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**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
**08/03/2022** at 03:49:00 PM  
Clerk of the Superior Court  
By E- Filing, Deputy Clerk

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

10 CHRISTOPHER WILLIAMS, 11 Plaintiff, 12 vs. 13 DAVID ARAMBULA; CITY OF LEMON 14 GROVE; and DOES 1 through 1,000, 15 Defendants.	}	CASE NO. 37-2018-00023369-CU-PO-CTL <b>PLAINTIFF CHRISTOPHER WILLIAMS'S OPPOSITION TO DEFENDANTS' MOTION <i>IN LIMINE</i>, 21 OF 23</b> Action Filed: March 01, 2017 Department: C-68 (Whitney) Trial Date: August 5, 2022 Trial Time: 8:30 a.m
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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. 21 to preclude Plaintiff and his Counsel from mentioning, questioning, or otherwise presenting  
20 testimony that Arambula has Post Traumatic Stress Disorder ("PTSD").

21 To support the motion, Defendants state that there is no admissible evidence to support the allegation  
22 that Arambula has PTSD, it is irrelevant because the evidence cannot be used to prove Arambula committed  
23 assault or battery, and it is unduly prejudicial and would mislead the jury. The motion should be denied  
24 because any evidence that Arambula was believed to have PTSD is relevant to Plaintiff's claims, is not  
25 hearsay, is not used to prove conduct or propensity, and is not unduly prejudicial or misleading.

26 First, the evidence should not be precluded because it is relevant to Plaintiff's claims. All relevant  
27 evidence is admissible except as otherwise provided by statute. EVID. CODE § 351. For evidence to be  
28 relevant, it must have "any tendency in reason to provide or disprove any disputed fact that is of consequence

1 to the determination of the action". EVID. CODE § 210. Plaintiff has testified that he was under the impression  
2 that Arambula suffered from certain medical diagnoses, including PTSD, at the time he was attacked by  
3 Arambula, and that impression led Plaintiff to consider whether or not to name Arambula to the police. This  
4 evidence is relevant to why Plaintiff did not call the police on his own accord after the attack.

5 Second, the evidence should not be precluded because it is not hearsay. When asked at his deposition  
6 why he was hesitant to share more details about his attacker with the sheriff who was called to hospital,  
7 Plaintiff stated "[t]hat it was a council member who told me he had a PTSD and was dying of cancer. *I didn't*  
8 *want to get him in trouble.*" See Arambula's Ex. 1 (emphasis added). This evidence is not hearsay  
9 because it is *not* being "offered to prove the truth of the matter stated". EVID. CODE § 1200. Rather, the  
10 evidence shows Plaintiff's impressions and state of mind when determining what to do after the attack. Based  
11 on what he believed he knew about Arambula, he was concerned about getting him in trouble.

12 Third, the evidence is not being offered to prove conduct or a propensity to act. The believed medical  
13 diagnosis does not suggest character evidence. Again, the evidence shows Plaintiff's impressions and belief  
14 that Arambula had certain medical diagnoses; the evidence does not go towards or make suggestions about  
15 Arambula's character or propensity for violence.

16 Lastly, the probative value of the evidence outweighs any potential confusion. Using the balancing test  
17 under Evidence Code section 352, the Court should find that the relevant evidence outweighs any possibility  
18 of confusion. Further, the evidence is not unduly prejudicial because it only focuses on what Plaintiff believed  
19 he knew at or around the time he was attacked by Arambula.

20 Based on the foregoing, For these reasons, motion *in limine* no. 21 to preclude evidence concerning  
21 Arambula's PTSD should be denied.

22  
23 Date: August 3, 2022

Respectfully submitted,

BRIGGS LAW CORPORATION

24  
25  
26 By:



27 Nora Pasin  
28 Cory J. Briggs  
Attorneys for Plaintiff Christopher Williams

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 21

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

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

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

\_\_\_\_ deposited the envelope/package with the U.S. Postal Service

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

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

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

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

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

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

Date: August 3, 2022

Signature: 

## SERVICE LIST

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

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