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7	SUPERIOR COURT OF THE STATE OF CALIFORNIA
8	COUNTY OF MENDOCINO
9	MARK GOLOB,
10	Plaintiffs, CASE NO. SUUK CV PO-1463543 PROJECT FOR HUDICIAL NOTICE IN
11	V. REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF SPECIAL MOTION OF DEFENDANT SEAN KELLY TO
12	SEAN KELLY, SEAN KELLY, STRIKE PLAINTIFF MARK GOLOB'S CAUSES OF ACTION FOR
13	Defendants. Defendants. Defendants. Defendants. Defendants.
14	NEGLIGENCE (CCP 425.16)
15 16	Date: April 11, 2014 Time: 9:30 a.m. Dept.: E (Hon. Richard Henderson) Complaint Filed: Feb. 5, 2014
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18	In connection with Defendant Sean Kelly's special motion to strike the two causes of
19	action to plaintiff Mark Golob's complaint for defamation and negligent misrepresentation,
20	defendant Sean Kelly requests that the court take judicial notice of the following documents
21	pursuant to Evidence Code Sections 452 and 453:
22	1. Case Summary, Wulf v. Women's Workout World, Case No. 1:91-cv-00924 (U.S. District
23	Court, Northern District Illinois), Exhibit B to Decl. of Sean Kelly.
24	2. Case Summary, Linda Evans Fitness v. Women's Workout, Case No. 4:99-cv-03957-DLS
25	(U.S. District Court, Northern District California), Exhibit C-2, Decl. of Sean Kelly.
26	3. Desist and Refrain Order dated March 24, 2009 to Butterfly Life and Mark Golob, (State
27	of California Department of Corporations), Exhibit I. Decl. of Sean Kelly.
28	4. Verified Complaint, <i>Rosner v. Gergley</i> , Case No. 1:09-cv-03730-NLH-AMD, filed July
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Request for Judicial Notice

1	27, 2009, (United States District Court, District of New Jersey), Exhibit J-1, Decl. of Sean Kelly.
2	5. Third Amended Complaint, Barntary v. Gergley, Case No. C 09-00120, filed December
3	21, 2009, (State of California Superior Court, County of Contra Costa), Exhibit J-2, Decl. of Sean
4	Kelly.
5	6. United States Bankruptcy Court Petition, Butterfly Life, Inc., Case No. 11-70462, signed
6	by Mark Golob, Sept. 30, 2011, (Northern District of California), Exhibit K, