

01/25/2019 at 04:23:00 PM

Clerk of the Superior Court
By Tamara Parra, Deputy Clerk

1 BRIGGS LAW CORPORATION [FILE: 1939.00]
Cory J. Briggs (State Bar no. 176284)
2 Anthony N. Kim (State Bar no. 283353)
99 East "C" Street, Suite 111
3 Upland, CA 91786
Telephone: 909-949-7115

4 Attorneys for Plaintiff Christopher Williams
5

6
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 COUNTY OF SAN DIEGO – HALL OF JUSTICE
9

10 CHRISTOPHER WILLIAMS,

11 Plaintiff,

12 vs.

13 DAVID ARAMBULA; CITY OF LEMON
GROVE; and DOES 1 through 1,000,

14 Defendants
15

) CASE NO. 37-2018-00023363-CU-PO-CTL

) **PLAINTIFF CHRISTOPHER WILLIAM'S**
) **SEPARATE STATEMENT OF DISPUTED**
) **AND ADDITIONAL FACTS IN**
) **OPPOSITION TO DEFENDANT LEMON**
) **GROVE'S MOTION FOR SUMMARY**
) **JUDGMENT AND/OR SUMMARY**
) **ADJUDICATION OF ISSUES;**
) **DECLARATIONS OF TAISHA BROWN,**
) **CHRISTOPHER WILLIAMS, AND CORY**
) **J. BRIGGS; SUPPORTING EXHIBITS**

16 Action Filed: May 11, 2018
Department: C-68 (Whitney)

17
18 Hearing Date: February 8, 2019
Hearing Time: 10:30 a.m.
19

20 Plaintiff CHRISTOPHER WILLIAMS respectfully submits this separate statement of disputed
21 and additional material facts, together with references to exhibits (filed concurrently) in opposition to
22 Defendant CITY OF LEMON GROVE'S Motion for Summary Judgment and/or Summary
23 Adjudication of Issues.

24 Date: January 25, 2019.

Respectfully submitted,

25 BRIGGS LAW CORPORATION

26
27 By:


Cory J. Briggs

28 Attorneys for Plaintiff Christopher Williams

Moving Party's Undisputed Material Facts and Alleged Supporting Evidence	Opposing Party's Response and Supporting Evidence
<p>1. Defendant City of Lemon Grove (the "City") is a public entity.</p> <p>Supporting Evidence: Cal. Gov't Code §811.2; Declaration of City Manager Lydia Romero ("Decl. Mgr.") ¶ 1</p>	Undisputed.
<p>2. Defendant David Arambula was elected to serve as a member of the City of Lemon Grove City Council in November 2016.</p> <p>Supporting Evidence: Decl. Mgr. ¶ 4</p>	Undisputed.
<p>3. Mr. Arambula was sworn into office in January 2017.</p> <p>Decl. Mgr. ¶ 4</p>	Undisputed.
<p>4. Mr. Arambula was sworn into office in January 2017.</p> <p>Supporting Evidence: Decl. Mgr. ¶ 4</p>	Undisputed.
<p>5. Mr. Arambula was an elected official for the City during July 2017.</p> <p>Supporting Evidence: Cal. Gov't Code §810.2</p>	Undisputed.
<p>6. In July 2017, Mr. Arambula agreed to meet with a person he understood to be interested in "investing" generically in the City.</p> <p>Supporting Evidence: Declaration of Heidi K. Williams ¶ 4 & Ex. D, Deposition of David Arambula taken on October 26, 2018 (Depo. Arambula) 20:8-11.</p>	<p>Disputed. Taisha Brown (Brown) spoke to Arambula on behalf of Christopher Williams (Williams) to set up a meeting to discuss Williams' applications for medical-marijuana dispensaries. Brown made clear to Arambula that Williams wanted to meet with him to discuss his applications for medical-marijuana dispensaries. Brown Decl., ¶ 1.</p>
<p>7. Tiasha Brown, a member of a local political organization, proposed the July 2017 meeting to Mr. Arambula.</p> <p>Supporting Evidence: Depo Arambula 20:8-11; Executive Board, San Diego County Democratic Party website, https://sdcidp.ngpvanhostcomlexecutive-board (last visited Nov. 13, 2018)</p>	Undisputed.

Moving Party's Undisputed Material Facts and Alleged Supporting Evidence	Opposing Party's Response and Supporting Evidence
<p>8. Tiasha Brown is not a City employee.</p> <p>Supporting Evidence: Decl. Mgr. ¶ 5</p>	<p>Undisputed.</p>
<p>9. Ms. Brown did not disclose the specific topics to be discussed at the meeting.</p> <p>Supporting Evidence: Depo. Arambula 20:8-11 & 37:8-10</p>	<p>Disputed. Brown made clear to Arambula that Williams wanted to meet with him to discuss his applications for medical-marijuana dispensaries. Brown Decl., ¶ 1.</p>
<p>10. Mr. Arambula agreed Ms. Brown and her unknown guest could come to his home the evening of Friday, July 14, 2017.</p> <p>Depo. Arambula 20:16-21:3.</p>	<p>Disputed. Brown spoke to Arambula on behalf of Williams to set up a meeting to discuss Williams' applications for medical-marijuana dispensaries, and made clear that Williams wanted to discuss his applications. Brown made clear what the purpose of the meeting was. On July 14, 2017, Arambula informed Brown that the meeting will be held at his house. Brown Decl., ¶ 1-3.</p>
<p>11. Ms. Brown and plaintiff Christopher Williams ("Plaintiff") arrived at Mr. Arambula's home at approximately 7:30 p.m. on July 4, 2017.</p> <p>Supporting Evidence: Depo. Arambula 15:9-11</p>	<p>Undisputed.</p>
<p>12. Mr. Arambula, Plaintiff, and Ms. Brown engaged in small talk for a few minutes.</p> <p>Supporting Evidence: Depo. Arambula 37:13-38:11</p>	<p>Undisputed</p>
<p>13. Plaintiff steered the conversation to the topic of his medical marijuana dispensary applications, which were submitted to develop these businesses inside City limits.</p> <p>Supporting Evidence: Depo. Arambula 37:13-38:11</p>	<p>Undisputed.</p>
<p>14. Mr. Arambula immediately refused to discuss Plaintiff's development proposals.</p> <p>Supporting Evidence: Depo. Arambula 37:13-38:11</p>	<p>Disputed. Arambula and Williams discussed the latter's applications for medical-marijuana dispensaries. During the conversation, Arambula showed Williams a briefing booklet</p>

Moving Party's Undisputed Material Facts and Alleged Supporting Evidence	Opposing Party's Response and Supporting Evidence
	that he had received for the upcoming City Council meeting. Williams Decl., ¶ 3; Brown Decl., ¶ 4.
<p>15. After refusing to discuss Plaintiff's development proposals, Mr. Arambula promptly moved outside his house to the patio and pool area.</p> <p>Supporting Evidence: Depo. Arambula 37:13-38:11</p>	<p>Disputed. Arambula and Williams discussed the latter's applications for medical-marijuana dispensaries. During the conversation, Arambula showed Williams a briefing booklet that he had received for the upcoming City Council meeting. Brown Decl., ¶ 4.</p>
<p>16. The conversation was over by 8:00 p.m. on July 14, 2017.</p> <p>Supporting Evidence: Depo. Arambula 38:12-14.</p>	<p>Disputed. The conversation continued until after 8:00p.m.. Brown Decl., ¶ 4.</p>
<p>17. Mr. Arambula then hosted a purely social event for the remainder of the evening.</p> <p>Supporting Evidence: Depo. Arambula 38:15-18.</p>	<p>Disputed. The purpose of the meeting held at Arambula's home on the night of July 14, 2017 was to discuss Williams' applications for medical-marijuana dispensaries. The meeting related to City business; it was not a social event. Brown Decl., ¶ 1-3.</p>
<p>18. Mr. Arambula's neighbor, Manuel Ortiz, visited after 8:00 p.m.</p> <p>Supporting Evidence: Depo. Arambula 14:14-21 & 15:19-24</p>	<p>Undisputed.</p>
<p>19. Mr. Arambula's neighbor is not affiliated with the City.</p> <p>Supporting Evidence: Decl. Mgr. ¶ 5</p>	<p>Undisputed.</p>
<p>20. City of Lemon Grove Mayor Raquel Vasquez visited with a social purpose after 8:00 p.m.</p> <p>Supporting Evidence: Declaration of Raquel Vasquez ("Decl. Vasquez.") ¶ 4; Depo. Arambula 15:4-18.</p>	<p>Disputed. While at Arambula's home, Mayor Vasquez indicated to Williams that she knew he was there to discuss his applications for medical-marijuana dispensaries in the City. He and she also discussed the applications. Williams Decl., ¶ 3.</p>

Moving Party's Undisputed Material Facts and Alleged Supporting Evidence	Opposing Party's Response and Supporting Evidence
<p>1 21. Mayor Vasquez did not hear any discussion of City business while she was at Mr. Arambula's home on July 14, 2017</p> <p>3 Supporting Evidence: 4 Decl. Vasquez ¶ 5</p>	<p>Disputed. While at Arambula's home, Mayor Vasquez indicated to Williams that she knew he was there to discuss his applications for medical-marijuana dispensaries in the City. He and she also discussed the applications. Williams Decl., ¶ 3.</p>
<p>5 22. Mayor Vasquez did not initiate any discussion of City business while she was at Mr. Arambula's home on July 14, 2017.</p> <p>7 Supporting Evidence: 8 Decl. Vasquez ¶ 5</p>	<p>Disputed. While at Arambula's home, Mayor Vasquez indicated to Williams that she knew he was there to discuss his applications for medical-marijuana dispensaries in the City. He and she also discussed the applications. Williams Decl., ¶ 3.</p>
<p>9 23. A government claim was submitted on behalf of Plaintiff to the City at 5:50 p.m. on January 11, 2018.</p> <p>11 Supporting Evidence: 12 Decl. Mgr. ¶ 6 & Ex. A.</p>	<p>Undisputed.</p>
<p>14 24. City Council considered and denied Plaintiff's claim.</p> <p>15 Supporting Evidence: 16 Decl. Mgr. ¶ 7</p>	<p>Undisputed.</p>
<p>18 25. Mr. Arambula did not participate in the City Council closed session pertaining to Plaintiff's claim.</p> <p>19 Supporting Evidence: 20 Decl. Mgr. ¶ 7</p>	<p>Unable to dispute.</p>
Plaintiff's Undisputed Additional Material Facts and Supporting Evidence	Moving Party's Response and Supporting Evidence
<p>24 26. Plaintiff Christopher Williams (Williams) had more than one pending application to operate a medical-marijuana dispensary in the City of Lemon Grove (City) prior to July 14, 2017. 27 Williams Decl., ¶ 2.</p>	

Plaintiff's Undisputed Additional Material Facts and Supporting Evidence	Moving Party's Response and Supporting Evidence
<p>27. David Arambula (Arambula) had a practice of conducting official City business at his home. City's leadership – including Mayor Vasquez – was aware of this. Williams Decl., ¶ 3; Briggs Decl., ¶ 1; Ex. 1 (Arambula Depo. 21:4-16).</p>	
<p>28. Arambula was not the only member of the Lemon Grove City Council to conduct official City business outside of City Hall. Mayor Vasquez also conducted official City business at locations beyond City Hall. City's leadership knows that meetings concerned official City business have been held outside City Hall "[o]n multiple occasions." Briggs Decl., ¶ 2; Ex. 2 (Vasquez Dep. Tr., 136:9-23). Briggs Decl., ¶ 3; Ex. 3 (Romero Dep. Tr., 64:14-20).</p>	
<p>29. Williams accepted Arambula's invitation to attend a meeting at the latter's home on July 14, 2017, to discuss the former's pending applications to operate medical-marijuana dispensaries within the City. Brown Decl., ¶3-4.</p>	
<p>30. Mayor Vasquez also attended the meeting with Arambula and Williams on July 14, 2017. Williams Decl., ¶ 2.</p>	
<p>31. After Arambula threw a glass against the wall, Williams, Taisha Brown, and Mayor Vasquez spoke. Vasquez said that "everyone knows David [Arambula] has a temper." For that reason, everyone decided to clean up the glass and leave the residence. Williams Decl., ¶ 4.</p>	
<p>32. Arambula admitted to Taisha Brown that he beat up Williams. Brown Decl., ¶5.</p>	
<p>33. Williams has suffered a variety of injuries, including business losses, as a result of the attack by Arambula. Williams Decl., ¶ 5.</p>	

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Plaintiff's Undisputed Additional Material Facts and Supporting Evidence	Moving Party's Response and Supporting Evidence
<p>34. After the meeting at Arambula's residence, the Lemon Grove City Council took a vote on the Williams applications for permission to operate a medical-marijuana dispensary at various locations within City. Arambula participated in these votes but did not disclose the incident that had occurred at his residence on July 14, 2017. The City Council denied two applications. Williams Decl., ¶ 6.</p>	
<p>35. Plaintiff retained Briggs Law Corporation until after January 11, 2019. Briggs Decl., ¶ 9.</p>	

**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Declaration of Taisha Brown

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DECLARATION OF TAISHA BROWN

I, Taisha Brown, am over the age of 18 years and if called as a witness in this lawsuit will testify as follows:

1. On behalf of Christopher Williams, I spoke to David Arambula several weeks before July 14, 2017, to set up a meeting with him to discuss cannabis dispensaries in the City of Lemon Grove. Mr. Arambula said that he would be happy to arrange the meeting and would get back to me. I made it clear that Mr. Williams wanted to discuss cannabis dispensaries.

2. Mr. Arambula eventually called me back and let me know that he was available to meet on July 14, 2017, at a pizzeria in the City to discuss the cannabis dispensaries with Mr. Williams. After confirming with Mr. Williams, I called back Mr. Arambula and confirmed the meeting.

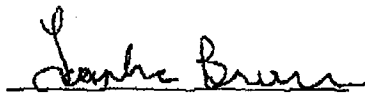
3. On July 14, 2017, Mr. Arambula called and told me that he needed to move the meeting to his house.

4. Mr. Williams and I arrived at Mr. Arambula's house between 6:30 p.m. and 7:30 p.m. After we arrived and exchanged greetings, I heard Mr. Williams discussing his applications for medical-marijuana dispensaries with Mr. Arambula. Mr. Arambula even showed a briefing booklet that he had received for the upcoming City Council meeting to Mr. Williams. Their conversation continued until after 8:00 p.m. Mayor Racquel Vasquez arrived after Mr. Williams and Mr. Arambula finished their conversation.

5. Mayor Vasquez and I left between 11:30 p.m. and midnight. A few minutes after Mayor Vasquez and I left Mr. Arambula's residence, I called Mr. Williams to make sure that he had been picked up by Uber. He did not answer the phone. After a few more unsuccessful attempts to reach him, I decided to call Mr. Arambula. Mr. Arambula answered the phone and told me that he had just beaten up Mr. Williams.

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

Date: January 24, 2019.



Taisha Brown

**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Declaration of Christopher Williams

1 **DECLARATION OF CHRISTOPHER WILLIAMS**

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

4 1. I am the Plaintiff in this lawsuit.

