'm also confused by Jennifer Mendoza's comment. Did the city or city council ask you to step down?





David Arambula Fellow Councilmember Jennifer Mendoza's comments to the Union Tribune yesterday were on point.

" This came as no surprise to me. Mr. Mendoza has missed the last 5 council meetings. I have been very disappointed in his participation as a council member. Mr. Mendoza commuted to Los Angeles 5 days a week for his job. And traveled frequently out of state for work. In his three years on the council he has rarely made any appearances at civic events. He doesn't sit on any boards or committees, which means the other council members have had to pick up the slack in order to insure that our city has representation at SANDAG, MTS, Metro Wastewater, Heartland Fire, League of Cities, etc. Yet he collects the same salary as other council members and a travel allowance for meetings that he does not attend. I like Mr. Mendoza. He is an intelligent man who had the city's best interest at heart. However, this is an opportunity for Lemon Grove to have a Council member who is more engaged in the community and can more fully participate in council matters."

Like Reply 5d Edited



Mark Lane David Arambula so, why wasn't he removed then? I'm sure there are provisions for that.

Like Reply 5d



Jennifer Lynn Mendoza The City has no provisions to remove a council member for any reason. We could only ask him to resign. We are looking at establishing a code of council responsibilities.

Like Reply 5d



Like Reply 5d



Mark Lane Jennifer in Mendoza sounds like we need an initiative

Like Reply 5d



Alma Velasquez I respect that the council has been respectful and professional about Mr. Mendoza's abrupt departure. However, I found him to be unprepared for the meetings he (sometimes) attended and provided little value. I can't recall seeing him at any community events. From his campaigning days, it was obvious he had no intention to serve Lemon Grove. He didn't even show up to the candidate debate. The minute he was elected, he immediately began positioning himself for his true goal which was running for congress. To say that he was committed to Lemon Grove is dishonest. At least this is my opinion.

Like Reply 5d Edited



David Arambula I agree wholeheartedly, but we have to get past this and appoint someone who will righteously serve Lemon Grove. We have many talented and enthusiastically engaged community members who are willing to step up and bring about the necessary change that we desperately need and that our community deserves.

Like Reply 5d



Alma Velasquez David Arambula I completely agree, and I'm looking forward to what the future will bring to our beautiful city. But, the opinion I have on Mr. Mendoza stands. I'll give credit where credit is due, and in his case, he doesn't

Like Reply 5d Edited



David Arambula I agree wholeheartedly, but we have to get past this and appoint someone who will righteously serve Lemon Grove. We have many talented and enthusiastically engaged community members who are willing to step up and bring about the necessary change that we desperately need and that our community deserves.

Like Reply 5d



Alma Velasquez David Arambula I completely agree, and I'm looking forward to what the future will bring to our beautiful city. But, the opinion I have on Mr. Mendoza stands. I'll give credit where credit is due, and in his case, he doesn't deserve any because he didn't serve our city wholeheartedly. Sorry, not sorry.

Like Reply 5d Edited



David Arambula Fair enough sweetheart

Like Reply 5d

From: "Mendoza (US), Matthew J" <matthew.j.mendoza@boeing.com>

Date: November 14, 2019 at 7:26:48 AM PST
To: Cara Anderson <cara@candidchronicle.com>
Subject: RE: Request for comment

Thank you Cara for the interesting reading! ☺ Of course this is a facebook post and most of their friends and family are chiming in. All of my life I have tried to stay away from that kind of back stabbing. I did not know David was married? Doesn't he have a girlfriend that comes to the meetings sometime? I am not sure and really don't care. Those two have enough on the plate to talk about me.

Those two come from a side of politics that try and tear down anything that they don't agree with. Instead of building up a City to move forward, if it is not their idea they go against it. Jennifer likes to go to places and be seen, get her picture taken tell people look at me here I am see what I am doing but when she reports about meetings it is what a beautiful day it was, good food and met so many people and that was it. No meat nothing of moving forward with improving the city. I brought financial strength and business since to the city, this is what is needed in Lemon Grove, we will not move forward if it does not raise revenue. But when there were questions to be asked of people that came before the Council they said zero and nothing to add. It is because when it comes to running a City and its problems it is over their head, again like to be seen and pose for pictures. Listen to the tape on what they say about the meetings they go to, they can talk for a few minutes and then at the end you stay to yourself what did she say???

