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CENTRAL DIVISION  
2018 NOV 21 P 3:17  
CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

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

11 CHRISTOPHER WILLIAMS,  
12 Plaintiff,

13 vs.

14 DAVID ARAMBULA; CITY OF LEMON  
15 GROVE; and DOES 1 through 1,000,  
16 Defendants.

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

) DEFENDANT CITY OF LEMON  
) GROVE'S NOTICE OF MOTION AND  
) MOTION FOR SUMMARY  
) JUDGMENT, OR IN THE  
) ALTERNATIVE, MOTION FOR  
) SUMMARY ADJUDICATION

) **Date:** 2/8/19  
) **Time:** 10:30 a.m.  
) **Dept.:** C-68  
) **Judge:** Hon. Richard Whitney

) *IMAGED FILED*

) Action Filed: May 11, 2018  
) Trial Date: None Set

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21 TO ALL PARTIES HEREIN AND TO THEIR RESPECTIVE ATTORNEYS OF  
22 RECORD:

23 NOTICE IS HEREBY GIVEN THAT on February 8, 2019, at 10:30 a.m. in Department C-  
24 68 of the above-referenced court, defendant CITY OF LEMON GROVE will and hereby does move  
25 this Court for an order entering summary judgment, or in the alternative, summary adjudication, in  
26 its favor against plaintiff CHRISTOPHER WILLIAMS' complaint.

27 Statutory authority for this motion lies in California Code of Civil Procedure section 437c.

28 This motion is based on this Notice of Motion, the Memorandum of Points and Authorities,

NOTICE OF MOTION AND MOTION

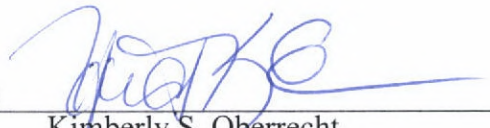
1 the Separate Statement of Undisputed Facts, the Declaration of Heidi K. Williams, the Declaration  
2 of City of Lemon Grove City Manager Lydia Romero, the Declaration of Racquel Vasquez, all  
3 pleadings and papers on file with the court in this matter, and such other and further oral or  
4 documentary evidence as may be presented at the time of the hearing.

5 Dated:

11/21/2018

**HORTON, OBERRECHT, KIRKPATRICK &  
MARTHA**

6  
7  
8  
9 By: \_\_\_\_\_

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

1 Kimberly S. Oberrecht [C.S.B. No. 190794]  
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FILED  
CIVIL BUSINESS OFFICE 9  
CENTRAL DIVISION

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CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

Attorneys for Defendant CITY OF LEMON GROVE

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**I.**

**INTRODUCTION**

This matter arises from a late-night altercation between two people that occurred on private property. Plaintiff Christopher Williams contends he was injured during the altercation with defendant David Arambula at Mr. Arambula's home. Plaintiff further contends defendant City of Lemon Grove is liable for Mr. Arambula's conduct at midnight on a Friday because he serves as a part-time elected official for the City. However, given the undisputed facts and the relevant legal authorities, Plaintiff cannot prevail against defendant City of Lemon Grove on any cause of action he raises in this case. Accordingly, the City of Lemon Grove seeks summary judgment in this case.

**II.**

**FACTUAL AND PROCEDURAL BACKGROUND**

Defendant City of Lemon Grove (the "City") is a "public entity." Defendant City of Lemon Grove's Separate Statement of Undisputed Facts ("SUF") ¶ 1. Defendant David Arambula was elected to serve as a member of the City of Lemon Grove City Council in November 2016. SUF ¶ 2. He was sworn into office in January 2017. SUF ¶ 3. Given this, Mr. Arambula was an elected official in July 2017, at the time of the incident at issue in this case. SUF ¶ 4. As a City Council member, Mr. Arambula was an "employee" of the City. SUF ¶ 5.

In July 2017, Mr. Arambula agreed to meet with a person he understood to be interested in "investing" generically in the City. SUF ¶ 6. A member of a local political organization, Tiasha Brown, proposed the meeting to Mr. Arambula. SUF ¶ 7. Ms. Brown is not a City employee. SUF ¶ 8. She did not disclose the specific topics to be discussed at the meeting. SUF ¶ 9. Despite this, Mr. Arambula agreed they could come to his home the evening of Friday, July 14, 2017. SUF ¶ 10.

When they arrived at approximately 7:30 p.m., Mr. Arambula engaged in small talk with his political acquaintance and plaintiff Christopher Williams ("Plaintiff") for a few minutes. SUF ¶¶ 11, 12. When Plaintiff turned the discussion to his specific medical marijuana dispensary applications, Mr. Arambula immediately halted the conversation. SUF ¶¶ 13, 14. Mr. Arambula further brought the conversation to a close by promptly moving out to his patio and pool. SUF ¶ 15. This conversation was over by 8:00 p.m. SUF ¶ 16. When asked in deposition about this

1 conversation, Mr. Arambula described it as follows:

2 "Well, we had light talk for about five or ten minutes,  
3 [Plaintiff's] background, the fact that he grew up somewhat near the  
4 neighborhood or in the neighborhood, the fact that he had been  
5 involved in some type of like little league or some of the youth sports  
6 that we had in town at some point before. And the fact that he  
7 wrestled or something in school. I'm trying to think what else. It  
8 was light talk. Five or ten minutes into the conversation is where he  
9 said well listen this is the reason I'm here.

10 "And his reason for being there he began explaining is that he  
11 wanted to open up marijuana dispensaries. And I said stop right  
12 there, we're not talking about this. As you may or may not know  
13 Measure V was really controversial in our City. And so for me that  
14 at the time was a really hot topic. It still is. And that's something I  
15 wouldn't discuss in an informal setting like that. So I told him - I  
16 redirected him to staff and I stopped talking to him about it. In fact,  
17 I got up a few minutes later very uncomfortably. And I went into the  
18 pool."

19 Declaration of Heidi K. Williams ("Decl. Williams") ¶ 5 & Ex. D, Deposition of David Arambula  
20 37:14-38:11.

21 The evening continued as a social event. SUF ¶ 17. Mr. Arambula's neighbor, who is  
22 entirely unaffiliated with the City, visited. SUF ¶¶ 18, 19. City of Lemon Grove Mayor Raquel  
23 Vasquez visited with a social purpose. SUF ¶ 20. During her time at Mr. Arambula's home, Mayor  
24 Vasquez did not hear or initiate any discussion of City business. SUF ¶¶ 21, 22.

25 Plaintiff contends an altercation occurred between him and Mr. Arambula around midnight.  
26 Declaration of City Manager Lydia Romero ("Decl. Mgr.") ¶ 6 & Ex. A (Plaintiff's government  
27 claim form).

28 Plaintiff submitted a government claim to the City at 5:50 p.m. on January 11, 2018. SUF  
¶ 23. He claimed Mr. Arambula committed assault and battery on the night of the incident. Decl.  
Mgr. ¶ 6 & Ex. A. This was the only cause of action listed in his claim. *Id.* The City Council, with  
no involvement by Mr. Arambula, denied Plaintiff's claim. SUF ¶¶ 24, 25.

Plaintiff subsequently filed the above-referenced case. The City contends Plaintiff has failed  
to assert any legitimate claim that imposes liability on this public entity. Accordingly, the City  
hereby moves for summary judgment.

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III.

LEGAL STANDARDS

Summary Judgment. A party may move for summary judgment when it contends all claims against it have no merit. CAL. CODE OF CIV. P. § 437c(a)(1). A claim has no merit and a defendant is entitled to judgment as a matter of law when a defendant can show “one or more of elements of the cause of action cannot be established, or that there is a complete defense to that cause of action.” *Aguilar v. Atlantic Richfield Co.* (2001) 25 Cal.4th 826, 849 (“*Aguilar*”).

When a plaintiff bears the burden of proof by a preponderance of the evidence at trial, a defendant who moves for summary judgment “must present evidence that would require a reasonable trier of fact *not* to find any underlying material fact more likely than not.” *Aguilar*, 25 Cal.4th at 851. The defendant may also show plaintiff does not possess and cannot reasonably obtain evidence to prove the claim. *Id.* at 854. Once the moving defendant has done this, the burden shifts to the plaintiff to set forth specific facts to show that a triable issue of material fact exists. *Id.* at 849. Otherwise, defendant is entitled to judgment as a matter of law.

Summary Adjudication. Similarly, a party may move for summary adjudication to dispose of one or more causes of action when it contends those causes of action have no merit. CAL. CODE OF CIV. P. § 437c(f)(1). “A motion for summary adjudication may be made by itself or as an alternative to a motion for summary judgment and shall proceed in all procedural respects as a motion for summary judgment.” CAL. CODE OF CIV. P. § 437c(f)(2).

IV.

ARGUMENT

Plaintiff’s case against the City is misplaced. He cannot prevail in any cause of action against the City for the reasons presented below. As a public entity, the City enjoys particular protections from liability for damages. The undisputed facts in this case fail to state a claim against the City. Given this, the City seeks summary judgment in this case.

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1           A.     **A Public Entity Is Only Liable For Damages When Permitted By Code and**  
2                    **When Plaintiff Adheres to Claims Requirements; Plaintiff's Second and Third**  
3                    **Causes of Action Are Barred By Failure To Submit Timely Government**  
4                    **Claims.**

5           A public entity is not liable for damages arising from tort causes of action except as  
6 permitted by Code. “[A]ll governmental liability is statutory, except as required by the state or  
7 federal Constitutions.” *Gong v. City of Rosemead* (2014) 226 Cal.App.4th 363, 370 (“*Gong*”)  
8 (citing *Nestle v. City of Santa Monica* (1972) 6 Cal.3d 920).

9                    “Except as otherwise provided by statute:

10                   (a) A public entity is not liable for an injury, whether such injury  
11 arises out of an act or omission of the public entity or a public  
12 employee or any other person.”

13 CAL. GOV'T CODE § 815 (emphasis added). In essence, tort liability of a public entity is wholly  
14 statutory.

15           Additionally, a plaintiff must comply with the Government Claims Act to be eligible to  
16 recoup money or damages from a public entity. CAL. GOV'T CODE § 905. “In order to comply with  
17 claims presentation requirements of the Government Claims Act, the facts alleged in a complaint  
18 filed in the trial court supporting a cause of action against a government employee, including the  
19 damages alleged to have been suffered by the claimant, must be consistent with the facts contained  
20 within the government claim.” *Gong*, 226 Cal.App.4th at 376. A claimant must file his claim for  
21 damages arising from personal injury not later than six months after the accrual of the action. CAL.  
22 GOV'T CODE § 911.2.

23           Plaintiff is not entitled to any damages from the City for negligence, cause of action three,  
24 because he failed to include those in his government claim. Plaintiff filed a government claim for  
25 assault and battery only. Decl. Mgr.¶ 6 & Ex. A. “The crimes of assault and battery are intentional  
26 torts. In the perpetration of such crimes negligence is not involved.” *Bartosh v. Banning* (1967)  
27 251 Cal.App.2d 378, 385. Additionally, none of the alleged facts Plaintiff stated in his claim can  
28 be construed as a “lack of reasonable care,” an essential element of negligence. CAL. CIVIL CODE  
§ 1714(a). Plaintiff contends in his claim that Mr. Arambula hit Plaintiff with a bottle, then  
“bit/kicked/punched/choked” Plaintiff. He elected not to describe the conduct as careless or even

1 reckless. Given this, Plaintiff failed to allege negligence as a potential cause of action and failed  
2 to state facts that amount to negligence in his government claim. Accordingly, Plaintiff is barred  
3 from seeking damages for negligence in this case because he failed to adhere to the requirements  
4 of the Government Claims Act.

5 Similarly, Plaintiff is not entitled to any damages from the City for intentional infliction of  
6 emotional distress, cause of action two, because he did not state this cause of action or facts  
7 amounting to this cause of action in his government claim. Again, the only stated cause of action  
8 in the government claim is “assault and battery,” even though Plaintiff received the assistance of  
9 counsel when preparing the claim. Decl. Mgr. ¶ 6 & Ex. A.

10 Additionally, Plaintiff did not allege he actually suffered severe emotional distress when he  
11 prepared his government claim. A plaintiff must suffer actual severe emotional distress to bring a  
12 claim for intentional infliction of emotional distress. *Christensen v. Superior Court* (1991) 54  
13 Cal.3d 868, 903 (citations omitted). Instead of identifying his distress with specificity, Plaintiff  
14 merely seeks damages for “medical bills, as well as damages for pain and suffering and lost work.”  
15 Decl. Mgr. ¶ 6 & Ex. A. This generic language did not put the City on notice that it potentially  
16 faced liability for an intentional infliction of emotional distress cause of action because Plaintiff  
17 omitted an essential element of that cause of action. “Severe emotional distress” is repeatedly held  
18 to a high standard and is interpreted to mean “emotional distress of such substantial quality or  
19 enduring quality that no reasonable [person] in civilized society should be expected to endure it.”  
20 *Hughes v. Pair* (2009) 46 Cal.4th 1035, 1051 (citations omitted). Although he could have been  
21 more specific, Plaintiff chose to use a phrase that connotes garden-variety impacts rather than the  
22 more severe distress required to bring an intentional infliction of emotional distress claim. For these  
23 reasons, Plaintiff is barred from seeking damages for intentional infliction of emotional distress  
24 because he failed to adhere to the requirements of the Government Claims Act.

25 The City does not face liability for any alleged damages unless a claimant adheres to the  
26 Government Claims Act. As argued above, Plaintiff is not entitled to receive damages under his  
27 negligence or intentional infliction of emotional distress theories because he failed to enumerate  
28 those causes of action in his government claim or allege facts that would put the City on notice of

1 those possible causes of action. Further, the time to file a claim for these theories has long since  
2 passed. For these reasons, Plaintiff is barred from recovering any damages from the City on  
3 negligence or intentional infliction of emotional distress causes of action and the City's motion for  
4 summary judgment, or in the alternative, summary adjudication, should be granted as to causes of  
5 action two and three.

6 **B. Plaintiff Cannot Prevail Against the City on Cause of Action One, Assault and**  
7 **Battery, or Cause of Action Two, Intentional Infliction of Emotional Distress,**  
8 **Because the Incident At Issue Did Not Arise From the Performance of Mr.**  
9 **Arambula's Official Duties.**

10 In addition to failing to include intentional infliction of emotional distress in his government  
11 claim, Plaintiff also cannot adequately link the events that occurred at midnight at a private  
12 residence to Mr. Arambula's official duties as an elected official. Therefore, the City cannot be held  
13 vicariously liable for any intentional tort allegedly committed by Mr. Arambula.

14 A public entity is not liable for an intentional tort committed by an elected official unless  
15 the public entity is named along with the elected official as a codefendant in the same action. CAL.  
16 GOV'T CODE § 815.3(a). However, if both are named as parties, *and* a trier of fact determines the  
17 intentional tort "arose from and was directly related to the elected official's performance of his or  
18 her official duties," the public entity is liable to the plaintiff. CAL. GOV'T CODE § 815.3(b). If the  
19 intentional tort does *not* arise from the performance of the elected official's official duties, plaintiff  
20 must seek judgment from the official first. The entity *may* pay the deficiency, but it not required  
21 to do so. CAL. GOV'T CODE § 815.3(c).

22 "It is the intent of the Legislature that elected officials assume full fiscal responsibility for  
23 their conduct which constitutes an intentional tort not directly related to their official duties  
24 committed for which the public entity they represent may also be liable, while maintaining fair  
25 compensation for those persons injured by such conduct." CAL. GOV'T CODE § 815.3(f).

26 Like any other employee, an elected official is not acting on behalf of the public entity it  
27 represents at every moment of the day. Under the Code, an elected official is an "employee." CAL.  
28 GOV'T CODE § 810.2. An elected official's specific conduct must be evaluated to determine  
whether it "arises from" that employment, which in turn requires an assessment of the "course and

1 scope” of the employment. “A willful, malicious, and even criminal act may fall within the scope  
2 of employment, but only if the act has a causal nexus to the employee’s work. For a causal nexus  
3 to exist, the risk of tortious injury must be foreseeable in the sense it is inherent in the working  
4 environment or typical of or broadly incidental to the employer’s enterprise.” *M. P. v. City of*  
5 *Sacramento* (2009) 177 Cal.App.4th 121, 129 (county not liable for sexual assault committed by  
6 on-duty firefighter) (citations and internal quotes omitted) (emphasis added).

7 Conduct exceeds the scope of employment when the conduct is “so divorced or so unusual...  
8 from the employee’s employment.” *Z. V. v. County of Riverside* (2015) Cal.App.4th 889, 898  
9 (citations omitted). In the *Z. V.* case, the court held the County was not liable for the sexual assault  
10 committed by a social worker against a teenage victim in foster care. The court noted that even  
11 though the social worker knew the victim through work, the assault occurred when the social worker  
12 had no authorized duties to perform, hours after the conclusion of the social worker’s official duties.  
13 “That the employment brought tortfeasor and victim together *in time and place* is not enough...  
14 [T]he incident leading to injury must be an outgrowth of the employment.” *Z. V. v. County of*  
15 *Riverside*, 238 Cal.App.4th at 898 (citations omitted) (emphasis in original).

16 Even if Mr. Arambula committed the acts as alleged by Plaintiff, *arguendo*, the City cannot  
17 be held liable for these acts because they did not arise out of the performance of Mr. Arambula’s  
18 official duties. Mr. Arambula had no idea Plaintiff was coming to Mr. Arambula’s private residence  
19 to discuss particular marijuana dispensary applications the night of the incident. SUF ¶¶ 6, 9. In  
20 fact, as soon as he became aware of Plaintiff’s real purpose in seeking a private meeting, Mr.  
21 Arambula called the discussion to a close and immediately removed himself from the conversation.  
22 SUF ¶¶ 14-16. This discussion was over by 8:00 p.m. SUF ¶ 16. The altercation, regardless of who  
23 initiated it, did not happen until four hours later. Decl. Mgr. ¶ 6 & Ex. A. In the time in between,  
24 those present engaged in a purely social event. SUF ¶¶ 17-22. Mayor Vasquez, for example, never  
25 heard or initiated any discussions pertaining to City business. SUF ¶¶ 21, 22. Mr. Arambula’s  
26 neighbor, who is entirely unaffiliated with the City, came over too. SUF ¶¶ 18, 19. The four hours  
27 between Mr. Arambula calling a halt to Plaintiff’s sales pitch and the incident at issue were not  
28 filled with “official duties.” Mr. Arambula simply hosted a social event in his home unrelated to

1 his status as a City official. For these reasons, the altercation and subsequent damages, if any, did  
2 not arise from Mr. Arambula's duties as a council member. Accordingly, the City is not liable for  
3 any damages arising from the intentional tort causes of action.

4 **C. Plaintiff Cannot Prevail Against City on Cause of Action Three, Negligence,**  
5 **Because A Public Entity Is Not Liable For Common Law Causes of Action.**

6 Plaintiff failed to file a government claim for negligence, so that cause of action is barred  
7 in this case. Further, Plaintiff cannot prevail on a negligence cause of action because Mr. Arambula  
8 was not acting within the scope of his "employment" with the City at the time of the alleged  
9 altercation.

10 The California Legislature "eliminat[ed] all common law or judicially devised forms of  
11 governmental liability" when it enacted the Government Claims Act. *Gong*, 226 Cal.App.4th at  
12 370. Given this, a public entity is not liable for common law negligence without a statutory "hook."

13 Plaintiff only stated a common law cause of action for negligence in his complaint. He  
14 failed to cite a statutory basis for cause of action three, negligence, against the City. See Complaint  
15 ¶¶ 19-21. He simply contends Mr. Arambula did not conduct himself as a "reasonably prudent  
16 person would." Complaint ¶ 20. For this alone, the negligence cause of action should be dismissed  
17 as to the City.

18 With a proper claim, a public entity may be liable for the negligence of its employees,  
19 however, those employees must be acting in the scope of employment to create liability. "A public  
20 entity is liable for injury proximately caused by an act or omission of an employee of the public  
21 entity within the scope of his employment if the act or omission would, apart from this section, have  
22 given rise to a cause of action against that employee or his personal representative." CAL. GOV'T  
23 CODE § 815.2(a).

24 The City cannot be liable for Plaintiff's alleged damages on this unstated statutory theory  
25 of liability either. First, Plaintiff failed to present a claim for negligence. Second, the alleged  
26 altercation did not occur while Mr. Arambula was acting in the scope of his employment. He was  
27 at home, hosting a private social event at midnight on a Friday night. *SUF* ¶ 17. The City is not an  
28 insurer of Mr. Arambula's private activities. Plaintiff cannot stretch one brief, unwelcome

1 conversation into blanket liability against the City. Accordingly, the motion for summary judgment  
2 should be granted as to cause of action three, negligence.

3 **D. Plaintiff Is Not Entitled to Any Damages for Loss of Future Income Because**  
4 **That Allegation Arises From Discretionary Decisions Made By The Elected**  
5 **Council.**

6 Plaintiff contends he is entitled to recoup future earnings from medical marijuana  
7 dispensaries that have not been approved by the City as a result of this incident. However, Plaintiff  
8 failed to plead any cause of action that would give rise to these damages. Regardless, there is no  
9 legal basis to seek this type of damage from the City. If any cause of action against the City survives  
10 this motion, Plaintiff's request for speculative lost earnings should be struck from consideration.

11 City council members are immune from liability for injury caused by exercise of discretion  
12 vested in him, whether or not such discretion be abused. CAL. GOV'T CODE § 820.2. This immunity  
13 extends to "basic policy decisions." *Ogborn v. City of Lancaster* (2002) 101 Cal.App.4th 448, 460.  
14 "Except as otherwise provided by statute, a public entity is not liable for an injury resulting from  
15 an act or omission of an employee of the public entity where the employee is immune from  
16 liability." CAL. GOV'T CODE § 815.2.

17 Plaintiff does not link his demand for lost earning capacity to Mr. Arambula's alleged  
18 conduct or to any action by Mr. Arambula. He merely suggests in his responses to written discovery  
19 that the City has "[interfered] with [Plaintiff's] economic opportunities through retaliation in  
20 processing land-use applications." Decl. Williams ¶ 4 & Ex. C, Response to Form Interrogatory  
21 number 9.1. He also contends "[t]he City has become extraordinarily difficult and unreceptive to  
22 [his medical marijuana dispensary] applications" since the altercation. Decl. Williams ¶ 4 & Ex.  
23 C, Response to Form Interrogatory number 8.2. Even if these contentions can somehow be linked  
24 to Mr. Arambula, his decisions to approve or deny development proposals is discretionary. As such,  
25 Mr. Arambula is immune from liability and, by extension, so is the City.

26 Plaintiff did not name any City employees in his government claim or in his complaint. He  
27 did not name any City employees in his discovery responses to identify who purportedly retaliated  
28 against him and became "unreceptive" to his development applications. Notably, Plaintiff also  
failed to plead retaliation and interference with prospective economic advantage as causes of action

1 in this case. Even if he had, Plaintiff is not entitled to recoup damages on these bases because  
2 "public employees' tort immunity for legislative decision-making applies even when that decision-  
3 making is also alleged to involve the making of misrepresentations motivated by 'actual fraud,  
4 corruption or actual malice.'" *Freeny v. City of San Buenaventura* (2013) 216 Cal.App.4th 1333,  
5 1337.

6 Plaintiff simply cannot recover damages related to the uncertain, speculative profits from  
7 an undeveloped business that required City staff and Council approvals. These are not properly part  
8 of this case and are barred by law in any event due to government immunities.

9 Altogether, Plaintiff is barred from recovering any damages from the City in this matter. He  
10 failed to submit a government claim for any cause of action other than assault and battery, so all  
11 other causes of action are barred. Further, he cannot establish that Mr. Arambula committed an  
12 intentional tort while performing his official duties. For these reasons, the motion for summary  
13 judgment should be granted in its entirety.


14 V.

15 CONCLUSION

16 For the reasons stated above, Plaintiff cannot prevail against the City on any one of his three  
17 causes of action. Additionally, he is not entitled to recoup damages for any speculative lost future  
18 income for businesses he has not opened. Accordingly, defendant City of Lemon Grove respectfully  
19 requests the Court grant its motion for summary judgment in its entirety.

20  
21 Dated: November 21, 2018

HORTON, OBERRECHT, KIRKPATRICK &  
MARTHA

22  
23 By:   
24 \_\_\_\_\_  
25 Kimberly S. Oberrecht,  
26 Heidi K. Williams,  
27 Attorneys for Defendant CITY OF LEMON  
28 GROVE

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

5 Attorneys for Defendant CITY OF LEMON GROVE

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CIVIL BUSINESS OFFICE 9  
CENTRAL DIVISION  
2018 NOV 21 P 3:42 18 13:09  
CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

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

11 CHRISTOPHER WILLIAMS,  
12 Plaintiff,

13 vs.

14 DAVID ARAMBULA; CITY OF LEMON  
15 GROVE; and DOES 1 through 1,000,  
16 Defendants.

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

) DEFENDANT CITY OF LEMON  
) GROVE'S SEPARATE STATEMENT  
) OF UNDISPUTED FACTS

) **Date:** 2/8/19  
) **Time:** 10:30 a.m.  
) **Dept.:** C-68  
) **Judge:** Hon. Richard Whitney

) *IMAGED FILED*

) Action Filed: May 11, 2018  
) Trial Date: None Set

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20 Pursuant to California Code of Civil Procedure section 437c and California Rule of Court  
21 3.1350, defendant CITY OF LEMON GROVE submits the following Separate Statement of  
22 Undisputed Facts in Support of Motion for Summary Judgment, or in the Alternative, Motion for  
23 Summary Adjudication.

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SEPARATE STATEMENT OF UNDISPUTED FACTS



MOVING PARTY'S UNDISPUTED FACTS AND SUPPORTING EVIDENCE	OPPOSING PARTY'S RESPONSE AND SUPPORTING EVIDENCE
<p>1. Defendant City of Lemon Grove (the "City") is a public entity.</p> <p><u>Supporting Evidence:</u></p> <p>CAL. GOV'T CODE § 811.2; Declaration of City Manager Lydia Romero ("Decl. Mgr.") ¶ 1.</p>	<p>1.</p>
<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><u>Supporting Evidence:</u></p> <p>Decl. Mgr. ¶ 4.</p>	<p>2.</p>
<p>3. Mr. Arambula was sworn into office in January 2017.</p> <p>Decl. Mgr. ¶ 4.</p>	
<p>4. Mr. Arambula was an elected official for the City during July 2017.</p> <p><u>Supporting Evidence:</u></p> <p>Decl. Mgr. ¶ 4.</p>	
<p>5. As a City Council member, Mr. Arambula was an "employee" of the City.</p> <p><u>Supporting Evidence:</u></p> <p>CAL. GOV'T CODE § 810.2.</p>	
<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><u>Supporting Evidence:</u></p> <p>Declaration of Heidi K. Williams ¶ 5 &amp; Ex. D, Deposition of David Arambula taken on October 26, 2018 (Depo. Arambula) 20:8-11.</p>	

SEPARATE STATEMENT OF UNDISPUTED FACTS

<p>1 7. Tiasha Brown, a member of a local 2 political organization, proposed the 3 July 2017 meeting to Mr. Arambula.</p> <p>4 <u>Supporting Evidence:</u> 5 Depo. Arambula 20:8-11; Executive Board, 6 San Diego County Democratic Party website, 7 <a href="https://sdcdp.ngpvanhost.com/executive-board">https://sdcdp.ngpvanhost.com/executive-board</a> 8 <u>d</u> (last visited Nov. 13, 2018).</p>	
<p>9 8. Tiasha Brown is not a City employee.</p> <p>10 <u>Supporting Evidence:</u> 11 Decl. Mgr. ¶ 5.</p>	
<p>12 9. Ms. Brown did not disclose the 13 specific topics to be discussed at the 14 meeting.</p> <p>15 <u>Supporting Evidence:</u> 16 Depo. Arambula 20:8-11 &amp; 37:8-10.</p>	
<p>17 10. Mr. Arambula agreed Ms. Brown and 18 her unknown guest could come to his 19 home the evening of Friday, July 14, 20 2017.</p> <p>21 Depo. Arambula 20:16-21:3.</p>	
<p>22 11. Ms. Brown and plaintiff Christopher 23 Williams ("Plaintiff") arrived at Mr. 24 Arambula's home at approximately 25 7:30 p.m. on July 14, 2017.</p> <p>26 <u>Supporting Evidence:</u> 27 Depo. Arambula 15:9-11.</p>	
<p>28 12. Mr. Arambula, Plaintiff, and Ms. Brown engaged in small talk for a few minutes.</p> <p><u>Supporting Evidence:</u> Depo. Arambula 37:13-38:11.</p>	

SEPARATE STATEMENT OF UNDISPUTED FACTS

1	13. Plaintiff steered the conversation to the topic of his medical marijuana dispensary applications, which were submitted to develop these businesses inside City limits.	
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4	<u>Supporting Evidence:</u>	
5	Depo. Arambula 37:13-38:11.	
6	14. Mr. Arambula immediately refused to discuss Plaintiff's development proposals.	
7		
8	<u>Supporting Evidence:</u>	
9	Depo. Arambula 37:13-38:11.	
10	15. After refusing to discuss Plaintiff's development proposals, Mr. Arambula promptly moved outside his house to the patio and pool area.	
11		
12	<u>Supporting Evidence:</u>	
13	Depo. Arambula 37:13-38:11.	
14	16. The conversation was over by 8:00 p.m. on July 14, 2017.	
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16	<u>Supporting Evidence:</u>	
17	Depo. Arambula 38:12-14.	
18	17. Mr. Arambula then hosted a purely social event for the remainder of the evening.	
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20	<u>Supporting Evidence:</u>	
21	Depo. Arambula 38:15-18.	
22	18. Mr. Arambula's neighbor, Manuel Ortiz, visited after 8:00 p.m.	
23		
24	<u>Supporting Evidence:</u>	
25	Depo. Arambula 14:14-21 & 15:19-24.	
26	19. Mr. Arambula's neighbor is not affiliated with the City.	
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28	<u>Supporting Evidence:</u>	
	Decl. Mgr. ¶ 8.	

SEPARATE STATEMENT OF UNDISPUTED FACTS

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<p>20. City of Lemon Grove Mayor Raquel Vasquez visited with a social purpose after 8:00 p.m.</p> <p><u>Supporting Evidence:</u></p> <p>Declaration of Racquel Vasquez (“Decl. Vasquez”) ¶ 4; Depo. Arambula 15:4-18.</p>	
<p>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><u>Supporting Evidence:</u></p> <p>Decl. Vasquez ¶ 5.</p>	
<p>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><u>Supporting Evidence:</u></p> <p>Decl. Vasquez ¶ 5.</p>	
<p>23. A government claim was submitted on behalf of Plaintiff to the City at 5:50 p.m. on January 11, 2018.</p> <p><u>Supporting Evidence:</u></p> <p>Decl. Mgr. ¶ 6 &amp; Ex. A.</p>	
<p>24. City Council considered and denied Plaintiff’s claim.</p> <p><u>Supporting Evidence:</u></p> <p>Decl. Mgr. ¶ 7.</p>	

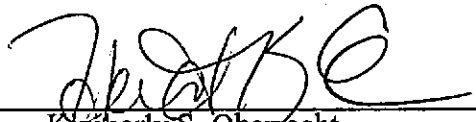
SEPARATE STATEMENT OF UNDISPUTED FACTS

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<p>25. Mr. Arambula did not participate in the City Council closed session pertaining to Plaintiff's claim.</p> <p><u>Supporting Evidence:</u></p> <p>Decl. Mgr. ¶ 7.</p>	
---	--

Dated: November 21, 2018

HORTON, OBERRECHT, KIRKPATRICK & MARTHA

By:   
Kimberly S. Oberrecht,  
Heidi K. Williams,  
Attorneys for Defendant CITY OF LEMON GROVE

1 Kimberly S. Oberrecht [C.S.B. No. 190794]  
2 Heidi K. Williams [C.S.B. No. 297428]  
3 **HORTON, OBERRECHT, KIRKPATRICK & MARTHA**  
4 225 Broadway, Suite 2200  
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6 (619) 232-1183 \* (619) 696-5719 [facsimile]

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CENTRAL DIVISION  
2018 NOV 21 11:13:09  
NOV 23 11:17  
CLERK SUPERIOR COURT  
SAN DIEGO COUNTY, CA

7 Attorneys for Defendant CITY OF LEMON GROVE

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

11 CHRISTOPHER WILLIAMS,  
12 Plaintiff,

13 vs.

14 DAVID ARAMBULA; CITY OF LEMON  
15 GROVE; and DOES 1 through 1,000,  
16 Defendants.

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

) DECLARATION OF CITY OF LEMON  
) GROVE CITY MANAGER LYDIA  
) ROMERO IN SUPPORT OF  
) DEFENDANT CITY OF LEMON  
) GROVE'S MOTION FOR SUMMARY  
) JUDGMENT, OR IN THE  
) ALTERNATIVE, MOTION FOR  
) SUMMARY ADJUDICATION

) **Date:** 2/8/19  
) **Time:** 10:30 a.m.  
) **Dept.:** C-68  
) **Judge:** Hon. Richard Whitney

) *IMAGED FILED*

) Action Filed: May 11, 2018  
) Trial Date: None Set

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22 I, Lydia Romero, declare:

23 1. I am over the age of 18 and am not a party to the above-referenced case. I am  
24 familiar with all the matters asserted herein, and if called to testify, would and could testify  
25 competently from my own personal knowledge.

26 2. I was hired to serve as the City of Lemon Grove City Manager in January 1, 2016.

27 3. The City of Lemon Grove is a public entity.

28 4. Defendant David Arambula was elected to serve as a member of the City of Lemon

**DECLARATION OF CITY OF LEMON GROVE CITY MANAGER**

1 Grove City Council in November 2016. He was sworn into office in January 2017. He held this  
2 elected position in July 2017.

3 5. Non-party Tiasha Brown is not a City of Lemon Grove employee, elected official,  
4 or appointee to any City of Lemon Grove committee. She is not officially affiliated with the City  
5 of Lemon Grove in any way.

6 6. On January 11, 2018, at 5:50 p.m., I received a government claim form submitted  
7 in person on behalf of plaintiff Christopher Williams ("Plaintiff"). I stamped it with the date and  
8 time it was received. A true and correct copy of the government claim form is attached to this  
9 Declaration as Exhibit "A."

10 7. On February 20, 2018, City of Lemon Grove City Council considered Plaintiff's  
11 government claim in closed session. Mr. Arambula was not present and did not participate in the  
12 City Council closed session on this topic. City Council decided to deny Plaintiff's claim.

13 8. Non-party Manuel Ortiz is not a City of Lemon Grove employee, elected official, or  
14 appointee to any City of Lemon Grove committee. He is not officially affiliated with the City of  
15 Lemon Grove in any way.

16 I declare under the laws of the State of California that the foregoing is true and correct, and  
17 that this Declaration was signed on November 15, 2018 in San Diego, California.

18 Lydia  
19 Romero

Digitally signed by Lydia Romero  
DN: cn=Lydia Romero, o=City of  
Lemon Grove, ou,  
email=lydia.romero@lemongrove.ca.gov,  
c=US  
Date: 2018.11.15 18:32:59 -08'00'

20 City of Lemon Grove City Manager Lydia Romero,  
21 Declarant

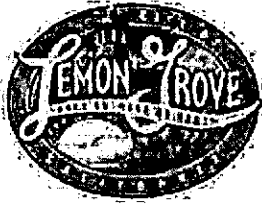
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DECLARATION OF CITY OF LEMON GROVE CITY MANAGER







Claim Against the City of Lemon Grove, Lemon Grove Housing Authority, Lemon Grove Sanitation District, Lemon Grove Roadway Lighting District, Lemon Grove Successor Agency For Damages to Persons or Personal Property

RESERVED FOR DATE STAMP  
Reserved For Date Stamp

Personally Deliver or Mail to the:  
City Clerk's Office  
City of Lemon Grove  
3232 Main Street  
Lemon Grove, CA 91945

City Claim No.:

Rec'd by City Employee Name: Lydia Romero  
*City MGR*

Rec'd by: Mail or Over the Counter (Circle One)

Note: A claim relating to a cause of action for death or for injury to person or damage to personal property or growing crops shall be presented not later than six months after the accrual of the cause of action. A claim relating to any other cause of action shall be presented not later than one year after the accrual of the cause of action. See California Government Code §911.2.

If additional space is needed to provide your information, please attach separate sheets which identify the paragraph(s) being answered. Sign, date and number all attachments to the claim form.

1. Name and address of the claimant:

Name of Claimant: Christopher Williams  
Home Address: 6257 Thorn Street, San Diego, CA 92115  
Email Address: chris@xmcmmedia.com  
Telephone Number: 619-847-8264

2. Name and address at which claimant desires to receive notices or communications regarding this claim (if different from home address provided above):

Name of Representative: Cory J. Briggs/Briggs Law Corporation  
Address: 99 East "C" Street, Suite 111, Upland, CA 91786  
Email Address: cory@briggslawcorp.com  
Telephone Number: 909-949-7115

3. Claimant date of birth, social security number and gender:

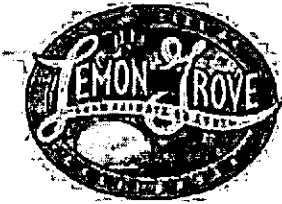
Date of Birth: May 3, 1981  
Social Security Number: 565-67-0753  
Gender: Male

**Regarding Question #3 - Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (MMSEA) (P.L. 110-173), adds mandatory reporting requirements for liability insurance (including self-insurance). See 42 U.S.C. 1395y(b)(8). The City/Agency is requesting this information in order to comply with the requirements of MMSEA and will not disseminate this information, except for reporting purposes as required by the Act referenced above. You understand that if you are a Medicare beneficiary and you do not provide the requested information, you may be violating obligations as a beneficiary to assist Medicare in coordinating benefits to pay your claims correctly and promptly.**

4. The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.

Date of Occurrence: July 15, 2017 Time of Occurrence: 12:01 a.m. +/-  
Location: The home of David Arambula.

Circumstances giving rise to this claim: David Arambula invited me to his home to discuss my application for a permit to operate a medical marijuana dispensary. He was drinking heavily. As I was trying to leave, I was looking at Page 1 of 3 my phone to schedule an Uber. That's when Mr. Arambula, unprovoked, hit me in the head with a bottle and bit/kicked/punched/choked me.



Claim Against the City of Lemon Grove, Lemon Grove  
Housing Authority, Lemon Grove Sanitation District,  
Lemon Grove Roadway Lighting District, Lemon Grove  
Successor Agency For Damages to Persons or  
Personal Property

5. General description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of the presentation of the claim: I suffered a serious laceration above my eye, a bite wound, a broken rib, and other injuries. I required stitches and a tetanus shot in addition to other treatment. I have substantial medical bills, as well as damages for pain and suffering and lost work.

6. What particular act or omission do you claim caused the injury or damage? Give the name or names of the city employee causing the injury or damage, if known: Mr. Arambula committed assault and battery against me.

7. If amount claimed totals less than \$10,000: If the amount claimed totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed.

Amount claimed and basis for computation: N/A

8. If amount claimed exceeds \$10,000: If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case. A limited civil case is one where the recovery sought, exclusive of attorney fees, interest and court costs, does not exceed \$25,000. An unlimited civil case is one in which the recovery sought is more than \$25,000. See California Code of Civil Procedure §86.

Circle one option: Limited Civil Case or Unlimited Civil Case.

9. Name, address and telephone number of any witness(es) to the occurrence or transaction which gave rise to the claim asserted: Tiesha Brown (619-443-8989; address unavailable); Mayor Vasquez (619-825-3800; 3232 Main Street, Lemon Grove CA 91945)

10. If the claim involves medical treatment for a claimed injury, please provide the name, address and telephone number of any doctor(s) or hospital(s) providing treatment:

Alvarado Hospital, 6655 Alvarado Road, San Diego, CA 92120, 619-287-3270; Dr. Allison Haders (same)

If applicable, please attach any medical records or reports, medical bills or similar documents supporting your claim.



Claim Against the City of Lemon Grove, Lemon Grove Housing Authority, Lemon Grove Sanitation District, Lemon Grove Roadway Lighting District, Lemon Grove Successor Agency For Damages to Persons or Personal Property

11. If the claim relates to an automobile accident: N/A

Claimant(s) Auto Ins. Co.: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Insurance Policy No.: \_\_\_\_\_

Insurance Broker/Agent: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Address: \_\_\_\_\_

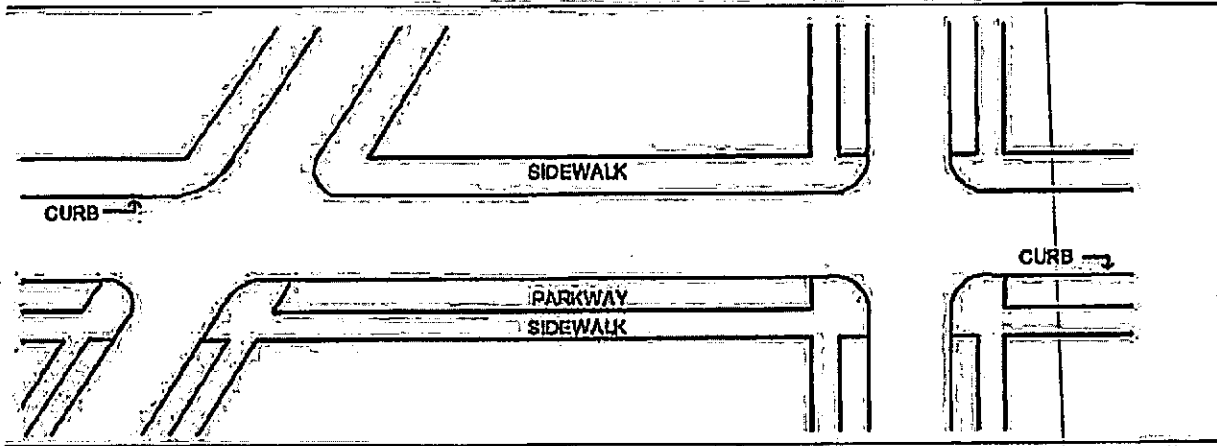
Claimant's Vehicle License No.: \_\_\_\_\_  
 Claimant's Driver's License No.: \_\_\_\_\_

If applicable, please attach any repair bills, estimates or similar documents supporting your claim.

**READ CAREFULLY**

For all accident claims, place on following diagram name of streets, including North, East, South and West; indicate place of accident by "X" and by showing house numbers or distances to street corners. If City/Agency vehicle was involved, designate by letter "A" location of City/Agency Vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw City/Agency vehicle; location of City/Agency vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X."

**NOTE:** If the diagram does not fit the situation, attach hereto a proper diagram signed by claimant.



**Warning:** Presentation of a false claim is a felony. See California Penal Code §72. In the event a legal action is filed and it is determined that the action was not filed in good faith and with reasonable cause, the City/Agency may seek to recover all costs of defense. See California Code of Civil Procedures §1038.

*C. White*  
 \_\_\_\_\_  
 Signature of the Claimant or Person acting on the Claimant's behalf

Jan. 11, 2018  
 \_\_\_\_\_  
 Date

1 Kimberly S. Oberrecht [C.S.B. No. 190794]  
2 Heidi K. Williams [C.S.B. No. 297428]  
3 **HORTON, OBERRECHT, KIRKPATRICK & MARTHA**  
4 225 Broadway, Suite 2200  
5 San Diego, California 92101  
6 (619) 232-1183 \* (619) 696-5719 [facsimile]

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BUSINESS OFFICE 9  
CENTRAL DIVISION  
2018 NOV 21 P 3:17  
CLERK SUPERIOR COURT  
SAN DIEGO COUNTY, CA

NOV 21 '18 13:09

7 Attorneys for Defendant CITY OF LEMON GROVE

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

11 CHRISTOPHER WILLIAMS, )  
12 Plaintiff, )  
13 vs. )  
14 DAVID ARAMBULA; CITY OF LEMON )  
15 GROVE; and DOES 1 through 1,000, )  
16 Defendants. )  
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**CASE NO.: 37-2018-00023369-CU-  
PO-CTL**

DECLARATION OF RACQUEL  
VASQUEZ IN SUPPORT OF  
DEFENDANT CITY OF LEMON  
GROVE'S MOTION FOR SUMMARY  
JUDGMENT, OR IN THE  
ALTERNATIVE, MOTION FOR  
SUMMARY ADJUDICATION

**Date:** 2/8/19  
**Time:** 10:30 a.m.  
**Dept.:** C-68  
**Judge:** Hon. Richard Whitney

*IMAGED FILED*

Action Filed: May 11, 2018  
Trial Date: None Set

I, Racquel Vasquez, declare:

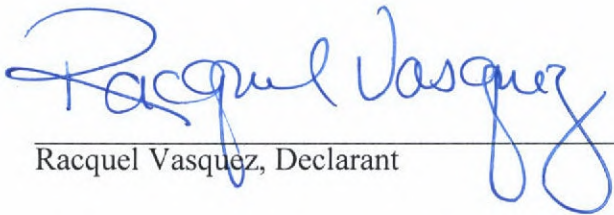
1. I am over the age of 18 and am not a party to the above-referenced case. I am familiar with all the matters asserted herein, and if called to testify, would and could testify competently from my own personal knowledge.
2. I was elected to serve as the Mayor of the City of Lemon Grove in November 2016. In addition to other full-time employment, I have served in this part-time role since January 2017.
3. I am personally acquainted with defendant David Arambula because he was elected to serve as a member of the City of Lemon Grove City Council in November 2016.

1           4.       On the evening of July 14, 2017, I attended a social event at Mr. Arambula's home.  
2 I arrived well after 8:00 p.m. Mr. Arambula, Tiasha Brown, and plaintiff Christopher Williams  
3 ("Plaintiff") were also there. I was previously acquainted with Ms. Brown. I was not previously  
4 acquainted with Plaintiff.

5           5.       While attending this social event, I did not initiate any discussions pertaining to City  
6 of Lemon Grove official business. I did not engage in any discussions pertaining to City of Lemon  
7 Grove official business. I did not hear anyone else discuss official City business during this social  
8 event.

9           I declare under the laws of the State of California that the foregoing is true and correct, and  
10 that this Declaration was signed on November 16, 2018 in San Diego, California.

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\_\_\_\_\_  
Racquel Vasquez, Declarant

1 Kimberly S. Oberrecht [C.S.B. No. 190794]  
2 Heidi K. Williams [C.S.B. No. 297428]  
3 **HORTON, OBERRECHT, KIRKPATRICK & MARTHA**  
4 225 Broadway, Suite 2200  
5 San Diego, California 92101  
6 (619) 232-1183 \* (619) 696-5719 [facsimile]

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CENTRAL DIVISION  
NOV 21 '18 13:09

2018 NOV 21 P 3:17

CLERK-SUPERIOR COURT  
SAN DIEGO COUNTY, CA

Attorneys for Defendant CITY OF LEMON GROVE

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

11 CHRISTOPHER WILLIAMS,  
12 Plaintiff,  
13 vs.  
14 DAVID ARAMBULA; CITY OF LEMON  
15 GROVE; and DOES 1 through 1,000,  
16 Defendants.

) **CASE NO.: 37-2018-00023369-CU-**  
) **PO-CTL**  
)  
) DECLARATION OF HEIDI K.  
) WILLIAMS IN SUPPORT OF  
) DEFENDANT CITY OF LEMON  
) GROVE'S MOTION FOR SUMMARY  
) JUDGMENT, OR IN THE  
) ALTERNATIVE, MOTION FOR  
) SUMMARY ADJUDICATION  
)  
) **Date:** 2/8/19  
) **Time:** 10:30 a.m.  
) **Dept.:** C-68  
) **Judge:** Hon. Richard Whitney  
)  
) *IMAGED FILED*  
)  
) Action Filed: May 11, 2018  
) Trial Date: None Set

21 I, Heidi K. Williams, declare:

22 1. I am an attorney licensed to practice law before all the courts in the State of  
23 California. I am an associate attorney at Horton, Oberrecht, Kirkpatrick & Martha, counsel of record  
24 in the above-referenced case for defendant CITY OF LEMON GROVE (the "City"). Due to my  
25 work on this case, I am familiar with all the matters asserted herein and if called to testify, would  
26 and could testify competently from my own personal knowledge.

27 2. Plaintiff Christopher Williams filed and served a Complaint in the above-referenced  
28 case. A true and correct copy of the Complaint is attached to this Declaration as Exhibit "A."

DECLARATION OF HEIDI K. WILLIAMS

1           3.       This office propounded Form Interrogatories, Set One to Plaintiff on behalf of the  
2 City. A true and correct copy of Form Interrogatories, Set One is attached to this Declaration as  
3 Exhibit "B."

4           4.       Plaintiff served his verified Responses to the City's Form Interrogatories, Set One  
5 on this office. A true and correct copy of Plaintiff's Responses to the City's Form Interrogatories,  
6 Set One is attached to this Declaration as Exhibit "C."

7           5.       Plaintiff noticed the deposition of defendant David Arambula. Mr. Arambula was  
8 deposed on October 26, 2018. A true and correct copy of cited excerpts of the Transcript of the  
9 Deposition of David Arambula is attached to this Declaration as Exhibit "D."

10           I declare under the laws of the State of California that the foregoing is true and correct, and  
11 that this Declaration was signed on November 21, 2018 in San Diego, California.