5 2. I went to David Arambula's residence on July 14, 2017, with Taisha Brown for the
6 purpose of discussing my pending applications for medical-marijuana dispensaries in the City of Lemon
7 Grove. I did not go to his residence for any social purpose. I was not and have never been social
8 friends with Mr. Arambula or with Mayor Racquel Vasquez, who arrived after Ms. Brown and I
9 arrived.

10 3. During my discussions with Mr. Arambula (while at his home that night), he indicated
11 to me that it was not the first time that he had held meetings related to official City business at his
12 home; he gave me the impression that he did so as a matter of convenience to him. During my
13 discussions with Mayor Vasquez (also while at Mr. Arambula's home that night) about my applications,
14 she indicated that she often meets with people to discuss official City business away from City Hall,
15 including at Mr. Arambula's residence. While at Mr. Arambula's home, she indicated that she knew
16 I was there to talk about my pending applications for medical-marijuana dispensaries in the City.

17 4. Toward the end of the evening, Mr. Arambula threw a glass against the wall. Ms.
18 Brown, Mayor Vasquez, and I briefly discussed it; the Mayor told us, "everyone knows David has a
19 temper," at which point we agreed to clean up the broken glass and then leave.

20 5. I have suffered a variety of physical and economic injuries as a result of the attack on
21 me by Mr. Arambula, including business losses. By my estimate, based on my business plan and the
22 amount of work I was unable to do and the extent of my injuries, the attack harmed me to the tune of
23 several hundreds of thousands of dollars.

24 6. After the meeting at Mr. Arambula's residence, I attended a Lemon Grove City Council
25 meeting on my applications for permission to operate a medical-marijuana dispensary at various
26 locations within City. Mr. Arambula and Mayor Vasquez participated in these votes, but did not
27 disclose the incident at his residence on July 14, 2017. City staff and city council council denied
28 four of my medical marijuana applications.

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

Date: January 24, 2019.

Christopher Williams
Christopher Williams

**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Declaration of Cory J. Briggs

1 **DECLARATION OF CORY J. BRIGGS**

2 I, Cory J. Briggs, am over the age of 18 years and if called as a witness in any legal proceeding
3 will testify as follows:

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

6 1. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt from the transcript
7 of the deposition of Defendant David Arambula taken during this lawsuit. I maintain the transcript in
8 the ordinary course of business.

9 2. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt from the transcript
10 of the deposition of Lemon Grove City Mayor Raquel Vasquez taken during this lawsuit. I maintain
11 the transcript in the ordinary course of business.

12 3. Attached hereto as Exhibit 3 is a true and correct copy of an excerpt from the transcript
13 of the deposition of Lemon Grove City Manager Lydia Romero taken during this lawsuit. I maintain
14 the transcript in the ordinary course of business.

15 4. A newspaper has quoted Lemon Grove City Councilmember Jerry Jones, who told a
16 newspaper reporter: "I am concerned that David [Arambula] and [Mayor] Racquel [Vasquez] put
17 themselves in a situation that led to this level of violence." Attached hereto as Exhibit 4 is a true and
18 correct copy of the newspaper article, which I obtained from the newspaper's website in the ordinary
19 course of business.

20 5. On my client's behalf, I served a deposition notice for Mr. Jones. Attached hereto as
21 Exhibit 5 is a true and correct copy of the deposition notice.

22 6. Defense counsel objected to the deposition notice and refused to produce Mr. Jones.
23 Attached hereto as Exhibit 6 is a true and correct copy of the objection to the deposition notice.

24 7. On my client's behalf, I recently served a subpoena on the insurance-company
25 investigator who looked into Plaintiff's tort claim. The subpoena would have been issued sooner, but
26 CITY took until January 4, 2019, to provide the contact information for the investigator and then
27 provided only a post-office box. In light of other pressing obligations for my various clients, my staff
28 was unable to find the physical address for service until January 21, 2019. The subpoena was issued

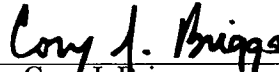
1 and sent out for service immediately upon discovering the physical address – that is, on the same day.
2 Based on my experience in similar matters, I expect the investigation will show whether the City of
3 Lemon Grove understood the full extent of what my client was claiming when he filed his tort-claim
4 form and whether it uncovered any other evidence to prove liability to my client.

5 8. I also believe that the testimony of Taisha Brown is likely to bolster my client's
6 contention that members of the Lemon Grove City Council routinely met at private residences to
7 conduct CITY business. Since she is the person who scheduled the meeting on my client's behalf, she
8 is the best witness to testify about what Mr. Arambula and/or Mayor Vasquez said when setting up the
9 meeting. Defense counsel notified me yesterday that Ms. Brown's deposition will not occur until the
10 week of February 25, 2019.

11 9. My client did not retain my firm until after January 11, 2018. Furthermore, the retainer
12 agreement wasn't even prepared until after January 11, 2018.

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

15 Date: January 25, 2019.

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Cory J. Briggs

**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Exhibit 1

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 COUNTY OF SAN DIEGO-HALL OF JUSTICE

3

4 CHRISTOPHER WILLIAMS,) Case No.
5) 37-2018-00023369
6 Plaintiff,) CU-PO-CTL
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DAVID ARAMBULA, CITY OF
LEMON GROVE, and DOES 1
through 1,000,

Defendants.

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VIDEOTAPED DEPOSITION OF DAVID ARAMBULA

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San Diego, California

15

October 26, 2018

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REPORTED BY: BOBBIE HIBBLER, CSR NO. 12475

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1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 COUNTY OF SAN DIEGO-HALL OF JUSTICE

3

4 CHRISTOPHER WILLIAMS,) Case No.
5) 37-2018-00023369
6 Plaintiff,) CU-PO-CTL
7 v.)
8 DAVID ARAMBULA, CITY OF)
9 LEMON GROVE, and DOES 1)
10 through 1,000,)
11 Defendants.)
12 _____)

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14 VIDEOTAPED DEPOSITION OF DAVID
15 ARAMBULA, taken by the Plaintiff, commencing at
16 the hour of 10:02 a.m. on Friday, October 26,
17 2018, at 530 B Street, Suite 350, San Diego,
18 California, before Bobbie Hibbler, Certified
19 Shorthand Reporter in and for the State of
20 California.

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1 APPEARANCES

2 For the Plaintiff:

BRIGGS LAW CORPORATION
3 BY: CORY J. BRIGGS, ESQ.
99 East C Street
4 Suite 111
Upland, California 91786
5 909-949-7121

6

7 For David Arambula:

TYSON & MENDES
8 BY: EMILY STRAUB, ESQ.
5661 La Jolla Boulevard
9 La Jolla, California 92037
858-459-4400

10

11 For City of Lemon Grove:

HORTON, OBERRECHT, KIRKPATRICK & MARTHA
12 BY: HEIDI K. WILLIAMS, ESQ.
225 Broadway
13 Suite 2200
San Diego, California 92101
14 619-232-1183

15

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17 ALSO PRESENT:

CHRISTOPHER WILLIAMS
18 ABEL SIBREL, VIDEOGRAPHER

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EXAMINATION INDEX

ARAMBULA, DAVID
BY MR. BRIGGS 6

EXHIBIT INDEX

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COURT REPORTER'S CERTIFICATE.....102

David Arambula 10/26/2018

1 THE VIDEOGRAPHER: Good morning. The
2 time on the record is 10:02 a.m. Today's date is
3 October 26, 2018. My name is Abel Sibrel with
4 Peterson Reporting Video & Litigation Services.
5 The court reporter today is Bobbie Hibbler of
6 Peterson Reporting located at 530 B Street, Suite
7 350, San Diego, California 92101.

8 This begins the videotaped
9 deposition of David Arambula testifying in the
10 matter of Christopher Williams versus David
11 Arambula, Case Number 37-2018-00023369 taken at
12 Peterson Reporting.