I can go on but I that is not the kind of guy I am. Character is lost on people know a days, they would smile and act nice around me and other people then back bit them when they are gone.. Charter counts!!! And these two their count is a BIG ZERO.

As for David!! OMG what he has done to the City is unbelievable. A sitting City Councilman getting into a fight? And then try and hind it from the people? This shows the Character of a person by taking responsibly of his actions, but in his case not. And dumping it on the City, why didn't he call the sheriff after the altercation if he did not have something that he did not want the Sheriff to know about?

As for taking money from the City for sitting on the Council both of them should not take a dime their voted on AB 805 which takes Lemon Grove vote away and gives it to Chula Vista & San Diego on SANDAG. We have no say!! The people of LG want a say and a vote not some other cities telling us what to do. So remember AB 805 when they go to their meetings and talk because in the end it is all talk because they voted for Lemon Grove to have no Vote.

Was there an article that came out yesterday in the UT?

Cara, is your number 610-350-1751? Not sure if that is a typo? I can try and call you this afternoon.

Matt Mendoza



Sender notified by [Mailtrack](#)



EXHIBIT 3

1 would have happened to me, this is a party, this
2 is my political people coming over, we had a
3 little get together and this was totally on me,
4 not as a City councilman but a private party.

5 BY MR. BRIGGS:

6 Q. You're saying that if you had held such
7 an event at your house, not in your capacity as a
8 Lemon Grove City Council Member, but wouldn't have
9 asked the City to defend you in the case; is that
10 what you're saying?

11 A. Correct. Yes.

12 Q. Okay. Have you ever read any of the
13 articles that Ms. Anderson published in the Candid
14 Chronicle that concerned you?

15 A. Not that I recall. I sent them a letter
16 I think a couple of weeks ago.

17 Q. Have you ever known her to be a
18 dishonest reporter?

19 A. Not that I know of.

20 Q. Have you ever known her to quote you
21 inaccurately?

22 MS. SEGAL: Objection. Calls for
23 speculation.

24 BY MR. BRIGGS:

25 Q. Are you aware of any quotes that she's

1 attributed to you that were inaccurate?

2 A. Not that I recall. Because like I said,
3 I think I saw an article a couple of weeks ago.
4 But I don't necessarily read them or any paper.

5 Q. Do you recall an article she wrote in
6 March of 2018 titled "Something Doesn't Add Up;
7 Councilman Matt Mendoza requests an
8 investigation."

9 A. Yes.

10 Q. You recall reading that article when it
11 came out?

12 A. Yes.

13 Q. Did you ever call Ms. Anderson and tell
14 her that any portion of the article was
15 inaccurate?

16 A. I didn't call her specifically to say
17 that, no.

18 Q. Have you ever told her that -- on any
19 occasion have you ever told her that what she
20 wrote in that article was inaccurate?

21 A. Correct.

22 Q. Correct, that you never told her that
23 she made a mistake in the article?

24 A. I never had a discussion with her about
25 that article being incorrect.

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 23

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.

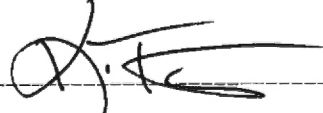
by overnight delivery. I sealed the documents in an envelope/package provided by an overnight-delivery service and addressed to the person(s) at the address(es) indicated on the list, and then I placed the envelope/package for collection and overnight delivery in the service's box regularly utilized 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

Kimberly S. Oberrecht
Nathaniel J. Michels
HORTON, OBERRECHT & KIRKPATRICK
101 W. Broadway, Suite 600
San Diego, California 92101
Telephone: (619) 232-1183
koberrecht@hortonfirm.com
nmichels@hortonfirm.com
pparish@hortonfirm.com

*Attorneys for Defendant CITY OF LEMON
GROVE*

Kathryn Lee Colgan
Emily M. Straub
TYSON & MENDES LLP
5661 La Jolla Boulevard
La Jolla, CA 92037
Telephone: (858) 459-4400
klee@tysonmendes.com
estraub@tysonmendes.com
Legal Assistant: Marlina Vaughn:
mvaughn@tysonmendes.com

*Attorneys for Defendant DAVID
ARAMBULA*