12  
13   
14 \_\_\_\_\_  
Heidi K. Williams, Declarant





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

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of San Diego  
**05/11/2018** at 04:39:34 PM  
Clerk of the Superior Court  
By Laura Melles, Deputy Clerk

5  
6  
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
8 COUNTY OF SAN DIEGO – HALL OF JUSTICE  
9

10  
11 CHRISTOPHER WILLIAMS,

12 Plaintiff,

13 vs.

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

16 Defendants.

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

**COMPLAINT FOR DAMAGES**

17 Plaintiff CHRISTOPHER WILLIAMS ("Plaintiff") alleges as follows:

18 **Parties**

- 19 1. Plaintiff is a natural person and a resident of the City of San Diego.
- 20 2. Defendant DAVID ARAMBULA ("ARAMBULA") is a resident of the City of Lemon  
21 Grove and a member of the Lemon Grove City Council; he is being sued in his private capacity and,  
22 alternatively, in his official capacity. Defendant CITY OF LEMON GROVE ("CITY") is a municipal  
23 corporation located in the County of San Diego.
- 24 3. The true names and capacities of the Defendants identified as DOES 1 through 1,000  
25 are unknown to Plaintiff, who will seek the Court's permission to amend this pleading in order to allege  
26 the true names and capacities as soon as they are ascertained. Plaintiff is informed and believes and  
27 on that basis alleges that each of the fictitiously named Defendants 1 through 1,000 has some  
28 cognizable liability or some cognizable interest in the subject matter of this lawsuit.

1 4. Plaintiff is informed and believes and on that basis alleges that, at all times stated in this  
2 pleading, each Defendant was the agent, servant, or employee of every other Defendant and was, in  
3 doing the things alleged in this pleading, acting within the scope of said agency, servitude, or  
4 employment and with the full knowledge or subsequent ratification of his principals, masters, and  
5 employers. Alternatively, in doing the things alleged in this pleading, each Defendant was acting alone  
6 and solely to further his own interests.

7 **Background Information**

8 5. Prior to July 15, 2017, Plaintiff had caused to be submitted to CITY one or more  
9 applications for permission to operate a medical marijuana dispensary ("MMD") at various locations  
10 within CITY's geographic jurisdiction. At least one of those applications was pending approval by  
11 CITY as of July 15, 2017.

12 6. On or about July 15, 2017, ARAMBULA contacted Plaintiff and invited Plaintiff to  
13 come to his (ARAMBULA's) home to discuss the status of Plaintiff's MMD applications and to share  
14 information on the topic. Plaintiff agreed to go to ARAMBULA's home for the meeting. During the  
15 meeting, ARAMBULA began drinking and eventually took off his clothes to go skinny-dipping in the  
16 pool. Plaintiff is informed and believes and on that basis alleges that later during the meeting  
17 ARAMBULA was video-recorded naked in the pool with a woman on the pool deck yelling:  
18 "Woooooo! Go, David! Go, David! Go, David! [Inaudible.] Where's the 10 inches? Where's the 10  
19 inches? Where's the 10 inches? Woooooo!"

20 7. After it became apparent that ARAMBULA was not prepared to discuss Plaintiff's  
21 MMD applications, Plaintiff decided to leave. He went toward the front of ARAMBULA's home to  
22 use his (Plaintiff's) phone to schedule an Uber driver to pick him up. While Plaintiff was looking down  
23 at his phone, ARAMBULA hit Plaintiff in the head with a bottle and bit, kicked, punched, and choked  
24 him. This attack was entirely unprovoked. Plaintiff was seriously injured, suffering a fractured rib,  
25 a forehead contusion, a laceration to his eyebrow, and bites to his forearms.

26 8. Following the attack, Plaintiff received medical attention and incurred substantial  
27 physical, emotional, and economic damages as a result of the attack by ARAMBULA. A true and  
28

1 correct copy of photographs taken of Plaintiff while receiving medical attention is attached hereto as  
2 Exhibit "A" and incorporated herein by reference.

3 9. Plaintiff believes that after a reasonable opportunity to conduct discovery he will be able  
4 to establish: (A) ARAMBULA had a practice of conducting official CITY business at his home or other  
5 locations beyond City Hall. (B) CITY's leadership knew that ARAMBULA had a practice of  
6 conducting official CITY business at locations beyond City Hall but never took any action to prevent  
7 ARAMBULA from continuing to do so. (C) CITY's leadership knew that ARAMBULA could be  
8 physically violent toward members of the public while he conducted official CITY business but never  
9 took any action to prevent him from acting in such a manner.

10 **Notice Requirements and Time Limitations**

11 10. On or about January 11, 2018, Plaintiff submitted a tort claim to CITY for the damages  
12 being sought in this lawsuit. On or about February 26, 2018, CITY denied the tort claim.

13 **FIRST CAUSE OF ACTION:**  
14 **ASSAULT AND BATTERY**  
**(Against All Defendants)**

15 11. Paragraphs 1 through 10 are fully incorporated into this paragraph.

16 12. ARAMBULA committed assault and battery against Plaintiff. At no time did Plaintiff  
17 provoke ARAMBULA. ARAMBULA was the sole aggressor.

18 13. As a result of the substantial physical, emotional, and economic harm that ARAMBULA  
19 inflicted on Plaintiff, he (Plaintiff) has been damaged in an amount to be proven at trial but in excess  
20 of the amount that establishes the Court's unlimited jurisdiction over this lawsuit.

21 14. ARAMBULA assaulted and battered Plaintiff with malice and oppression sufficient to  
22 entitle Plaintiff to recover punitive and exemplary damages (against ARAMBULA only).

23 **SECOND CAUSE OF ACTION:**  
24 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
**(Against All Defendants)**

25 15. Paragraphs 1 through 14 are fully incorporated into this paragraph.

26 16. ARAMBULA physically attacked Plaintiff with the intent to inflict emotional distress  
27 on him. ARAMBULA's attack has caused Plaintiff to suffer substantial emotional distress.  
28

1 17. As a result of the substantial emotional distress that ARAMBULA inflicted on Plaintiff,  
2 he (Plaintiff) has been damaged in an amount to be proven at trial but in excess of the amount that  
3 establishes the Court's unlimited jurisdiction over this lawsuit.

4 18. ARAMBULA caused Plaintiff to suffer substantial emotional distress with malice and  
5 oppression sufficient to entitle Plaintiff to recover punitive and exemplary damages against  
6 ARAMBULA (against ARAMBULA only).

7 **THIRD CAUSE OF ACTION:**  
8 **NEGLIGENCE**  
9 **(Against All Defendants)**

10 19. Paragraphs 1 through 18 are fully incorporated into this paragraph.

11 20. ARAMBULA injured Plaintiff, inflicted emotional distress on him, and did not conduct  
12 himself as a reasonably prudent person would have conducted himself.

13 21. As a result of the injuries that ARAMBULA inflicted on Plaintiff, he (Plaintiff) has been  
14 damaged in an amount to be proven at trial but in excess of the amount that establishes the Court's  
15 unlimited jurisdiction over this lawsuit.

16 **Prayer**

17 FOR ALL THESE REASONS, Plaintiff respectfully prays for the following relief against  
18 Defendants (and any and all other parties who may oppose Plaintiff in this proceeding):

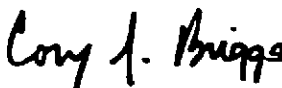
- 19 A. General damages according to proof;  
20 B. Special damages according to proof;  
21 C. Exemplary and punitive damages according to proof (but not against CITY);  
22 D. Any and all court costs and other legal expenses incurred by Plaintiff in connection with  
23 this proceeding; and  
24 E. Any and all further relief that this Court may deem appropriate.

25 Date: May 9, 2018.

26 Respectfully submitted,

27 BRIGGS LAW CORPORATION

28 By:

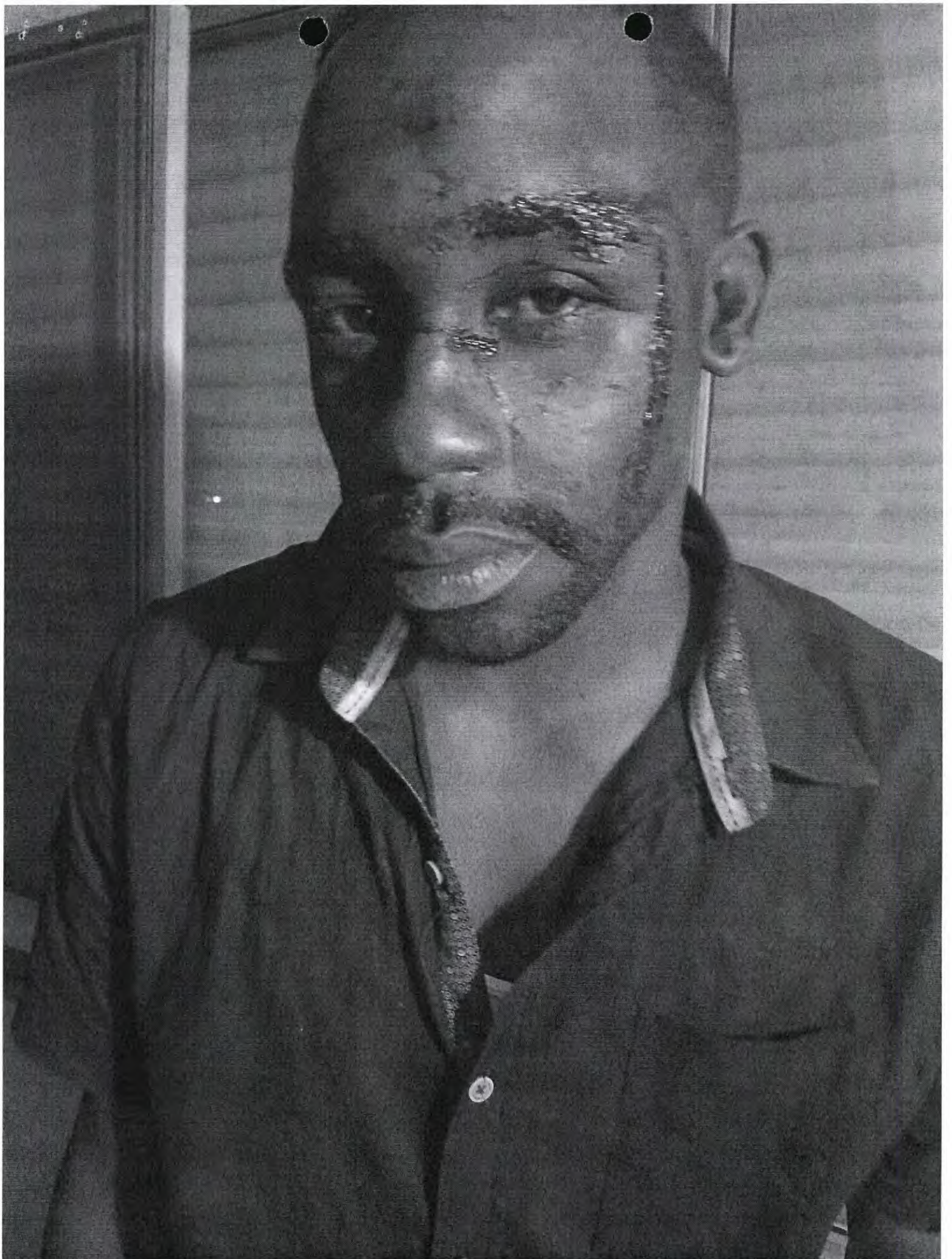


Cory J. Briggs

Attorneys for Plaintiff Christopher Williams

**COMPLAINT FOR DAMAGES**

Exhibit "A"













ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Kimberly S. Oberrecht, Esq. Heidi K. Williams, Esq. Horton, Oberrecht, Kirkpatrick & Martha 225 Broadway, Suite 2200 San Diego, California 92101 TELEPHONE NO.: (619) 232-1183 FAX NO. (Optional): (619) 696-5719 E-MAIL ADDRESS (Optional):	
ATTORNEY FOR (Name): Defendant, CITY OF LEMON GROVE	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO SAN DIEGO COUNTY SUPERIOR COURT CENTRAL JUDICIAL DISTRICT	
SHORT TITLE OF CASE: CHRISTOPHER WILLIAMS vs. DAVID ARAMBULA; CITY OF LEMON GROVE	
<p style="text-align: center;"><b>FORM INTERROGATORIES—GENERAL</b></p> <p>Asking Party: Defendant, CITY OF LEMON GROVE</p> <p>Answering Party: Plaintiff, CHRISTOPHER WILLIAMS Set No.: One (1)</p>	<p>CASE NUMBER: 37-2018-00023369-CU-PO-CTL</p>

**Sec. 1. Instructions to All Parties**

(a) Interrogatories are written questions prepared by a party to an action that are sent to any other party in the action to be answered under oath. The interrogatories below are form interrogatories approved for use in civil cases.

(b) For time limitations, requirements for service on other parties, and other details, see Code of Civil Procedure sections 2030.010–2030.410 and the cases construing those sections.

(c) These form interrogatories do not change existing law relating to interrogatories nor do they affect an answering party's right to assert any privilege or make any objection.

**Sec. 2. Instructions to the Asking Party**

(a) These interrogatories are designed for optional use by parties in unlimited civil cases where the amount demanded exceeds \$25,000. Separate interrogatories, *Form Interrogatories—Limited Civil Cases (Economic Litigation)* (form DISC-004), which have no subparts, are designed for use in limited civil cases where the amount demanded is \$25,000 or less; however, those interrogatories may also be used in unlimited civil cases.

(b) Check the box next to each interrogatory that you want the answering party to answer. Use care in choosing those interrogatories that are applicable to the case.

(c) You may insert your own definition of **INCIDENT** in Section 4, but only where the action arises from a course of conduct or a series of events occurring over a period of time.

(d) The interrogatories in section 16.0, *Defendant's Contentions—Personal Injury*, should not be used until the defendant has had a reasonable opportunity to conduct an investigation or discovery of plaintiff's injuries and damages.

(e) Additional interrogatories may be attached.

**Sec. 3. Instructions to the Answering Party**

(a) An answer or other appropriate response must be given to each interrogatory checked by the asking party.

(b) As a general rule, within 30 days after you are served with these interrogatories, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See Code of Civil Procedure sections 2030.260–2030.270 for details.

(c) Each answer must be as complete and straightforward as the information reasonably available to you, including the information possessed by your attorneys or agents, permits. If an interrogatory cannot be answered completely, answer it to the extent possible.

(d) If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party.

(e) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.

(f) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish them in answering only the first interrogatory asking for that information.

(g) If you are asserting a privilege or making an objection to an interrogatory, you must specifically assert the privilege or state the objection in your written response.

(h) Your answers to these interrogatories must be verified, dated, and signed. You may wish to use the following form at the end of your answers:

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

\_\_\_\_\_  
(DATE)\_\_\_\_\_  
(SIGNATURE)**Sec. 4. Definitions**

Words in **BOLDFACE CAPITALS** in these interrogatories are defined as follows:

(a) (Check one of the following):

- (1) **INCIDENT** includes the circumstances and events surrounding the alleged accident, injury, or other occurrence or breach of contract giving rise to this action or proceeding.

- (2) **INCIDENT** means (insert your definition here or on a separate, attached sheet labeled "Sec. 4(a)(2)"): \_\_\_\_\_

(b) **YOU OR ANYONE ACTING ON YOUR BEHALF** includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.

(c) **PERSON** includes a natural person, firm, association, organization, partnership, business, trust, limited liability company, corporation, or public entity.

(d) **DOCUMENT** means a writing, as defined in Evidence Code section 250, and includes the original or a copy of handwriting, typewriting, printing, photostats, photographs, electronically stored information, and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.

(e) **HEALTH CARE PROVIDER** includes any **PERSON** referred to in Code of Civil Procedure section 667.7(e)(3).

(f) **ADDRESS** means the street address, including the city, state, and zip code.

#### Sec. 5. Interrogatories

The following interrogatories have been approved by the Judicial Council under Code of Civil Procedure section 2033.710:

#### CONTENTS

- 1.0 Identity of Persons Answering These Interrogatories
- 2.0 General Background Information—Individual
- 3.0 General Background Information—Business Entity
- 4.0 Insurance
- 5.0 *[Reserved]*
- 6.0 Physical, Mental, or Emotional Injuries
- 7.0 Property Damage
- 8.0 Loss of Income or Earning Capacity
- 9.0 Other Damages
- 10.0 Medical History
- 11.0 Other Claims and Previous Claims
- 12.0 Investigation — General
- 13.0 Investigation — Surveillance
- 14.0 Statutory or Regulatory Violations
- 15.0 Denials and Special or Affirmative Defenses
- 16.0 Defendant's Contentions Personal Injury
- 17.0 Responses to Request for Admissions
- 18.0 *[Reserved]*
- 19.0 *[Reserved]*
- 20.0 How the Incident Occurred—Motor Vehicle
- 25.0 *[Reserved]*
- 30.0 *[Reserved]*
- 40.0 *[Reserved]*
- 50.0 Contract
- 60.0 *[Reserved]*
- 70.0 Unlawful Detainer *[See separate form DISC-003]*
- 101.0 Economic Litigation *[See separate form DISC-004]*
- 200.0 Employment Law *[See separate form DISC-002]*  
Family Law *[See separate form FL-145]*

#### 1.0 Identity of Persons Answering These Interrogatories

- 1.1 State the name, **ADDRESS**, telephone number, and relationship to you of each **PERSON** who prepared or assisted in the preparation of the responses to these interrogatories. (Do not identify anyone who simply typed or reproduced the responses.)

#### 2.0 General Background Information—Individual

- 2.1 State:
- (a) your name;
  - (b) every name you have used in the past; and
  - (c) the dates you used each name.
- 2.2 State the date and place of your birth.
- 2.3 At the time of the **INCIDENT**, did you have a driver's license? If so, state:
- (a) the state or other issuing entity;
  - (b) the license number and type;
  - (c) the date of issuance; and
  - (d) all restrictions.
- 2.4 At the time of the **INCIDENT**, did you have any other permit or license for the operation of a motor vehicle? If so, state:
- (a) the state or other issuing entity;
  - (b) the license number and type;
  - (c) the date of issuance; and
  - (d) all restrictions.
- 2.5 State:
- (a) your present residence **ADDRESS**;
  - (b) your residence **ADDRESSES** for the past five years; and
  - (c) the dates you lived at each **ADDRESS**.
- 2.6 State:
- (a) the name, **ADDRESS**, and telephone number of your present employer or place of self-employment; and
  - (b) the name, **ADDRESS**, dates of employment, job title, and nature of work for each employer or self-employment you have had from five years before the **INCIDENT** until today.
- 2.7 State:
- (a) the name and **ADDRESS** of each school or other academic or vocational institution you have attended, beginning with high school;
  - (b) the dates you attended;
  - (c) the highest grade level you have completed; and
  - (d) the degrees received.
- 2.8 Have you ever been convicted of a felony? If so, for each conviction state:
- (a) the city and state where you were convicted;
  - (b) the date of conviction;
  - (c) the offense; and
  - (d) the court and case number.
- 2.9 Can you speak English with ease? If not, what language and dialect do you normally use?
- 2.10 Can you read and write English with ease? If not, what language and dialect do you normally use?

- 2.11 At the time of the INCIDENT were you acting as an agent or employee for any PERSON? If so, state:
- the name, ADDRESS, and telephone number of that PERSON; and
  - a description of your duties.
- 2.12 At the time of the INCIDENT did you or any other person have any physical, emotional, or mental disability or condition that may have contributed to the occurrence of the INCIDENT? If so, for each person state:
- the name, ADDRESS, and telephone number;
  - the nature of the disability or condition; and
  - the manner in which the disability or condition contributed to the occurrence of the INCIDENT.
- 2.13 Within 24 hours before the INCIDENT did you or any person involved in the INCIDENT use or take any of the following substances: alcoholic beverage, marijuana, or other drug or medication of any kind (prescription or not)? If so, for each person state:
- the name, ADDRESS, and telephone number;
  - the nature or description of each substance;
  - the quantity of each substance used or taken;
  - the date and time of day when each substance was used or taken;
  - the ADDRESS where each substance was used or taken;
  - the name, ADDRESS, and telephone number of each person who was present when each substance was used or taken; and
  - the name, ADDRESS, and telephone number of any HEALTH CARE PROVIDER who prescribed or furnished the substance and the condition for which it was prescribed or furnished.

### 3.0 General Background Information — Business Entity

- 3.1 Are you a corporation? If so, state:
- the name stated in the current articles of incorporation;
  - all other names used by the corporation during the past 10 years and the dates each was used;
  - the date and place of incorporation;
  - the ADDRESS of the principal place of business; and
  - whether you are qualified to do business in California.
- 3.2 Are you a partnership? If so, state:
- the current partnership name;
  - all other names used by the partnership during the past 10 years and the dates each was used;
  - whether you are a limited partnership and, if so, under the laws of what jurisdiction;
  - the name and ADDRESS of each general partner; and
  - the ADDRESS of the principal place of business.
- 3.3 Are you a limited liability company? If so, state:
- the name stated in the current articles of organization;
  - all other names used by the company during the past 10 years and the date each was used;
  - the date and place of filing of the articles of organization;
  - the ADDRESS of the principal place of business; and
  - whether you are qualified to do business in California.

- 3.4 Are you a joint venture? If so, state:
- the current joint venture name;
  - all other names used by the joint venture during the past 10 years and the dates each was used;
  - the name and ADDRESS of each joint venturer; and
  - the ADDRESS of the principal place of business.
- 3.5 Are you an unincorporated association? If so, state:
- the current unincorporated association name;
  - all other names used by the unincorporated association during the past 10 years and the dates each was used; and
  - the ADDRESS of the principal place of business.
- 3.6 Have you done business under a fictitious name during the past 10 years? If so, for each fictitious name state:
- the name;
  - the dates each was used;
  - the state and county of each fictitious name filing; and
  - the ADDRESS of the principal place of business.
- 3.7 Within the past five years has any public entity registered or licensed your business? If so, for each license or registration:
- identify the license or registration;
  - state the name of the public entity; and
  - state the dates of issuance and expiration.

### 4.0 Insurance

- 4.1 At the time of the INCIDENT, was there in effect any policy of insurance through which you were or might be insured in any manner (for example, primary, pro-rata, or excess liability coverage or medical expense coverage) for the damages, claims, or actions that have arisen out of the INCIDENT? If so, for each policy state:
- the kind of coverage;
  - the name and ADDRESS of the insurance company;
  - the name, ADDRESS, and telephone number of each named insured;
  - the policy number;
  - the limits of coverage for each type of coverage contained in the policy;
  - whether any reservation of rights or controversy or coverage dispute exists between you and the insurance company; and
  - the name, ADDRESS, and telephone number of the custodian of the policy.
- 4.2 Are you self-insured under any statute for the damages, claims, or actions that have arisen out of the INCIDENT? If so, specify the statute.

### 5.0 [Reserved]

### 6.0 Physical, Mental, or Emotional Injuries

- 6.1 Do you attribute any physical, mental, or emotional injuries to the INCIDENT? (If your answer is "no," do not answer Interrogatories 6.2 through 6.7).
- 6.2 Identify each injury you attribute to the INCIDENT and the area of your body affected.

- 6.3 Do you still have any complaints that you attribute to the **INCIDENT**? If so, for each complaint state:
- a description;
  - whether the complaint is subsiding, remaining the same, or becoming worse; and
  - the frequency and duration.
- 6.4 Did you receive any consultation or examination (except from expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310) or treatment from a **HEALTH CARE PROVIDER** for any injury you attribute to the **INCIDENT**? If so, for each **HEALTH CARE PROVIDER** state:
- the name, **ADDRESS**, and telephone number;
  - the type of consultation, examination, or treatment provided;
  - the dates you received consultation, examination, or treatment; and
  - the charges to date.
- 6.5 Have you taken any medication, prescribed or not, as a result of injuries that you attribute to the **INCIDENT**? If so, for each medication state:
- the name;
  - the **PERSON** who prescribed or furnished it;
  - the date it was prescribed or furnished;
  - the dates you began and stopped taking it; and
  - the cost to date.
- 6.6 Are there any other medical services necessitated by the injuries that you attribute to the **INCIDENT** that were not previously listed (for example, ambulance, nursing, prosthetics)? If so, for each service state:
- the nature;
  - the date;
  - the cost; and
  - the name, **ADDRESS**, and telephone number of each provider.
- 6.7 Has any **HEALTH CARE PROVIDER** advised that you may require future or additional treatment for any injuries that you attribute to the **INCIDENT**? If so, for each injury state:
- the name and **ADDRESS** of each **HEALTH CARE PROVIDER**;
  - the complaints for which the treatment was advised; and
  - the nature, duration, and estimated cost of the treatment.
- 7.0 Property Damage**
- 7.1 Do you attribute any loss of or damage to a vehicle or other property to the **INCIDENT**? If so, for each item of property:
- describe the property;
  - describe the nature and location of the damage to the property;
  - state the amount of damage you are claiming for each item of property and how the amount was calculated; and
  - if the property was sold, state the name, **ADDRESS**, and telephone number of the seller, the date of sale, and the sale price.
- 7.2 Has a written estimate or evaluation been made for any item of property referred to in your answer to the preceding interrogatory? If so, for each estimate or evaluation state:
- the name, **ADDRESS**, and telephone number of the **PERSON** who prepared it and the date prepared;
  - the name, **ADDRESS**, and telephone number of each **PERSON** who has a copy of it; and
  - the amount of damage stated.
- 7.3 Has any item of property referred to in your answer to interrogatory 7.1 been repaired? If so, for each item state:
- the date repaired;
  - a description of the repair;
  - the repair cost;
  - the name, **ADDRESS**, and telephone number of the **PERSON** who repaired it;
  - the name, **ADDRESS**, and telephone number of the **PERSON** who paid for the repair.
- 8.0 Loss of Income or Earning Capacity**
- 8.1 Do you attribute any loss of income or earning capacity to the **INCIDENT**? (If your answer is "no," do not answer interrogatories 8.2 through 8.8).
- 8.2 State:
- the nature of your work;
  - your job title at the time of the **INCIDENT**; and
  - the date your employment began.
- 8.3 State the last date before the **INCIDENT** that you worked for compensation.
- 8.4 State your monthly income at the time of the **INCIDENT** and how the amount was calculated.
- 8.5 State the date you returned to work at each place of employment following the **INCIDENT**.
- 8.6 State the dates you did not work and for which you lost income as a result of the **INCIDENT**.
- 8.7 State the total income you have lost to date as a result of the **INCIDENT** and how the amount was calculated.
- 8.8 Will you lose income in the future as a result of the **INCIDENT**? If so, state:
- the facts upon which you base this contention;
  - an estimate of the amount;
  - an estimate of how long you will be unable to work; and
  - how the claim for future income is calculated.

## 9.0 Other Damages

9.1 Are there any other damages that you attribute to the INCIDENT? If so, for each item of damage state:

- (a) the nature;
- (b) the date it occurred;
- (c) the amount; and
- (d) the name, ADDRESS, and telephone number of each PERSON to whom an obligation was incurred.

9.2 Do any DOCUMENTS support the existence or amount of any item of damages claimed in interrogatory 9.1? If so, describe each document and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT.

## 10.0 Medical History

10.1 At any time before the INCIDENT did you have complaints or injuries that involved the same part of your body claimed to have been injured in the INCIDENT? If so, for each state:

- (a) a description of the complaint or injury;
- (b) the dates it began and ended; and
- (c) the name, ADDRESS, and telephone number of each HEALTH CARE PROVIDER whom you consulted or who examined or treated you.

10.2 List all physical, mental, and emotional disabilities you had immediately before the INCIDENT. (You may omit mental or emotional disabilities unless you attribute any mental or emotional injury to the INCIDENT.)

10.3 At any time after the INCIDENT, did you sustain injuries of the kind for which you are now claiming damages? If so, for each incident giving rise to an injury state:

- (a) the date and the place it occurred;
- (b) the name, ADDRESS, and telephone number of any other PERSON involved;
- (c) the nature of any injuries you sustained;
- (d) the name, ADDRESS, and telephone number of each HEALTH CARE PROVIDER who you consulted or who examined or treated you; and
- (e) the nature of the treatment and its duration.

## 11.0 Other Claims and Previous Claims

11.1 Except for this action, in the past 10 years have you filed an action or made a written claim or demand for compensation for your personal injuries? If so, for each action, claim, or demand state:

- (a) the date, time, and place and location (closest street ADDRESS or intersection) of the INCIDENT giving rise to the action, claim, or demand;
- (b) the name, ADDRESS, and telephone number of each PERSON against whom the claim or demand was made or the action filed;

- (c) the court, names of the parties, and case number of any action filed;
- (d) the name, ADDRESS, and telephone number of any attorney representing you;
- (e) whether the claim or action has been resolved or is pending; and
- (f) a description of the injury.

11.2 In the past 10 years have you made a written claim or demand for workers' compensation benefits? If so, for each claim or demand state:

- (a) the date, time, and place of the INCIDENT giving rise to the claim;
- (b) the name, ADDRESS, and telephone number of your employer at the time of the injury;
- (c) the name, ADDRESS, and telephone number of the workers' compensation insurer and the claim number;
- (d) the period of time during which you received workers' compensation benefits;
- (e) a description of the injury;
- (f) the name, ADDRESS, and telephone number of any HEALTH CARE PROVIDER who provided services; and
- (g) the case number at the Workers' Compensation Appeals Board.

## 12.0 Investigation—General

12.1 State the name, ADDRESS, and telephone number of each individual:

- (a) who witnessed the INCIDENT or the events occurring immediately before or after the INCIDENT;
- (b) who made any statement at the scene of the INCIDENT;
- (c) who heard any statements made about the INCIDENT by any individual at the scene; and
- (d) who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the INCIDENT (except for expert witnesses covered by Code of Civil Procedure section 2034).

12.2 Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual concerning the INCIDENT? If so, for each individual state:

- (a) the name, ADDRESS, and telephone number of the individual interviewed;
- (b) the date of the interview; and
- (c) the name, ADDRESS, and telephone number of the PERSON who conducted the interview.

12.3 Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded statement from any individual concerning the INCIDENT? If so, for each statement state:

- (a) the name, ADDRESS, and telephone number of the individual from whom the statement was obtained;
- (b) the name, ADDRESS, and telephone number of the individual who obtained the statement;
- (c) the date the statement was obtained; and
- (d) the name, ADDRESS, and telephone number of each PERSON who has the original statement or a copy.

12.4 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any photographs, films, or videotapes depicting any place, object, or individual concerning the INCIDENT or plaintiff's injuries? If so, state:

- (a) the number of photographs or feet of film or videotape;
- (b) the places, objects, or persons photographed, filmed, or videotaped;
- (c) the date the photographs, films, or videotapes were taken;
- (d) the name, ADDRESS, and telephone number of the individual taking the photographs, films, or videotapes; and
- (e) the name, ADDRESS, and telephone number of each PERSON who has the original or a copy of the photographs, films, or videotapes.

12.5 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any diagram, reproduction, or model of any place or thing (except for items developed by expert witnesses covered by Code of Civil Procedure sections 2034.210-2034.310) concerning the INCIDENT? If so, for each item state:

- (a) the type (i.e., diagram, reproduction, or model);
- (b) the subject matter; and
- (c) the name, ADDRESS, and telephone number of each PERSON who has it.

12.6 Was a report made by any PERSON concerning the INCIDENT? If so, state:

- (a) the name, title, identification number, and employer of the PERSON who made the report;
- (b) the date and type of report made;
- (c) the name, ADDRESS, and telephone number of the PERSON for whom the report was made; and
- (d) the name, ADDRESS, and telephone number of each PERSON who has the original or a copy of the report.

12.7 Have YOU OR ANYONE ACTING ON YOUR BEHALF inspected the scene of the INCIDENT? If so, for each inspection state:

- (a) the name, ADDRESS, and telephone number of the individual making the inspection (except for expert witnesses covered by Code of Civil Procedure sections 2034.210-2034.310); and
- (b) the date of the inspection.

### 13.0 Investigation—Surveillance

13.1 Have YOU OR ANYONE ACTING ON YOUR BEHALF conducted surveillance of any individual involved in the INCIDENT or any party to this action? If so, for each surveillance state:

- (a) the name, ADDRESS, and telephone number of the individual or party;
- (b) the time, date, and place of the surveillance;
- (c) the name, ADDRESS, and telephone number of the individual who conducted the surveillance; and
- (d) the name, ADDRESS, and telephone number of each PERSON who has the original or a copy of any surveillance photograph, film, or videotape.

13.2 Has a written report been prepared on the surveillance? If so, for each written report state:

- (a) the title;
- (b) the date;
- (c) the name, ADDRESS, and telephone number of the individual who prepared the report; and
- (d) the name, ADDRESS, and telephone number of each PERSON who has the original or a copy.

### 14.0 Statutory or Regulatory Violations

14.1 Do YOU OR ANYONE ACTING ON YOUR BEHALF contend that any PERSON involved in the INCIDENT violated any statute, ordinance, or regulation and that the violation was a legal (proximate) cause of the INCIDENT? If so, identify the name, ADDRESS, and telephone number of each PERSON and the statute, ordinance, or regulation that was violated.