13 Will counsel please identify
14 yourselves and state whom you represent.

15 MS. STRAUB: Good morning. Emily Straub
16 for Mr. Arambula.

17 MS. WILLIAMS: Good morning. Heidi
18 Williams of Horton, Oberrecht for Defendant City
19 of Lemon Grove.

20 MR. BRIGGS: And I'm Cory Briggs for the
21 plaintiff.

22 THE VIDEOGRAPHER: Thank you. The court
23 reporter will now swear in the witness.

24 DAVID ARAMBULA,
25 having been first duly sworn, was examined and

1 available, do you want to meet? I said yes sure
2 come on by, I'm just going to be hanging out at
3 the house, so just stop on by.

4 Q. Okay. As far as you knew you were going
5 to be discussing City business at your house;
6 right?

7 A. Yes.

8 Q. Have you ever had any other meetings at
9 your house to discuss City business?

10 A. I have.

11 Q. On how many occasions?

12 A. Maybe once or twice before. I couldn't
13 give you an estimate though.

14 Q. Once or twice before the meeting with
15 Mr. Williams?

16 A. Yes.

17 Q. How many times since?

18 A. None.

19 Q. Why did you do meetings at your house?

20 A. Well, they weren't formal meetings.

21 They were more like what we did here with
22 Mr. Williams or what I did with Mr. Williams, just
23 have a discussion. They weren't something that
24 were to initiate any type of action or anything.
25 It was just people said hey, you know, I want to

**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Exhibit 2

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 COUNTY OF SAN DIEGO-HALL OF JUSTICE

3

4 CHRISTOPHER WILLIAMS,) Case No.
5) 37-2018-00023369
6 Plaintiff,) CU-PO-CTL
7)
8 v.)
9)
10 DAVID ARAMBULA, CITY OF)
11 LEMON GROVE, and DOES 1)
12 through 1,000,)
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14 Defendants.)
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VIDEOTAPED DEPOSITION OF RACQUEL VASQUEZ

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San Diego, California

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November 30, 2018

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REPORTED BY: BOBBIE HIBBLER, CSR NO. 12475

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1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 COUNTY OF SAN DIEGO-HALL OF JUSTICE

3

4 CHRISTOPHER WILLIAMS,) Case No.
5) 37-2018-00023369
6) CU-PO-CTL

7 Plaintiff,)

8 v.)

9)

10 DAVID ARAMBULA, CITY OF)

11 LEMON GROVE, and DOES 1)

12 through 1,000,)

13)

14)

15 Defendants.)

16 _____)

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20 VIDEOTAPED DEPOSITION OF RACQUEL

21 VASQUEZ, taken by the Plaintiff, commencing at the

22 hour of 10:02 a.m. on Friday, November 30, 2018,

23 at 530 B Street, Suite 350, San Diego, California,

24 before Bobbie Hibbler, Certified Shorthand

25 Reporter in and for the State of California.

26

27

28

29

30

31

1 APPEARANCES

2 For the Plaintiff:
BRIGGS LAW CORPORATION
3 BY: CORY J. BRIGGS, ESQ.
4891 Pacific Highway
4 Suite 104
San Diego, California 92110
5 619-497-0021

6

7 For David Arambula:
TYSON & MENDES
8 BY: EMILY STRAUB, ESQ.
5661 La Jolla Boulevard
9 La Jolla, California 92037
858-459-4400

10

11 For City of Lemon Grove:
HORTON, OBERRECHT, KIRKPATRICK & MARTHA
12 BY: HEIDI K. WILLIAMS, ESQ.
225 Broadway
13 Suite 2200
San Diego, California 92101
14 619-232-1183

15

16

17 ALSO PRESENT:
CHRISTOPHER WILLIAMS
18
MARINA HERNANDEZ, VIDEOGRAPHER

19

20

21

22

23

24

25

1 with the mayor because that's how the person
2 refers to me. But it's a friend.

3 Q. Who is the friend?

4 A. Joyce. Another Joyce. A different
5 Joyce.

6 Q. What's that Joyce's last name the
7 friend?

8 A. McBride.

9 Q. Then there's a second entry after that
10 for another meeting at Starbucks?

11 A. Yes.

12 Q. Who is that with?

13 A. So that one was a coffee.

14 Q. With whom?

15 A. With the community.

16 Q. Which community?

17 A. Anyone who walked into Starbucks who
18 wanted to chat with me.

19 Q. About the City of Lemon Grove?

20 A. Yes.

21 Q. So you were at that meeting in your
22 capacity as mayor of Lemon Grove?

23 A. Yes.

24 Q. You can click on all these June 2
25 entries and get me the full entry; correct?

**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Exhibit 3

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 COUNTY OF SAN DIEGO-HALL OF JUSTICE

3

4 CHRISTOPHER WILLIAMS,) Case No.
5) 37-2018-00023369
6 Plaintiff,) CU-PO-CTL
7)
8 v.)
9)
10 DAVID ARAMBULA, CITY OF)
11 LEMON GROVE, and DOES 1)
12 through 1,000,)
13)
14 Defendants.)
15 _____)

11

12

13

VIDEOTAPED DEPOSITION OF LYDIA ROMERO

14

San Diego, California

15

October 30, 2018

16

17

18

19

REPORTED BY: BOBBIE HIBBLER, CSR NO. 12475

20

21

22

23

24

25

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 COUNTY OF SAN DIEGO-HALL OF JUSTICE

3

4 CHRISTOPHER WILLIAMS,) Case No.
5) 37-2018-00023369
6 Plaintiff,) CU-PO-CTL
7 v.)
8 DAVID ARAMBULA, CITY OF)
9 LEMON GROVE, and DOES 1)
10 through 1,000,)
11 Defendants.)
12)
13)
14)
15)
16)
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12

13

14 VIDEOTAPED DEPOSITION OF LYDIA

15 ROMERO, taken by the Plaintiff, commencing at the
16 hour of 9:06 a.m. on Tuesday, October 30, 2018, at
17 530 B Street, Suite 350, San Diego, California,
18 before Bobbie Hibbler, Certified Shorthand
19 Reporter in and for the State of California.

20

21

22

23

24

25

1 APPEARANCES

2 For the Plaintiff:

BRIGGS LAW CORPORATION
3 BY: CORY J. BRIGGS, ESQ.
99 East C Street
4 Suite 111
Upland, California 91786
5 909-949-7121

6

7 For David Arambula:

TYSON & MENDES
8 BY: EMILY STRAUB, ESQ.
5661 La Jolla Boulevard
9 La Jolla, California 92037
858-459-4400

10

11 For City of Lemon Grove:

HORTON, OBERRECHT, KIRKPATRICK & MARTHA
12 BY: HEIDI K. WILLIAMS, ESQ.
225 Broadway
13 Suite 2200
San Diego, California 92101
14 619-232-1183

15

16

17 ALSO PRESENT:

CHRISTOPHER WILLIAMS
18 ABEL SIBREL, VIDEOGRAPHER
19

20

21

22

23

24

25

1 already.

2 A. And he was deposed already.

3 BY MR. BRIGGS:

4 Q. You're only saying that because your
5 lawyer said it?

6 A. That is correct.

7 Q. Have you ever attended an official --
8 withdrawn. Have you ever attended a meeting
9 concerning Lemon Grove business that wasn't --
10 that's all bad. Have you ever attended a meeting
11 concerning Lemon Grove business at somebody's
12 house?

13 A. No.

14 Q. Have you ever attended a meeting
15 concerning Lemon Grove business that wasn't at
16 City Hall, at a restaurant, or some other public
17 place?