14.2 Was any PERSON cited or charged with a violation of any statute, ordinance, or regulation as a result of this INCIDENT? If so, for each PERSON state:

- (a) the name, ADDRESS, and telephone number of the PERSON;
- (b) the statute, ordinance, or regulation allegedly violated;
- (c) whether the PERSON entered a plea in response to the citation or charge and, if so, the plea entered; and
- (d) the name and ADDRESS of the court or administrative agency, names of the parties, and case number.

### 15.0 Denials and Special or Affirmative Defenses

15.1 Identify each denial of a material allegation and each special or affirmative defense in your pleadings and for each:

- (a) state all facts upon which you base the denial or special or affirmative defense;
- (b) state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of those facts; and
- (c) identify all DOCUMENTS and other tangible things that support your denial or special or affirmative defense, and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT.

### 16.0 Defendant's Contentions—Personal Injury

16.1 Do you contend that any PERSON, other than you or plaintiff, contributed to the occurrence of the INCIDENT or the injuries or damages claimed by plaintiff? If so, for each PERSON:

- (a) state the name, ADDRESS, and telephone number of the PERSON;
- (b) state all facts upon which you base your contention;
- (c) state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the facts; and
- (d) identify all DOCUMENTS and other tangible things that support your contention and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.

16.2 Do you contend that plaintiff was not injured in the INCIDENT? If so:

- (a) state all facts upon which you base your contention;
- (b) state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the facts; and
- (c) identify all DOCUMENTS and other tangible things that support your contention and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.



- 16.3 Do you contend that the injuries or the extent of the injuries claimed by plaintiff as disclosed in discovery proceedings thus far in this case were not caused by the INCIDENT? If so, for each injury:
- Identify it;
  - state all facts upon which you base your contention;
  - state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the facts; and
  - identify all DOCUMENTS and other tangible things that support your contention and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.
- 16.4 Do you contend that any of the services furnished by any HEALTH CARE PROVIDER claimed by plaintiff in discovery proceedings thus far in this case were not due to the INCIDENT? If so:
- Identify each service;
  - state all facts upon which you base your contention;
  - state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the facts; and
  - identify all DOCUMENTS and other tangible things that support your contention and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.
- 16.5 Do you contend that any of the costs of services furnished by any HEALTH CARE PROVIDER claimed as damages by plaintiff in discovery proceedings thus far in this case were not necessary or unreasonable? If so:
- Identify each cost;
  - state all facts upon which you base your contention;
  - state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the facts; and
  - identify all DOCUMENTS and other tangible things that support your contention and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.
- 16.6 Do you contend that any part of the loss of earnings or income claimed by plaintiff in discovery proceedings thus far in this case was unreasonable or was not caused by the INCIDENT? If so:
- Identify each part of the loss;
  - state all facts upon which you base your contention;
  - state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the facts; and
  - identify all DOCUMENTS and other tangible things that support your contention and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.
- 16.7 Do you contend that any of the property damage claimed by plaintiff in discovery Proceedings thus far in this case was not caused by the INCIDENT? If so:
- Identify each item of property damage;
  - state all facts upon which you base your contention;
  - state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the facts; and
  - Identify all DOCUMENTS and other tangible things that support your contention and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.
- 16.8 Do you contend that any of the costs of repairing the property damage claimed by plaintiff in discovery proceedings thus far in this case were unreasonable? If so:
- Identify each cost item;
  - state all facts upon which you base your contention;
  - state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of the facts; and
  - Identify all DOCUMENTS and other tangible things that support your contention and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.
- 16.9 Do YOU OR ANYONE ACTING ON YOUR BEHALF have any DOCUMENT (for example, insurance bureau index reports) concerning claims for personal injuries made before or after the INCIDENT by a plaintiff in this case? If so, for each plaintiff state:
- the source of each DOCUMENT;
  - the date each claim arose;
  - the nature of each claim; and
  - the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT.
- 16.10 Do YOU OR ANYONE ACTING ON YOUR BEHALF have any DOCUMENT concerning the past or present physical, mental, or emotional condition of any plaintiff in this case from a HEALTH CARE PROVIDER not previously identified (except for expert witnesses covered by Code of Civil Procedure sections 2034.210–2034.310)? If so, for each plaintiff state:
- the name, ADDRESS, and telephone number of each HEALTH CARE PROVIDER;
  - a description of each DOCUMENT; and
  - the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT.
- 17.0 Responses to Request for Admissions**
- 17.1 Is your response to each request for admission served with these interrogatories an unqualified admission? If not, for each response that is not an unqualified admission:
- state the number of the request;
  - state all facts upon which you base your response;
  - state the names, ADDRESSES, and telephone numbers of all PERSONS who have knowledge of those facts; and
  - Identify all DOCUMENTS and other tangible things that support your response and state the name, ADDRESS, and telephone number of the PERSON who has each DOCUMENT or thing.
- 18.0 [Reserved]**
- 19.0 [Reserved]**
- 20.0 How the Incident Occurred—Motor Vehicle**
- 20.1 State the date, time, and place of the INCIDENT (closest street ADDRESS or intersection).
- 20.2 For each vehicle involved in the INCIDENT, state:
- the year, make, model, and license number;
  - the name, ADDRESS, and telephone number of the driver;

- (c) the name, ADDRESS, and telephone number of each occupant other than the driver;
- (d) the name, ADDRESS, and telephone number of each registered owner;
- (e) the name, ADDRESS, and telephone number of each lessee;
- (f) the name, ADDRESS, and telephone number of each owner other than the registered owner or lien holder; and
- (g) the name of each owner who gave permission or consent to the driver to operate the vehicle.
- 20.3 State the ADDRESS and location where your trip began and the ADDRESS and location of your destination.
- 20.4 Describe the route that you followed from the beginning of your trip to the location of the INCIDENT, and state the location of each stop, other than routine traffic stops, during the trip leading up to the INCIDENT.
- 20.5 State the name of the street or roadway, the lane of travel, and the direction of travel of each vehicle involved in the INCIDENT for the 500 feet of travel before the INCIDENT.
- 20.6 Did the INCIDENT occur at an intersection? If so, describe all traffic control devices, signals, or signs at the intersection.
- 20.7 Was there a traffic signal facing you at the time of the INCIDENT? If so, state:
- (a) your location when you first saw it;
- (b) the color;
- (c) the number of seconds it had been that color; and
- (d) whether the color changed between the time you first saw it and the INCIDENT.
- 20.8 State how the INCIDENT occurred, giving the speed, direction, and location of each vehicle involved:
- (a) just before the INCIDENT;
- (b) at the time of the INCIDENT; and
- (c) just after the INCIDENT.
- 20.9 Do you have information that a malfunction or defect in a vehicle caused the INCIDENT? If so:
- (a) identify the vehicle;
- (b) identify each malfunction or defect;
- (c) state the name, ADDRESS, and telephone number of each PERSON who is a witness to or has information about each malfunction or defect; and
- (d) state the name, ADDRESS, and telephone number of each PERSON who has custody of each defective part.
- 20.10 Do you have information that any malfunction or defect in a vehicle contributed to the injuries sustained in the INCIDENT? If so:
- (a) identify the vehicle;
- (b) identify each malfunction or defect;
- (c) state the name, ADDRESS, and telephone number of each PERSON who is a witness to or has information about each malfunction or defect; and
- (d) state the name, ADDRESS, and telephone number of each PERSON who has custody of each defective part.
- 20.11 State the name, ADDRESS, and telephone number of each owner and each PERSON who has had possession since the INCIDENT of each vehicle involved in the INCIDENT.
- 25.0 [Reserved]
- 30.0 [Reserved]
- 40.0 [Reserved]
- 50.0 Contract
- 50.1 For each agreement alleged in the pleadings:
- (a) identify each DOCUMENT that is part of the agreement and for each state the name, ADDRESS, and telephone number of each PERSON who has the DOCUMENT;
- (b) state each part of the agreement not in writing, the name, ADDRESS, and telephone number of each PERSON agreeing to that provision, and the date that part of the agreement was made;
- (c) identify all DOCUMENTS that evidence any part of the agreement not in writing and for each state the name, ADDRESS, and telephone number of each PERSON who has the DOCUMENT;
- (d) identify all DOCUMENTS that are part of any modification to the agreement, and for each state the name, ADDRESS, and telephone number of each PERSON who has the DOCUMENT;
- (e) state each modification not in writing, the date, and the name, ADDRESS, and telephone number of each PERSON agreeing to the modification, and the date the modification was made;
- (f) identify all DOCUMENTS that evidence any modification of the agreement not in writing and for each state the name, ADDRESS, and telephone number of each PERSON who has the DOCUMENT.
- 50.2 Was there a breach of any agreement alleged in the pleadings? If so, for each breach describe and give the date of every act or omission that you claim is the breach of the agreement.
- 50.3 Was performance of any agreement alleged in the pleadings excused? If so, identify each agreement excused and state why performance was excused.
- 50.4 Was any agreement alleged in the pleadings terminated by mutual agreement, release, accord and satisfaction, or novation? If so, identify each agreement terminated, the date of termination, and the basis of the termination.
- 50.5 Is any agreement alleged in the pleadings unenforceable? If so, identify each unenforceable agreement and state why it is unenforceable.
- 50.6 Is any agreement alleged in the pleadings ambiguous? If so, identify each ambiguous agreement and state why it is ambiguous.
- 60.0 [Reserved]

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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	)	IMAGED FILED
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 **June 21, 2018**, I served the following documents:

**FORM INTERROGATORIES (SET ONE)**

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

Cory J. Briggs, Esq.  
Anthony N. Kim, Esq.  
BRIGGS LAW CORPORATION  
99 "C" Street, Suite 111  
Upland, CA 91786  
Tel: (909) 949-7115; Fax: (909) 949-7121  
*Attorney for Plaintiff CHRISTOPHER WILLIAMS*

**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

**DECLARATION OF PROOF OF SERVICE**

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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.

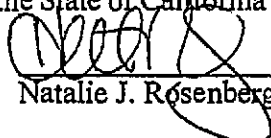
**BY FAX TRANSMISSION:** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons listed on the attached service list. No error was reported by the fax machine that I used. A copy of the record of the fax transmission will be maintained with the 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 June 21, 2018.

  
\_\_\_\_\_  
Natalie J. Rosenberg



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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  
11 CHRISTOPHER WILLIAMS, ) CASE NO. 37-2018-00023369-CU-PO-CTL  
12 Plaintiff, )  
13 vs. ) **PLAINTIFF, CHRISTOPHER**  
14 DAVID ARAMBULA; CITY OF LEMON ) **WILLIAM'S RESPONSES TO**  
GROVE; and DOES 1 through 1,000, ) **DEFENDANT CITY OF LEMON**  
15 Defendants. ) **GROVE'S FORM INTERROGATORIES**  
16 ) **(SET ONE)**

17 PROPOUNDING PARTY: CITY OF LEMON GROVE

18 RESPONDING PARTY: CHRISTOPHER WILLIAMS

19 SET NUMBER: ONE

20 Plaintiff, Christopher Williams ("Responding Party"), responds as follows to the above-  
21 identified Form Interrogatories from Defendant City of Lemon Grove ("Propounding Party").

22 **Preliminary Statement**

23 Responding Party has not completed discovery in this action and has not completed preparation  
24 for trial. Accordingly, all of the responses contained herein are based only upon such information and  
25 documents that are presently available to, and specifically known by, Responding Party and disclose  
26 only those contentions which presently occur to Responding Party. It is anticipated that further  
27 discovery and analysis will supply additional facts, add meaning to known facts, as well as establish  
28 entirely new factual conclusions and legal contentions, all of which may lead to substantial additions

1 to, changes in, and variations from, the responses set forth herein. The following responses are given  
2 without prejudice to Responding Party's right to produce evidence of any subsequently discovered fact  
3 or facts which Responding Party may later recall. Responding Party accordingly reserves the right to  
4 supplement any and all responses herein as additional facts are ascertained, analyses are made, legal  
5 research is completed, and contentions are investigated.

6 The responses contained herein are made in a good-faith effort to supply as much factual  
7 information and as much specification of legal contentions as is presently known, but should in no way  
8 be to the prejudice of Responding Party in relation to further discovery, research, analysis, or  
9 presentation of evidence at trial.

10 These responses are made solely for the purpose of, and in relation to, this action. Each  
11 response is given subject to all appropriate objections, including, but not limited to, objections  
12 concerning competency, relevancy, materiality, propriety, and admissibility, which would require the  
13 exclusion of any statement contained herein if the request were asked of, or any statement contained  
14 herein were made by, a witness present and testifying in court. All such objections and grounds  
15 therefore are reserved and may be interposed at the time of trial.

16 Except for facts explicitly admitted herein, no admission of any nature whatsoever is to be  
17 implied or inferred. The fact that a request herein has been responded to should not be taken as an  
18 admission, or a concession of the existence of any facts set forth, or assumed by, such a request, or that  
19 such response constitutes evidence of any facts thus set forth or assumed. All responses must be  
20 construed as given on the basis of present recollection.

21 **Form Interrogatory No. 1.1:**

22 State the name, ADDRESS, telephone number, and relationship to you of each PERSON who  
23 prepared or assisted in the preparation of the responses to these interrogatories.

24 **Response to Form Interrogatory No. 1.1:**

25 Christopher Williams (contacted through counsel); Briggs Law Corporation (address above).

26 **Form Interrogatory No. 2.1:**

27 State:

28 (a) your name;

1 (b) every name you have used in the past; and

2 (c) the dates you used each name.

3 **Response to Form Interrogatory No. 2.1:**

4 Christopher Williams

5 Christopher Stocker (used from 1988-1999 in school)

6 **Form Interrogatory No. 2.2:**

7 State the date and place of your birth.

8 **Response to Form Interrogatory No. 2.2:**

9 San Diego, CA

10 **Form Interrogatory No. 2.3:**

11 At the time of the INCIDENT, did you have a driver's license? If so state:

12 (a) the state or other issuing entity;

13 (b) the license number and type;

14 (c) the date of issuance; and

15 (d) all restrictions.

16 **Response to Form Interrogatory No. 2.3:**

17 Yes

18 (a) California

19 (b) Objection: This information is protected by Responding Party's right of privacy.

20 (c) February 19, 2016

21 (d) No.

22 **Form Interrogatory No. 2.4:**

23 At the time of the INCIDENT, did you have any other permit or license for the operation of a  
24 motor vehicle? If so, state

25 (a) the state or other issuing entity;

26 (b) the license number and type;

27 (c) the date of issuance; and

28 (d) all restrictions.



1 **Response to Form Interrogatory No. 2.4:**

2 No.

3 **Form Interrogatory No. 2.5:**

4 State:

5 (a) your present residence ADDRESS;

6 (b) your residence ADDRESSES for the past five years; and

7 (c) the dates you lived at each ADDRESS.

8 **Response to Form Interrogatory No. 2.5:**

9 6257 Thorn Street, San Diego, CA 92115

10 **Form Interrogatory No. 2.6:**

11 State:

12 (a) the name, ADDRESS, and telephone number of your present employer or place of self-  
13 employment; and

14 (b) the name, ADDRESS, dates of employment, job title, and nature of work for each employer  
15 or self-employment you have had from five years before the INCIDENT until today.

16 **Response to Form Interrogatory No. 2.6:**

17 (a) Self-employed; Xperience Transportation, 7364 Mission Gorge Road, San Diego, CA 92120.

18 (b) Self-employed; Xperience Transportation, 7364 Mission Gorge Road, San Diego, CA 92120.

19 **Form Interrogatory No. 2.7:**

20 State:

21 (a) the name and ADDRESS of each school or other academic or vocational institution you have  
22 attended, beginning with high school;

23 (b) the dates you attended;

24 (c) the highest grade level you have completed; and

25 (d) the degrees received.

26 **Response to Form Interrogatory No. 2.7:**

27 (a) Serra High School 1996;

28 (b) Patrick Henry 1997;

1 (c) Challenge 1998; and

2 (d) El Cajon Valley High School 1999.

3 **Form Interrogatory No. 2.8:**

4 Have you ever been convicted of a felony? If so, for each conviction state:

5 (a) the city and state where you were convicted;

6 (b) the date of conviction;

7 (c) the offense; and

8 (d) the court and case number.