18 A. Yes.

19 Q. On how many occasions?


20 A. On multiple occasions.

21 Q. Where is the first such meeting you
22 recall?

23 A. I'd have to go back and refer. Since
24 you have my calendars you have all the meeting
25 locations as to where most of my off-site meetings

**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Exhibit 4



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CRITICISM MOUNTS OF ARAMBULA AND LEMON GROVE LEADERS AFTER DISCLOSURE OF ASSAULT CLAIM BY DISPENSARY ADVOCATE

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March 2018 Articles

[Christopher Williams](#) [David Arambula](#) [Racquel Vasquez](#)



By Miriam Raftery

March 27, 2018 (Lemon Grove) – Christopher Williams, the medical marijuana dispensary advocate who has filed a claim against Lemon Grove detailed an alleged assault by Councilman David Arambula, is speaking out to dispute Arambula's self-defense claim.

Williams also contends that city staff stalled his applications for multiple dispensaries by

claiming not to have received results of a Department of Justice screening of all applicants, when e-mails from the DOJ indicate the results were sent to the city earlier.

Arambula is also drawing criticism from current and former councilmembers for failing to disclose the scuffle that sent Williams to a hospital for treatment of significant injuries including a fractured rib, gash on his face and bite marks on his arm. Mayor Racquel Vasquez is named as a potential witness in Williams claim, along with Taisha Brown, a Democratic Party activist, but both have declined to speak with media. Some members of the council contend they were kept in the dark by Arambula and Vasquez about the violent altercation even when voting on dispensary applications submitted by Williams for Pick Axe Holdings, LLC.

Of his four applications, three were denied due to not meeting distance requirements. A fourth was initially denied but later found to meet distance requirements and a conditional use permit remains pending, according to the city's record of dispensary applications. Williams says he was denied the opportunity to turn in a fifth application and was told someone else had applied on the same property.

Meanwhile the Candid Chronicle, a pro-marijuana publication that has been critical of Arambula and the city's handling of the case and that quoted Williams' wife, Kathleen McLean, on his injuries, has drawn criticism of its own for failing to disclose that it was founded by Williams, whose wife is listed as its publisher on her Facebook page. Councilman Jerry Jones filed a Sheriff report alleging cyberstalking by the publication, a claim Williams vigorously denies.

Williams speaks out

"I had dreams as a kid of being on the covers of business magazines," Williams told ECM in an interview, adding that the negative publicity over the altercation has been upsetting to him. "I don't want to be on the front page of any newspaper, but for doing good," he says.

Father of a teen and a younger child, he says he view the cannabis industry as an opportunity to help his family and create economic value with communities involved. He contends he studied Lemon Grove's ordinance and has strived to be complaint, but feels he has been treated unfairly. "I'm taking this very seriously. This is my reputation," he says.

According to Arambula, Brown asked him to meet Williams at Arambula's home with Williams about investing in Lemon Grove. He claimed to be unaware it was about marijuana dispensaries and that when he found out, he asked Williams to leave. He said the Mayor came over at Brown's request and that after they left, Williams attacked him, unprovoked and he defended himself. Arambula admits to biting and punching Williams, but denied hitting him with a bottle.

Williams declined to comment on some of the details until his attorney deems it appropriate but adds, "The truth will come out, adding that he believes texts and videos will confirm his contention that Arambula attacked him.

He does, however, insist that Arambula did strike him with a bottle. "Look at the long gash on my face," he points out. "That was not a punch."

He denies attacking Arambula, adding, "I'm 130 pounds, 135 pounds soaking wet."

The city has denied Williams claim, filed by attorney Cory Briggs. Asked if he plans to file a lawsuit against the city and Arambula, Williams replied that he'll follow his attorney's advice. "I believe I've got one of the best attorneys that's out there. He's standing up for me...I trust in him and believe in him."

Sheriff reports

The Sheriff's Department has confirmed that Williams did file a report the night of the altercation. However, Lieutenant Scott Amos informed ECM in an email, "The criminal case regarding this alleged assault is currently closed due to the victim, Christopher Williams, choosing not to identify the suspect at the time the crime report was taken and not desiring prosecution," instead choosing to pursue the

matter through the civil process. He adds, "The statutory time limit allows for the criminal case to be reopened should Mr. Williams change his mind and desire to pursue the matter criminally. If this occurs, the Sheriff's Department will reopen the criminal case and continue the investigative process."

Williams has indicated in other media that he did not name Arambula in the criminal report because he was afraid of biasing city decision makers against his dispensary applications.

Other Councilmembers weigh in

Councilman Matt Mendoza says he learned of the altercation through media reports. He has sent a letter to the city attorney and city manager asking for an investigation of the incident and what he contends was a cover-up. "I would like to hear the witnesses, too, to hear the truth." He wants to know why he was kept in the dark by Arambula and the Mayor until the claim was filed months later, at a time when councilmembers were voting on dispensary applications. "It was swept under the rug," he contends.

Councilman Jerry Jones told ECM that he filed a complaint of his own against Williams. "Yes, I did file a report with the Sheriff about what could be called internet stalking of my family," he said. "Mr. Williams and his associates, including Candid Chronicle, were spamming my accounts and my family with likes. Sounds silly, but in the internet world that is concerning for some people and is a form of stalking. In addition, members of my family were included in some sort of chat or text group on Instagram where nasty comments were made about me." He says his wife was frightened. "The Sheriff took the report, but initiated no action," he added.

Williams denies stalking Jones' family members. "Did we harass anyone? No. Would we direct message people that we would like to have news about the city? Absolutely," he says, adding that messages went to follows of Jones on social media. "If they don't want to see it, they can block us....We're a newspaper...That is our right. It's America. At the end of the day," he contends, "following, posting and speaking truth on social media is called freedom of the press."

Jones faults Candid Chronicle for not disclosing that Williams is its founder, which he acknowledges is true, and for not disclosing that the Pick Axe company shares a mailing list with Williams and Candid Chronicle. "A bit of a conflict, I'd say, and certainly not transparent," Jones states, adding, "My experience with Candid Chronicle and Mr. Williams has not been one that makes him a credible witness or source with me."

That said, Jones also levels criticism at Councilman Arambula and Mayor Vasquez. "I am concerned that David and Racquel put themselves in a situation that led to this level of violence, even if in self defense," he says. He voiced concern about the meeting being held at Arambula's home and of Arambula's claim that he tried to distance himself by taking a swim. "Jumping in the pool is not an action that remedies the situation," Jones observes. "These kinds of meeting should be kept professional and held in a public place like a restaurant or at city hall."

He disputed Arambula's contention that he has held meetings at home due to lack of space at Lemon Grove's city hall. "The Mayor has her own office, and I've never had a problem arranging the

conference room when I needed one. All that aside, preventing a bad situation from becoming worse, no one should have left David there alone with Mr. Williams at any time.”

But he adds, “The most concerning thing in all of this is that in at least two separate appeal hearings, David and Raquel both failed to disclose this meeting and Raquel didn’t fully disclose the details of the meeting in closed session when the claim was discussed.” He says failure to remove themselves from the situation and failure to fully inform the Council before votes “was a betrayal of the public trust and that of Council.” He also questioned whether Brown, a Democratic party official, engaged in “attempted influence peddling,” adding, “Had anyone or everyone involved in this incident been Republican, Green, or NPP (no party preference) I would have the same concerns.”

Jones, who has criticized all involved, had actions of his own that led to a claim filed against the city by Marcus Bush, as ECM reported this week. Bush accused Jones of veiled racism in a post on social media. Jones then raised concerns over Bush being employed by a contractor for Lemon Grove, resulting in Bush’s dismissal. Bush, who is black, claimed his free speech rights were violated. The city paid Bush’s attorney \$15,000 to settle the case without admitting liability, though Jones and the city manager both sent letters of apology to Bush.

Did the city discriminate against Williams?

Williams told EMC that “I believe I’ve been discriminated against” in the city’s handling of his dispensary applications.

As an example, he forwarded correspondence with city staff about Live Scan Fingerprinting which dispensary applicants must have through the Department of Justice. He says of Lemon Grove staff, “They intentionally misled me, which I believe was to stall my process... Fortunately, the Department of Justice cc’d me on emails to and from the city of Lemon Grove.”

Emails reveal that David Devries with the city’s Development Services Department asked Williams on January 10, 2018 if he wanted to put his application on hold, claiming that the city submitted the Live Scan application to the DOJ on March 21, 2017 and never received a response, which he said normally takes 30 days. He claimed another related application for a Mr. Ghidella also was not responded to and made clear the issues must be resolved before Williams’ zoning clearance application could be found complete. But an email from the DOJ to Williams on that same date confirms that Live Scan records on Williams was sent to Lemon Grove on March 28, 2017 and Ghidella’s records on October 30, 2017, and that Ghidella’s was in the city server; Williams would have to be fingerprinted again since such data is not saved past 90 days. It further indicated that Lemon Grove at the time had no custodian of records; the former custodian of records, Corinne Russell, would be responsible for printing results and maintaining them in a secure location. The letter also advised that a third application, for Cara Anderson, was rejected.

The city apparently requested a new Live Scan application be submitted. Williams objected to the cost and delay “because someone on your staff misplaced the original copies,” adding, “I spent an enormous amount of money and more importantly time following your rules and requests. Our

livescans were submitted directly to Lemon Grove, as the DOJ outlines in their email." He states that in multiple visits to the city office he was never advised that the city could not access his Live Scan or that the Custodian of record was no longer with the city. "It's clear from the DOJ, you already received our livescans and you still continue your discrimination on my MMD applications? You continue to block my due process," Williams wrote in an email sent January 11, 2018 to DeVries with copies to the city manager and other city staff.

Did the city discriminate against Williams, and if so, why? ECM has asked the city to respond to questions on the Live Scan discrepancies.

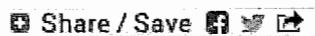
Thus far, no dispensaries by any applicant have received final approval from the city, though two have advanced to consideration of a conditional use permit after clearing zoning requirements. The Council had opposed marijuana legalization in the past, but the city's voters approved a 2016 ballot proposition to legalize medical cannabis dispensaries. Racism, another potential issue, seems less likely given that Mayor Vasquez, like Williams, is also African-American.

Williams believes the assault allegations may have led the city to seek to block his applications.

Another key question is whether Arambula and/or Vasquez should have recused themselves from voting on Williams' applications, given the physical violence involving Arambula and Williams, and Vasquez' role as a possible witness to the actions leading up to that incident.

Former Councilmember Mary England has voiced concerns over taxpayers' dollars "being frittered away over legal fees" and asks, "Why wasn't the fight disclosed?" She adds, "The culture of this Council, City Attorney and City Manager is not mindful of protecting the finances of the taxpayers they serve. This ongoing misbehavior is embarrassing....What's needed? No more lawsuits! People who love Lemon Grove and want to serve respectfully!"

On that point, Williams agrees. "Five people have a lot of responsibility up there to do their best to listen to the people who put them in power. The real power is in the people," he said. Jones calls himself a "straight shooter" and says if his permit is approved, "We'll keep our promise to the community with safe access and making sure we contribute as we promise...If you are blessed to get your hands on a permit, you should look at it as a responsibility to take seriously."

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Comments

Cara Anderson, Editor of Candid Chronicle

Submitted by cara a on Fri, 03/30/2018 - 15:43

As the editor of Candid Chronicle, I can assure that the publication has never been critical of Arambula as far as expressing negative sentiments. I am the only CC writer who has mentioned Arambula in our publication. While I am glad to utilize critical thinking on a daily basis, I have not included a single analysis of or personal thought about the councilman in my reports. I commend Jerry Jones for sharing his beliefs on how Arambula and Vasquez handled the assault. I've reviewed the

Instagram direct message that Jones references as containing "nasty comments" about him. The only messages made about Jones by @candidchronicle were that he is a "decent guy", and "a very intelligent man." I withhold personal opinion from my reports, however, I'd like to also express my personal opinions, which are not to represent the Candid Chronicle or other members of the publication. My personal beliefs are below... I believe that Jones' statement that his wife was frightened (by the Instagram messages) is glib. I'm sorry if the messages made Mrs. Jones uncomfortable. I simply found it a callous statement when I consider what Kathleen McLean has gone through. I ask that Jones imagine how frightening it is for Kathleen McLean to go about her daily life. McLean's husband was assaulted by someone who is in a position of power. I imagine that is truly frightening. Furthermore, Williams is a black man. I'm not insisting that Arambula's motives were based on race, however, I think we should consider how black people have historically been treated in the US. I imagine that if my significant other were a black man who was assaulted by a gov't official who was backed by the sheriff's department, I would truly be terrified. I imagine that if my husband were assaulted by someone who's allegedly threatened violence against other people, I would be frightened. I ask that anyone reading this considers that race can't be left out of the discussion. I believe it's unfounded to assert that racism is simply a "potential issue" and "less likely" because the Mayor is a black woman. The mayor's presence in Lemon Grove does not negate the potentiality of Williams being discriminated against for being a black man. If a black man believes he has been discriminated against because of race, I do not second guess that. As a white person, Miriam, I believe it's imperative to acknowledge that you have never felt racism, and are not in a position to judge when/where racism exists or does not exist. As far as transparency goes, it has never been a secret that Chris Williams is one of the original founders of Candid Chronicle. To my knowledge, Williams has even handed out his business card in the Lemon Grove office. I have never denied or hidden that Williams is a founder. As the editor of Candid Chronicle for over a year, I apologize to anyone who felt misled, but that was not the intention. I am a 25-year-old woman who is running many facets of a news publication. I am not a seasoned journalist or editor but I appreciate any constructive criticism which aids me in continuing to provide the best coverage possible!

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To Be Clear

Submitted by jjones-lg on Thu, 03/29/2018 - 10:36

First let me say that I have no personal issue with medical marijuana or its medicinal value. Everything concerning the process of placing dispensaries in Lemon Grove have been purely a land use issue for me. My opposition to measure V came from the community's vote in 2012 when Council put our own measure supporting MMD (medical marijuana dispensaries) on the ballot. The citizen's initiative and council's initiative both failed. I personally worked with staff on the measure language, wrote the ballot argument in favor and put my name to it. The community said no and I felt obligated to retain that position in 2016. Once again, my only position since has been a land use issue. A portion of the dispensary industry, including Mr. Williams, seems insensitive to the communities concerns on placement. They even gathered signatures to remove small day care facilities from the sensitive area list. As I've stated before it's the cash nature of this business and it's attraction for a criminal element that makes the day care issue critical. With regard to permits, any business that has the potential to impact the community in a significant way lends itself to the CUP (conditional use permit) process. This process was very over used in the city's past and I've worked hard to limit its use in my time. It's a long and complicated and often expensive process. It does have its place and its application for the placement of MMDs is appropriate. Every dispensary and every business requiring a CUP is treated the same. After hearing complaints about the process applied to MMDs I sat with staff to review the process. Yes I questioned some of the requirements and was assured that they were either applied to every CUP applicant or was (or would be) a requirement of the State. I found no compelling reason to doubt the process as it is applied here. Keep in mind that we are dealing with a drug here. This is an area that the State normally regulates. In this case much of that oversight has been regulated to the land use process of city's and county's who lack much of the resources and expertise the State has available to them. We have to move cautiously because whatever we end up with we are stuck with.