9 **Response to Form Interrogatory No. 2.8:**

10 No.

11 **Form Interrogatory No. 2.9:**

12 Can you speak English with ease? If not, what language and dialect do you normally use?

13 **Response to Form Interrogatory No. 2.9:**

14 Yes.

15 **Form Interrogatory No. 2.10:**

16 Can you read and write English with ease? If not, what language and dialect do you normally  
17 use?

18 **Response to Form Interrogatory No. 2.10:**

19 Yes.

20 **Form Interrogatory No. 2.11:**

21 At the time of the INCIDENT were you acting as an agent or employee for any PERSON? If  
22 so, state:

23 (a) the name, ADDRESS, and telephone number of that PERSON: and

24 (b) a description of your duties.

25 **Response to Form Interrogatory No. 2.11:**

26 No.

1 **Form Interrogatory No. 2.12:**

2 At the time of the INCIDENT did you or any other person have any physical, emotional, or  
3 mental disability or condition that may have contributed to the occurrence of the INCIDENT? If so, for  
4 each person state:

5 (a) the name, ADDRESS, and telephone number;

6 (b) the nature of the disability or condition; and

7 (c) the manner in which the disability or condition contributed to the occurrence of the  
8 INCIDENT.

9 **Response to Form Interrogatory No. 2.12:**

10 I did not. I do no personal knowledge of David Arambula's disability or condition.

11 **Form Interrogatory No. 2.13:**

12 Within 24 hours before the INCIDENT did you or any person involved in the INCIDENT use  
13 or take any of the following substances: alcoholic beverage, marijuana, or other drug or medication of  
14 any kind (prescription or not)? If so, for each person state:

15 (a) the name, ADDRESS, and telephone number;

16 (b) the nature or description of each substance;

17 (c) the quantity of each substance used or taken;

18 (d) the date and time of day when each substance was used or taken;

19 (e) the ADDRESS where each substance was used or taken;

20 (f) the name, ADDRESS, and telephone number of each person who was present when each  
21 substance was used or taken; and

22 (g) the name, ADDRESS, and telephone number of any HEALTH CARE PROVIDER who  
23 prescribed or furnished the substance and the condition for which it was prescribed or furnished.

24 **Response to Form Interrogatory No. 2.13:**

25 Yes, I smoked one cannabis joint roughly 22 hours before the attack (just before going to bed  
26 the on July 13, 2017).

1 **Form Interrogatory No. 4.1:**

2 At the time of the INCIDENT, was there in effect any policy of insurance through which you  
3 were or might be insured in any manner (for example, primary, pro-rata, or excess liability coverage  
4 or medical expense coverage) for the damages, claims, or actions that have arisen out of the  
5 INCIDENT? If so, for each policy state:

6 (a) the kind of coverage;

7 (b) the name and ADDRESS of the insurance company;

8 (c) the name, ADDRESS, and telephone number of each named insured;

9 (d) the policy number;

10 (e) the limits of coverage for each type of coverage contained in the policy;

11 (f) whether any reservation of rights or controversy or coverage dispute exists between you and  
12 the insurance company; and

13 (g) the name, ADDRESS, and telephone number of the custodian of the policy.

14 **Response to Form Interrogatory No. 4.1:**

15 No.

16 **Form Interrogatory No. 4.2:**

17 Are you self-insured under any statute for the damages, claims, or actions that have arising out  
18 of the INCIDENT? If so, specify the statute.

19 **Response to Form Interrogatory No. 4.2:**

20 No.

21 **Form Interrogatory No. 6.1:**

22 Do you attribute any physical, mental, or emotional injuries to the INCIDENT?

23 **Response to Form Interrogatory No. 6.1:**

24 Yes. I have extreme stress and loss of sleep. I have feelings of shame, embarrassment, and  
25 fright.

26 **Form Interrogatory No. 6.2:**

27 Identify each injury you attribute to the INCIDENT and the area of your body affected.  
28

1 **Response to Form Interrogatory No. 6.2:**

2 See Responding Party's response to the accompanying special interrogatories.

3 **Form Interrogatory No. 6.3:**

4 Do you still have any complaints that you attribute to the INCIDENT? If so, for each complaint  
5 state:

6 (a) a description;

7 (b) whether the complaint is subsiding, remaining the same, or becoming worse; and

8 (c) the frequency and duration.

9 **Response to Form Interrogatory No. 6.3:**

10 See Responding Party's response to the accompanying special interrogatories.

11 **Form Interrogatory No. 6.4:**

12 Did you receive any consultation or examination (except from expert witnesses covered by  
13 Code of Civil Procedure sections 2034.210-2034.310) or treatment from a HEALTH CARE  
14 PROVIDER for any injury you attribute to the INCIDENT? If so, for each HEALTH CARE  
15 PROVIDER state:

16 (a) the name, ADDRESS, and telephone number;

17 (b) the type of consultation, examination, or treatment provided;

18 (c) the dates you received consultation, examination, or treatment; and

19 (d) the charges to date.

20 **Response to Form Interrogatory No. 6.4:**

21 Yes. See Responding Party's response to the accompanying special interrogatories.

22 **Form Interrogatory No. 6.5:**

23 Have you taken any medication, prescribed or not, as a result of injuries that you attribute to the  
24 INCIDENT? If so, for each medication state:

25 (a) the name;

26 (b) the PERSON who prescribed or furnished it;

27 (c) the date it was prescribed or furnished;

28 (d) the dates you began and stopped taking it; and

1 (e) the cost to date.

2 **Response to Form Interrogatory No. 6.5:**

3 The doctors prescribed opioids for me when they treated my injuries following the attack. But  
4 I did not take them.

5 **Form Interrogatory No. 6.6:**

6 Are there any other medical services necessitated by the injuries that you attribute to the  
7 INCIDENT that were not previously listed (for example, ambulance, nursing, prosthetics)? If so, for  
8 each service state:

9 (a) the nature;

10 (b) the date;

11 (c) the cost; and

12 (d) the name, ADDRESS, and telephone number of each provider.

13 **Response to Form Interrogatory No. 6.6:**

14 Unknown.

15 **Form Interrogatory No. 6.7:**

16 Has any HEALTH CARE PROVIDER advised that you may require future or additional  
17 treatment for any injuries that you attribute to the INCIDENT? If so, for each injury state:

18 (a) the name and ADDRESS of each HEALTH CARE PROVIDER;

19 (b) the complaints for which the treatment was advised; and

20 (c) the nature, duration, and estimated cost of the treatment.

21 **Response to Form Interrogatory No. 6.7:**

22 See Responding Party's response to the accompanying special interrogatories.

23 **Form Interrogatory No. 7.1:**

24 Do you attribute any loss of or damage to a vehicle or other property to the INCIDENT? If so,  
25 for each item of property:

26 (a) describe the property;

27 (b) describe the nature and location of the damage to the property;

28

1 (c) state the amount of damage you are claiming for each item of property and how the amount  
2 was calculated; and

3 (d) if the property was sold, state the name, ADDRESS, and telephone number of the seller, the  
4 date of sale, and the sale price.

5 **Response to Form Interrogatory No. 7.1:**

6 Only to the clothes I was wearing that night: shirt, pants, and shoes. My best estimate is that  
7 my clothing that night cost \$300-\$400. There was no way to get the blood stains out of my clothing,  
8 so they had to be thrown away. I also spent about \$200 to have blood stains removed from my car  
9 seats.

10 **Form Interrogatory No. 7.2:**

11 Has a written estimate or evaluation been made for any item of property referred to in your  
12 answer to the preceding interrogatory? If so, for each estimate or evaluation state:

13 (a) the name, ADDRESS, and telephone number of the PERSON who prepared it and the date  
14 prepared;

15 (b) the name, ADDRESS, and telephone number of each PERSON who has a copy of it; and

16 (c) the amount of damage stated.

17 **Response to Form Interrogatory No. 7.2:**

18 No.

19 **Form Interrogatory No. 7.3:**

20 Has any item of property referred to in your answer to interrogatory 7.1 been repaired? If so,  
21 for each item state:

22 (a) the date repaired;

23 (b) a description of the repair;

24 (c) the repair cost;

25 (d) the name, ADDRESS, and telephone number of the PERSON who repaired it;

26 (e) the name, ADDRESS, and telephone number of the PERSON who paid for the repair.

27 **Response to Form Interrogatory No. 7.3:**

28 See the response to Form Interrogatory 7.1.

1 **Form Interrogatory No. 8.1:**

2 Do you attribute any loss of income or earning capacity to the INCIDENT?

3 **Response to Form Interrogatory No. 8.1:**

4 Yes.

5 **Form Interrogatory No. 8.2:**

6 State:

7 (a) the nature of your work;

8 (b) your job title at the time of the INCIDENT; and

9 (c) the date your employment began.

10 **Response to Form Interrogatory No. 8.2:**

11 For the last several years, I have been trying to obtain land-use approvals for medical-marijuana  
12 dispensaries in the City of Lemon Grove. The City has become extraordinarily difficult and  
13 unreceptive to my applications since Arambula attacked me and have put up illegal barriers by treating  
14 me differently from other applicants presenting similar applications.

15 **Form Interrogatory No. 8.3:**

16 State the last date before the INCIDENT that you worked for compensation.

17 **Response to Form Interrogatory No. 8.3:**

18 July 14, 2017.

19 **Form Interrogatory No. 8.4:**

20 State your monthly income at the time of the INCIDENT and how the amount was calculated.

21 **Response to Form Interrogatory No. 8.4:**

22 Objection: This interrogatory violates Responding Party's right of privacy and is outside the  
23 scope of permissible discovery. He is not claiming lost wages.

24 **Form Interrogatory No. 8.5:**

25 State the date you returned to work at each place of employment following the INCIDENT.

26 **Response to Form Interrogatory No. 8.5:**

27 August 1, 2017.



1 **Form Interrogatory No. 8.6:**

2 State the dates you did not work and for which you lost income as a result of the INCIDENT.

3 **Response to Form Interrogatory No. 8.6:**

4 See the response to Form Interrogatory no. 8.4.

5 **Form Interrogatory No. 8.7:**

6 State the total income you have lost to date as a result of the INCIDENT and how the amount  
7 was calculated.

8 **Response to Form Interrogatory No. 8.7:**

9 See the response to Form Interrogatory no. 8.4.

10 **Form Interrogatory No. 8.8:**

11 Will you lose income in the future as a result of the INCIDENT? If so, state:

12 (a) the facts upon which you base this contention;

13 (b) an estimate of the amount;

14 (c) an estimate of how long you will be unable to work; and

15 (d) how the claim for future income is calculated.

16 **Response to Form Interrogatory No. 8.8:**

17 Unknown at this time.

18 **Form Interrogatory No. 9.1:**

19 Are there any other damages that you attribute to the INCIDENT? If so, for each item of  
20 damage state:

21 (a) the nature;

22 (b) the date it occurred;

23 (c) the amount; and

24 (d) the name, ADDRESS, and telephone number of each PERSON to whom an obligation was  
25 incurred.

26 **Response to Form Interrogatory No. 9.1:**

27 Yes. Pain and suffering, emotional distress, interference with economic opportunities through  
28 retaliation in processing land-use applications by Propounding Party.

1 **Form Interrogatory No. 9.2:**

2 Do any DOCUMENTS support the existence or amount of any item of damages claimed in  
3 interrogatory 9.1? If so, describe each document and state the name, ADDRESS, and telephone number  
4 of the PERSON who has each DOCUMENT.

5 **Response to Form Interrogatory No. 9.2:**

6 All known documents, other than those already contained in Propounding Party's files at city  
7 hall, will be produced with Responding Party's response to the accompanying request for production  
8 of documents.

9 **Form Interrogatory No. 10.1:**

10 At any time before the INCIDENT did you have complaints or injuries that involved the same  
11 part of your body claimed to have been injured in the INCIDENT? If so, for each state:

12 (a) a description of the complaint or injury;

13 (b) the dates it began and ended; and

14 (c) the name, ADDRESS, and telephone number of each HEALTH CARE PROVIDER whom  
15 you consulted or who examined or treated you.

16 **Response to Form Interrogatory No. 10.1:**

17 No.

18 **Form Interrogatory No. 11.1:**

19 Except for this action, in the past 10 years have you filed an action or made a written claim or  
20 demand for compensation for your personal injuries? If so, for each action, claim, or demand state:

21 (a) the date, time, and place and location (closest street ADDRESS or intersection) of the  
22 INCIDENT giving rise to the action, claim, or demand;

23 (b) the name, ADDRESS, and telephone number of each PERSON against whom the claim or  
24 demand was made or the action filed;

25 (c) the court, names of the parties, and case number of any action filed;

26 (d) the name, ADDRESS, and telephone number of any attorney representing you;

27 (e) whether the claim or action has been resolved or is pending; and

28 (f) a description of the injury.

1 **Response to Form Interrogatory No. 11.1:**

2 No.

3 **Form Interrogatory No. 11.2:**

4 In the past 10 years have you made a written claim or demand for workers' compensation  
5 benefits? If so, for each claim or demand state:

6 (a) the date, time, and place of the INCIDENT giving rise to the claim;

7 (b) the name, ADDRESS, and telephone number of your employer at the time of the injury;

8 (c) the name, ADDRESS, and telephone number of the workers' compensation insurer and the  
9 claim number;

10 (d) the period of time during which you received workers' compensation benefits;

11 (e) a description of the injury;

12 (f) the name, ADDRESS, and telephone number of any HEALTH CARE PROVIDER who  
13 provided services; and

14 (g) the case number at the Workers' Compensation Appeals Board.

15 **Form Interrogatory No. 11.2:**

16 No.

17 **Form Interrogatory No. 12.1:**

18 State the name, ADDRESS, and telephone number of each individual:

19 (a) who witnessed the INCIDENT or the events occurring immediately before and after the  
20 INCIDENT;

21 (b) who made any statement at the scene of the INCIDENT;

22 (c) who heard any statements made about the INCIDENT by any individual at the scene; and

23 (d) who YOU OR ANYONE ACTING ON YOUR BEHALF claim has knowledge of the  
24 INCIDENT (except for expert witnesses covered by Code of Civil Procedure section 2034).

25 **Response to Form Interrogatory No. 12.1:**

26 INCIDENT

27 (a) Before Incident: Responding Party; Tiasha Brown 619-443-8989; Racquel Vasquez  
28 phone number unknown; David Arambula.

1 (b) Responding Party, Tiasha Brown, Racquel Vasquez, and David Arambula made  
2 statements at the place of the incident.

3 (c) Responding Party, Tiasha Brown, Racquel Vasquez, and David Arambula made  
4 statements at the place of the incident.

5 (d) Responding Party, Tiasha Brown, David Arambula made statements about the incident.

6 (e) Kathleen McLean.

7 **Form Interrogatory No. 12.2:**

8 Have YOU OR ANYONE ACTING ON YOUR BEHALF interviewed any individual  
9 concerning the INCIDENT? If so, for each individual state:

10 (a) the name, ADDRESS, and telephone number of the individual interviewed;

11 (b) the date of the interview; and

12 (c) the name, ADDRESS, and telephone number of the PERSON who conducted the interview.

13 **Response to Form Interrogatory No. 12.2:**

14 No.

15 **Form Interrogatory No. 12.3:**

16 Have YOU OR ANYONE ACTING ON YOUR BEHALF obtained a written or recorded  
17 statement from any individual concerning the INCIDENT? If so, for each statement state:

18 (a) the name, ADDRESS, and telephone number of the individual from whom the statement was  
19 obtained;

20 (b) the name, ADDRESS, and telephone number of the individual who obtained the statement;

21 (c) the date the statement was obtained; and

22 (d) the name, ADDRESS, and telephone number of each PERSON who has the original  
23 statement or a copy.

24 **Response to Form Interrogatory No. 12.3:**

25 Yes. I received a video from Tiasha Brown showing David Arambula naked in his pool.  
26  
27  
28

1 **Form Interrogatory No. 12.4:**

2 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any photographs, films, or  
3 videotapes depicting any place, object, or individual concerning the INCIDENT or plaintiffs injuries?

4 If so, state:

5 (a) the number of photographs or feet of film or videotape;

6 (b) the places, objects, or persons photographed, filmed, or videotaped;

7 (c) the date the photographs, films, or videotapes were taken;

8 (d) the name, ADDRESS, and telephone number of the individual taking the photographs, films,  
9 or videotapes; and

10 (e) the name, ADDRESS, and telephone number of each PERSON who has the original or a  
11 copy of the photographs, films, or videotapes.

12 **Response to Form Interrogatory No. 12.4:**

13 Yes.

14 (a) 36 pictures taken on July 15, 2017, and one 24-second video taken on July 14, 2017.

15 (b) Responding Party was photographed in all photos. David Arambula was videotaped in  
16 his pool at his property in Lemon Grove.

17 (c) 36 pictures taken on July 15, 2017, and one 24-second video taken on July 14, 2017.