Keep in mind also that La Mesa started their process before us and are only now issuing their first permits. Finally, I had no idea who Mr. Williams was or the events of the July meeting when his first application was presented to Council in August. When his second application was presented in September I was the one that first spoke in favor of a distance variance based on a cumulative separation of the natural and constructed barriers described in the law. That was an interpretation of the ordinance that would not have happened had I had anything other than honorable intentions with regard to implementing the will of the voters and a personal drive to deal with everyone fairly. Jerry Jones

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Concerned

Submitted by SurfJ24 on Wed, 03/28/2018 - 22:06

Sounds like an investigation is majorly in order. So sad that poor man had to get hurt for this to come to light. Makes me wonder what else has gone down that's been swept under the rug. When the government gets involved in cover ups and fishy business... I put my foot down. Is this really who we want in office? I know how I'll be voting, that's for sure. Also as an aside on credibility. What's with all of typos & leaving out of proper quotation. Do you bother proofreading? Don't know what candid chronicle is but sounds more like a weed thing so who really cares if it's owned by the dispensary guy. What concerns me is this "unbiased" magazine's inability to slow down before rushing an article to release.

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typos

Submitted by miriamg on Wed, 03/28/2018 - 22:44

Rereading this I found one apostrophe omitted and one single quotation mark accidentally deleted off the start of one quote in the editing process. These have been fixed. If there is something else that I missed please email me.

This was not rushed to print. It was gone over several times and held up for several days to fact-check and collect documents that we reviewed, with many updates and additions to the original draft. I apologize for the two typos. My eyesight isn't as sharp as it used to be.

We try hard but if readers spot a typo we missed, please be specific about what the typo is, and notify editor@eastcountymagazine.org. I fail to see why you're suggesting we're somehow biased because of a typo or two. I spent about an hour on the phone for Mr. Williams for this story, and previously with Mr. Arambula when he responded to Williams' original claim, which we covered in a prior story. We've given each man's version in detail, also seeking reactions from others on the council. We have not taken sides either way; that will be up to a court to sort out, if this goes that far.

If anyone has information they believe should come to light on any aspects of this story, we'd be very interested in hearing from people with facts that may shed light on the issues raised here.

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**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Exhibit 5

1 BRIGGS LAW CORPORATION [FILE: 1939.00]
Cory J. Briggs (State Bar no. 176284)
2 Anthony N. Kim (State Bar no. 283353)
99 East "C" Street, Suite 111
3 Upland, CA 91786
Telephone: 909-949-7115

4 Attorneys for Plaintiff Christopher Williams
5
6
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN DIEGO – HALL OF JUSTICE
10

11 CHRISTOPHER WILLIAMS,

12 Plaintiff,

13 vs.

14 DAVID ARAMBULA; CITY OF LEMON
GROVE; and DOES 1 through 1,000,

15 Defendants.
16

CASE NO. 37-2018-00023369-CU-PO-CTL

NOTICE OF DEPOSITION OF JERRY JONES

Date: January 22, 2019

Time: 1:30 p.m.

Place: Peterson Reporting
530 "B" Street, Suite 350
San Diego, CA 92101

17 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

18 **PLEASE TAKE NOTICE** that on the date and at the time and the place indicated in the
19 caption above, Plaintiff Christopher Williams shall take the deposition of Defendant City of Lemon
20 Grove-affiliated witness Jerry Jones. The deposition shall take place before a certified shorthand
21 reporter, shall be audio- and video-recorded for all purposes of this lawsuit, and shall continue from
22 day to day until complete (including Saturdays and Sundays but not legal holidays). If the deponent
23 requires an interpreter and will not be providing one, notice of this fact should be given to the party
24 noticing the deposition at least ten days prior to the deposition.

25 In addition, the Deponent is directed to bring all the "writings" (as that term is defined in
26 Section 250 of the Evidence Code) described in Attachment 3 to this Deposition Notice.

27 Date: January 4, 2019.

Respectfully submitted,

BRIGGS LAW CORPORATION

28 By:


Cory J. Briggs

Attorneys for Plaintiff Christopher Williams

DEPOSITION NOTICE

Attachment 3

1. For each member of the Lemon Grove city council (including the mayor), his or her **CALENDAR** showing every meeting he or she has attended since January 1, 2010, in his or her capacity as a member of the city council (including as mayor) and that pertained in any way to the official business of the City of Lemon Grove. (As used in this category, "CALENDAR" paper, cloud-based, and electronic date books, diaries, appointment books, calendars, schedules, and other reminders and/or confirmations of a meeting.)

2. [Deleted]

3. [Deleted]

4. Each and every report that has been prepared concerning any aspect of the incident between Plaintiff and Defendant David Arambula that is the subject of this lawsuit.

5. Each and every writing that pertains in any way to any aspect of the incident between Plaintiff and Defendant David Arambula that is the subject of this lawsuit.

6. Each and every writing that pertains in any way to any restraining order against Defendant David Arambula.

7. Each and every writing that pertains in any way to improper verbal behavior by Defendant David Arambula.

8. Each and every writing that pertains in any way to improper physical behavior by Defendant David Arambula.

9. Each and every writing that pertains in any way to any disability or other psychological, emotional, and/or physical condition of Defendant David Arambula.

PROOF OF SERVICE

1. My name is Janna Ferraro. I am over the age of eighteen. I am employed in the State of California, County of San Diego.

2. My business _____ residence address is Briggs Law Corporation, 4891 Pacific Highway, Suite 104, San Diego, CA 92110

3. On January 4, 2019, I served _____ an original copy a true and correct copy of the following documents: Notice of Deposition of Jerry Jones

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 _____ San Diego, 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: January 4, 2019 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
Heidi K. Williams
HORTON, OBERRECHT, KIRKPATRICK
& MARTHA
225 Broadway, Suite 2200
San Diego, California 92101
Telephone: (619) 232-1183
koberrecht@hortonfirm.com

*Attorneys for Defendant CITY OF LEMON
GROVE*

Susan L. Oliver, Esq.
Emily M. Straub, Esq.
TYSON & MENDES
5661 La Jolla Boulevard
La Jolla, CA 92037
Telephone: (858) 459-4400
Soliver@tysonmendes.com
estraub@tysonmendes.com

Attorneys for Defendant DAVID ARAMBULA

**PLAINTIFF CHRISTOPHER WILLIAM'S SEPARATE STATEMENT OF DISPUTED
AND ADDITIONAL FACTS IN OPPOSITION TO DEFENDANT LEMON GROVE'S
MOTION FOR SUMMARY JUDGMENT AND/OR SUMMARY ADJUDICATION OF
ISSUES**

Exhibit 6

1 Kimberly S. Oberrecht [C.S.B. No. 190794]
Heidi K. Williams [C.S.B. No. 297428]
2 **HORTON, OBERRECHT, KIRKPATRICK & MARTHA**
225 Broadway, Suite 2200
3 San Diego, California 92101
(619) 232-1183 * (619) 696-5719 [facsimile]
4

5 Attorneys for Defendant CITY OF LEMON GROVE
6

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **IN AND FOR THE COUNTY OF SAN DIEGO**
CENTRAL JUDICIAL DISTRICT

9 CHRISTOPHER WILLIAMS,
10)

11 Plaintiff,
12)

13 vs.
14)

15 DAVID ARAMBULA; CITY OF LEMON
16 GROVE; and DOES 1 through 1,000,
17)

18 Defendants.
19)

CASE NO.: 37-2018-00023369-CU-
PO-CTL

DEFENDANT CITY OF LEMON
GROVE'S OBJECTIONS TO
PLAINTIFF'S NOTICE OF
DEPOSITION OF COUNCIL
MEMBER JERRY JONES

IMAGED FILED

Action Filed: May 11, 2018
Trial Date: 12/13/19

20 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

21 **PLEASE TAKE NOTICE** that Defendant City of Lemon Grove hereby objects to
22 Plaintiff's Notice of Deposition of Jerry Jones and the enclosed demand for production of
23 documents set to take place at the above-mentioned date, time, and location. Deponent will not be
24 produced for deposition.