18 (d) Kathleen McLean, 6257 Thorn Street, San Diego, CA 92115 (contact through  
19 Responding Party's counsel); she took all photographs. Tiasha Brown took the video.

20 (e) Kathleen McLean, 6257 Thorn Street, San Diego, CA 92115 (contact through  
21 Responding Party's counsel); she took all photographs. Tiasha Brown took the video.

22 **Form Interrogatory No. 12.5:**

23 Do YOU OR ANYONE ACTING ON YOUR BEHALF know of any diagram, reproduction,  
24 or model of any place or thing (except for items developed by expert witnesses covered by Code of  
25 Civil Procedure sections 2034.210- 2034.31 0) concerning the INCIDENT? If so, for each item state:

26 (a) the type (i.e., diagram, reproduction, or model);

27 (b) the subject matter; and

28 (c) the name, ADDRESS, and telephone number of each PERSON who has it.

1 Response to Form Interrogatory No. 12.5:

2 No.

3 Form Interrogatory No. 12.6:

4 Was a report made by any PERSON concerning the INCIDENT? If so, state:

5 (a) the name, title, identification number, and employer of the PERSON who made the report;

6 (b) the date and type of report made;

7 (c) the name, ADDRESS, and telephone number of the PERSON for whom the report was  
8 made; and

9 (d) the name, ADDRESS, and telephone number of each PERSON who has the original or a  
10 copy of the report.

11 Response to Form Interrogatory No. 12.6:

12 Yes.

13 (a) Debbie Stiesmeyer, Lemon Grove Patrol Reporting Officer, Case # 17136885, Report  
14 # 1716885.1.

15 (b) Report was made on 7/15/17 at 4:08a.m.

16 (c) Dr. Allison Haders, Alvarado Hospital.

17 (d) Responding Party (contact through counsel).

18 Form Interrogatory No. 12.7:

19 Have YOU OR ANYONE ACTING ON YOUR BEHALF inspected the scene of the  
20 INCIDENT? If so, for each inspection state:

21 (a) the name, ADDRESS, and telephone number of the individual making the inspection (except  
22 for expert witnesses covered by Code of Civil Procedure sections 2034.210-2034.310); and

23 (b) the date of the inspection.

24 Response to Form Interrogatory No. 12.7:

25 No.

26 Form Interrogatory No. 13.1:

27 Have YOU OR ANYONE ACTING ON YOUR BEHALF conducted surveillance of any  
28 individual involved in the INCIDENT or any party to this action? If so, for each surveillance

1 state:

2 (a) the name, ADDRESS, and telephone number of the individual or party;

3 (b) the time, date, and place of the surveillance;

4 (c) the name, ADDRESS, and telephone number of the individual who conducted the  
5 surveillance; and

6 (d) the name, ADDRESS, and telephone number of each PERSON who has the original or a  
7 copy of any surveillance photograph, film, or videotape.

8 **Response to Form Interrogatory No. 13.1:**

9 No.

10 **Form Interrogatory No. 13.2:**

11 Has a written report been prepared on the surveillance? If so, for each written report state:

12 (a) the title;

13 (b) the date;

14 (c) the name, ADDRESS, and telephone number of the individual who prepared the report; and

15 (d) the name, ADDRESS, and telephone number of each PERSON who has the original or a  
16 copy.

17 **Response to Form Interrogatory No. 13.2:**

18 N/A.

19 **Form Interrogatory No. 14.1:**

20 Do YOU OR ANYONE ACTING ON YOUR BEHALF contend that any PERSON involved  
21 in the INCIDENT violated any statute, ordinance, or regulation and that the violation was a legal  
22 (proximate) cause of the INCIDENT? If so, identify the name, ADDRESS, and telephone number of  
23 each PERSON and the statute, ordinance, or regulation that was violated.

24 **Response to Form Interrogatory No. 14.1:**

25 Objection: This form interrogatory violates the attorney work-product privilege.

26 **Form Interrogatory No. 14.2:**

27 Was any PERSON cited or charged with a violation of any statute, ordinance, or regulation as  
28 a result of this INCIDENT? If so, for each PERSON state:

1 (a) the name, ADDRESS, and telephone number of the PERSON;

2 (b) the statute, ordinance, or regulation allegedly violated;

3 (c) whether the PERSON entered a plea in response to the citation or charge and, if so, the plea  
4 entered; and

5 (d) the name and ADDRESS of the court or administrative agency, names of the parties, and  
6 case number.

7 Response to Form Interrogatory No. 14.2:

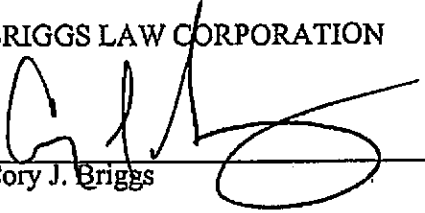
8 Unknown.

9 Date: August 13, 2018.

Respectfully submitted,

BRIGGS LAW CORPORATION

10  
11  
12 By:

  
Cory J. Briggs

Attorneys for Plaintiff Christopher Williams



VERIFICATION

STATE OF CALIFORNIA, COUNTY OF SAN DIEGO

I have read the foregoing Response to Form Interrogatories (Set One) and know its contents.

CHECK APPLICABLE PARAGRAPH

I am a party to this action. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am an Officer a partner a of

a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true. The matters stated in the foregoing document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters I believe them to be true.

I am one of the attorneys for a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.

Executed on August 14, 20 18, at San Diego, California.

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

Christopher Williams
Type or Print Name

Signature

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF

I am employed in the county of State of California. I am over the age of 18 and not a party to the within action; my business address is,

On, 20, I served the foregoing document described as

on in this action
by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list:
by placing the original a true copy thereof enclosed in sealed envelopes addressed as follows:

BY MAIL
I deposited such envelope in the mail at, California.
The envelope was mailed with postage thereon fully prepaid.

As follows I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on, 20, at, California.

(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on, 20, at, California.

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

(Federal) declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Type or Print Name

Signature

(By MAIL SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX, OR BAG)
(FOR PERSONAL SERVICE SIGNATURE MUST BE THAT OF MESSENGER)

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 August 14, 2018, I served \_\_\_\_\_ an original copy  a true and correct copy of the following documents: Plaintiff Christopher Williams' Responses to Defendant City of Lemon Grove's Form Interrogatories (Set One)

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.

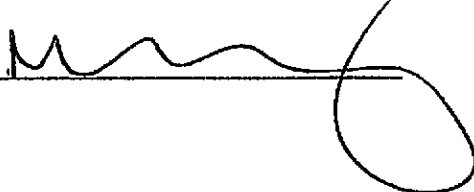
by overnight delivery. I sealed the documents in an envelope/package provided by an overnight-delivery service and addressed to the person(s) at the address(es) indicated on the list, and then I placed the envelope/package for collection and overnight delivery in the service's box regularly utilized 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: August 14, 2018

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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*Attorneys for Defendant DAVID ARAMBULA*



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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN DIEGO-HALL OF JUSTICE

CHRISTOPHER WILLIAMS,	) Case No.
	) 37-2018-00023369
	) CU-PO-CTL
Plaintiff,	)
	)
v.	)
	)
DAVID ARAMBULA, CITY OF	)
LEMON GROVE, and DOES 1	)
through 1,000,	)
	)
Defendants.	)
<hr/>	)

VIDEOTAPED DEPOSITION OF DAVID ARAMBULA  
San Diego, California  
October 26, 2018

REPORTED BY: BOBBIE HIBBLER, CSR NO. 12475

1 BY MR. BRIGGS:

2 Q. When was the first time you saw it?

3 A. It was provided by my attorney I  
4 believe.

5 Q. Do you remember when that was?

6 A. I don't recall.

7 Q. Where were you on the evening of July  
8 14, 2017?

9 A. My home.

10 Q. What were you doing there?

11 A. In my home?

12 Q. Was there an event?

13 A. No. No event.

14 Q. Did you have company over that night?

15 A. I did.

16 Q. Who came over?

17 A. Initially my neighbor, Manuel Ortiz.

18 Q. Mr. Ortiz is your neighbor?

19 A. Yes. And he left. He was there for, I  
20 don't know, maybe an hour. This was around maybe  
21 5 o'clock, 5:00 p.m.

22 Q. He left at 5:00 or came at 5:00?

23 A. He came at 5:00. Around 5:00.

24 Q. Okay.

25 A. Then he left about an hour later. Then

1 Taisha Brown along with Chris, Mr. Williams here,  
2 arrived at the house I want to say at  
3 approximately maybe 7:00, 7:30.

4 Q. Okay.

5 A. And then at some point later Racquel  
6 Vasquez showed up. At some point later Manny came  
7 back -- or Manuel came back. I think it was like  
8 30, 45 minutes as well.

9 Q. So Taisha Brown and Mr. Williams arrived  
10 somewhere in the 7:30 p.m. range?

11 A. Approximately, yes.

12 Q. Okay. Racquel Vasquez is that Lemon  
13 Grove Mayor, Racquel Vasquez?

14 A. Yes, it is.

15 Q. Do you recall what hour it was when she  
16 arrived?

17 A. I would say it would be somewhere  
18 between 8:00 and 9:00 p.m. give or take.

19 Q. How long after the mayor arrived did  
20 Mr. Ortiz arrive?

21 A. Approximately an hour maybe.

22 Q. So he's there sometime from 9:00 to  
23 10:00, that's when he arrived?

24 A. Approximately.

25 Q. Did anybody else come to your house that

1 Q. Do you know -- well, let me ask it this  
2 way. Was Mr. Williams invited to your house?

3 A. By Mrs. Brown, yes.

4 Q. How do you know that?

5 A. Because she told me.

6 Q. Was she invited to your house?

7 A. She was.

8 Q. Why did you invite her to your house?

9 A. She said that she knew a gentleman that  
10 wanted to invest in Lemon Grove. And I was happy  
11 to hear him out. And that's it.

12 Q. Did you know who the gentleman was  
13 before Mr. Williams arrived?

14 A. She told me his name at some point maybe  
15 that same week or the week prior, I'm not sure.

16 Q. How far in advance was this meeting set  
17 up?

18 A. I think it was the same day. I think  
19 Ms. Brown at some point earlier that week had said  
20 hey I want you to meet with someone that is  
21 looking to invest in Lemon Grove. And I said yes  
22 sure, you know, we can talk about it. We didn't  
23 set any dates or appointments or anything like  
24 that. The day of around midday or late morning  
25 she called me, and she said hey Mr. Williams is



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

1 A. I did.

2 Q. Did you talk to anybody at the wedding  
3 about the fight with Mr. Williams?

4 A. I did not.

5 Q. And there were no appearances on your  
6 body that you'd been in a fight; correct?

7 A. Correct.

8 Q. Do you have any idea why Ms. Brown  
9 wanted you to meet Mr. Williams?

10 A. Prior to the meeting, no.

11 Q. How about at the meeting?

12 A. Yes.

13 Q. What did you and Mr. Williams discuss?

14 A. Well, we had light talk for about five  
15 or ten minutes, his background, the fact that he  
16 grew up somewhat near the neighborhood or in the  
17 neighborhood, the fact that he had been involved  
18 in some type of like little league or some of the  
19 youth sports that we had in town at some point  
20 before. And the fact that he wrestled or  
21 something in school. I'm trying to think of what  
22 else. It was light talk. Five or ten minutes  
23 into the conversation is where he said well listen  
24 this is the reason why I'm here.

25 And his reason for being there he began

1 explaining is that he wanted to open up marijuana  
2 dispensaries. And I said stop right there, we're  
3 not talking about this. As you may or may not  
4 know Measure V was really controversial in our  
5 City. And so for me that at the time was a really  
6 hot topic. It still is. And that's something I  
7 wouldn't discuss in an informal setting like that.  
8 So I told him -- I redirected him to staff and I  
9 stopped talking to him about it. In fact, I got  
10 up a few minutes later very uncomfortably. And I  
11 went into the pool.

12 Q. So this is about 15, 20 minutes after  
13 Mr. Williams arrives?

14 A. Approximately, yes.

15 Q. How long did you stay in the pool?

16 A. I was there pretty much the whole  
17 evening coming in and out to go to the restroom,  
18 or just to make sure everything was okay.

19 Q. So was it Ms. Brown who first approached  
20 you to meet with Mr. Williams?

21 A. Yes.

22 Q. And if I understood you correctly  
23 earlier that was a few days or maybe a week before  
24 the actual meeting; is that right?

25 A. Approximately. Yes.

1 STATE OF CALIFORNIA

2 COUNTY OF SAN DIEGO

3

4 I, BOBBIE HIBBLER, a Certified Shorthand  
5 Reporter for the State of California, CSR No.  
6 12475, do hereby certify: That the proceedings  
7 were taken before me at the time and place herein  
8 named; that the said proceedings were reported by  
9 me in shorthand and transcribed through computer-  
10 aided transcription, under my direction; and that  
11 the foregoing is a true record of the testimony  
12 elicited at proceedings had at said proceedings to  
13 the best of my ability.

14 I do further certify that I am a  
15 disinterested person and am in no way connected  
16 with or related to any of the parties in this  
17 action or to their respective counsel.

18 In witness whereof, I have hereunto set my  
19 hand this 8<sup>th</sup> day of November, 2018

20

21

22

Bobbie Hibbler  
Bobbie Hibbler, CSR No. 12475

23

24

25

1 Kimberly S. Oberrecht [C.S.B. No. 190794]  
Heidi K. Williams [C.S.B. No. 297428]  
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SAN DIEGO COUNTY, CA

4  
5 Attorneys for Defendant CITY OF LEMON GROVE

6  
7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **IN AND FOR THE COUNTY OF SAN DIEGO**  
10 **CENTRAL JUDICIAL DISTRICT**

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**

**DECLARATION OF PROOF OF  
SERVICE**

*IMAGED FILED*

17  
18 I am employed in the County of San Diego, State of California. I am over the age of  
19 eighteen years and am not a party to the within entitled action; my business address is 225  
Broadway, Suite 2200, San Diego, California 92101.

20 On **November 21, 2018**, I served the following documents:

- 21 1) DEFENDANT CITY OF LEMON GROVE'S NOTICE OF MOTION AND MOTION FOR  
22 SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY  
ADJUDICATION;
- 23 2) DEFENDANT CITY OF LEMON GROVE'S MOTION FOR SUMMARY JUDGMENT  
24 OR IN THE ALTERNATIVE MOTION FOR SUMMARY ADJUDICATION;
- 25 3) DEFENDANT CITY OF LEMON GROVE'S SEPARATE STATEMENT OF  
UNDISPUTED FACTS;
- 26 4) DECLARATION OF HEIDI K. WILLIAMS IN SUPPORT OF DEFENDANT CITY OF  
27 LEMON GROVE'S MOTION FOR SUMMARY JUDGMENT, OR IN THE  
ALTERNATIVE, MOTION FOR SUMMARY ADJUDICATION;
- 28 5) DECLARATION OF CITY OF LEMON GROVE CITY MANAGER LYDIA ROMERO  
IN SUPPORT OF DEFENDANT CITY OF LEMON GROVE'S MOTION FOR

DECLARATION OF PROOF OF SERVICE

1 SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, MOTION FOR SUMMARY  
2 ADJUDICATION;

3 6) DECLARATION OF RACQUEL VASQUEZ IN SUPPORT OF DEFENDANT CITY OF  
4 LEMON GROVE'S MOTION FOR SUMMARY JUDGMENT, OR IN THE  
5 ALTERNATIVE, MOTION FOR SUMMARY ADJUDICATION; and

6 7) [PROPOSED] ORDER GRANTING DEFENDANT CITY OF LEMON GROVE'S  
7 MOTION FOR SUMMARY JUDGMENT

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

10 Cory J. Briggs, Esq.  
11 Anthony N. Kim, Esq.  
12 BRIGGS LAW CORPORATION  
13 99 "C" Street, Suite 111  
14 Upland, CA 91786  
15 Tel: (909) 949-7115; Fax: (909) 949-7121  
16 *Attorney for Plaintiff CHRISTOPHER*  
17 *WILLIAMS*

18 Susan L. Oliver, Esq.  
19 Emily M. Straub, Esq.  
20 TYSON & MENDES  
21 5661 La Jolla Blvd.  
22 La Jolla, CA 92037  
23 Tel: (858) 459-4400  
24 *Attorneys for Defendant DAVID*  
25 *ARAMBULA*

26 [ ] **BY MAIL:** I enclosed the documents in a sealed envelope or package addressed to the  
27 persons listed on the attached service list. I placed the envelope for collection and mailing,  
28 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.

[X] **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 November 21, 2018.

  
\_\_\_\_\_  
Glenda Austin