25 Additionally, Defendant City of Lemon Grove hereby objects to Plaintiff's Demand for
26 Production of Documents (Attachment 3) on the following grounds:

27 1. Objection. Plaintiff's first request for production is not reasonably calculated to
28 lead to the discovery of admissible evidence, is overly broad, is compound, and is vague and
ambiguous as to the terms "meeting" and "official business."

2. Plaintiff's second request for production was omitted.

3. Plaintiff's third request for production was omitted.

**OBJECTIONS TO PLAINTIFF'S NOTICE OF
DEPOSITION OF COUNCIL MEMBER JERRY JONES**

1 4. Objection. Plaintiff's fourth request for production is overly broad, is vague and
2 ambiguous as to the term "report," and calls for the production of information protected by the
3 attorney-client and attorney work product privileges.

4 5. Objection. Plaintiff's fifth request for production is not reasonably calculated to
5 lead to the discovery of admissible evidence, is overly broad, is vague and ambiguous as to the term
6 "writing," and calls for the production of information protected by the attorney-client and attorney
7 work product privileges.

8 6. Objection. Plaintiff's sixth request for production is not reasonably calculated
9 to lead to the discovery of admissible evidence, lacks foundation, is overly broad, is vague and
10 ambiguous as to "writing" and to "restraining order," and calls for the production of information
11 protected by the attorney-client and attorney work product privileges.


12 7. Objection. Plaintiff's seventh request for production is not reasonably calculated
13 to lead to the discovery of admissible evidence, lacks foundation, is overly broad, is vague and
14 ambiguous as to "writing" and to "improper verbal behavior," and calls for the production of
15 information protected by the attorney-client and attorney work product privileges.

16 8. Objection. Plaintiff's eighth request for production is not reasonably calculated
17 to lead to the discovery of admissible evidence, lacks foundation, is overly broad, is vague and
18 ambiguous as to "writing" and to "improper physical behavior," and calls for the production of
19 information protected by the attorney-client and attorney work product privileges.

20 9. Objection. Plaintiff's ninth request for production is not reasonably calculated
21 to lead to the discovery of admissible evidence, lacks foundation, invades defendant David
22 Arambula's right to privacy, is overly broad, is vague and ambiguous as to "writing," to "disability,"
23 and to "other psychological, emotional, and/or physical condition," and calls for the production of
24 information protected by the attorney-client and attorney work product privileges.

25 Dated: January 9, 2019

HORTON, OBERRECHT, KIRKPATRICK & MARTHA

26 By: 

27 Kimberly S. Oberrecht,
 Heidi K. Williams,
28 Attorneys for Defendant CITY OF LEMON
 GROVE

OBJECTIONS TO PLAINTIFF'S NOTICE OF
DEPOSITION OF COUNCIL MEMBER JERRY JONES

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Kimberly S. Oberrecht [C.S.B. No. 190794]
Heidi K. Williams [C.S.B. No. 297428]
HORTON, OBERRECHT, KIRKPATRICK & MARTHA
225 Broadway, Suite 2200
San Diego, California 92101
(619) 232-1183 * (619) 696-5719 [facsimile]

Attorneys for Defendant CITY OF LEMON GROVE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

**IN AND FOR THE COUNTY OF SAN DIEGO
CENTRAL JUDICIAL DISTRICT**

CHRISTOPHER WILLIAMS,)	CASE NO.: 37-2018-00023369-CU-
)	PO-CTL
Plaintiff,)	
)	DECLARATION OF PROOF OF
vs.)	SERVICE
)	
DAVID ARAMBULA; CITY OF LEMON)	<i>IMAGED FILED</i>
GROVE; and DOES 1 through 1,000,)	
Defendants.)	

I am employed in the County of San Diego, State of California. I am over the age of eighteen years and am not a party to the within entitled action; my business address is 225 Broadway, Suite 2200, San Diego, California 92101.

On **January 9, 2019**, I served the following documents:

DEFENDANT CITY OF LEMON GROVE'S OBJECTIONS TO PLAINTIFF'S NOTICE OF DEPOSITION OF COUNSEL MEMBER JERRY JONES

on all interested parties in this action by placing the true copies thereof to be delivered as listed below:

Cory J. Briggs, Esq.	Susan L. Oliver, Esq.
Anthony N. Kim, Esq.	Emily M. Straub, Esq.
BRIGGS LAW CORPORATION	TYSON & MENDES
99 "C" Street, Suite 111	5661 La Jolla Blvd.
Upland, CA 91786	La Jolla, CA 92037
Tel: (909) 949-7115; Fax: (909) 949-7121	Tel: (858) 459-4400
Attorney for Plaintiff CHRISTOPHER WILLIAMS	Attorneys for Defendant DAVID ARAMBULA

DECLARATION OF PROOF OF SERVICE

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BY MAIL: I enclosed the documents in a sealed envelope or package addressed to the persons listed on the attached service list. I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am employed in the county where the mailing occurred. The envelope or package was placed in the mail at San Diego, California.

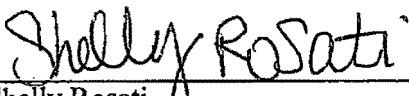
BY FAX TRANSMISSION: Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons listed on the attached service list. No error was reported by the fax machine that I used. A copy of the record of the fax transmission will be maintained with the original document in this office.

BY ELECTRONIC MAIL: I caused the above-listed document(s) to be transmitted by electronic transmission, addressed to all parties appearing on the attached service list for the above-entitled case. The service transmission was reported as complete and a copy of the email receipt will be maintained with the original document in this office.

BY OVERNIGHT DELIVERY: I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in the attached service list. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

PERSONAL SERVICE VIA MESSENGER SERVICE : I served the documents by placing them in an envelope or package addressed to the persons in the attached service list and providing them to a professional messenger service for service.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **January 9, 2019.**



Shelly Rosati

DECLARATION OF PROOF OF SERVICE

PROOF OF SERVICE

1. My name is Monica Manriquez. I am over the age of eighteen. I am employed in the State of California, County of San Diego.

2. My business _____ residence address is Briggs Law Corporation, 4891 Pacific Highway, Suite 104, San Diego, CA 92110.

3. On January 25, 2019, I served _____ an original copy a true and correct copy of the following documents: Plaintiff Christopher Williams' Separate Statement of Disputed and Additional Facts in Opposition to Defendant Lemon Grove's Motion for Summary Judgment and/or Summary Adjudication of Issues; Declaration of Taisha Brown, Christopher Williams and Cory J. Briggs; Supporting Exhibits

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 San Diego, 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.

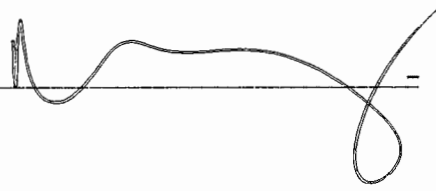
____ *by facsimile transmission*. Based on an agreement of the parties or a court order, I sent the documents to the person(s) at the fax number(s) shown on the list. Afterward, the fax machine from which the documents were sent reported that they were sent successfully.

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: January 25, 2019

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
Heidi K. Williams
HORTON, OBERRECHT, KIRKPATRICK
& MARTHA
225 Broadway, Suite 2200
San Diego, California 92101
Telephone: (619) 232-1183
koberrecht@hortonfirm.com

*Attorneys for Defendant CITY OF LEMON
GROVE*

Susan L. Oliver, Esq.
Emily M. Straub, Esq.
TYSON & MENDES
5661 La Jolla Boulevard
La Jolla, CA 92037
Telephone: (858) 459-4400
Soliver@tysonmendes.com
estraub@tysonmendes.com

Attorneys for Defendant DAVID ARAMBULA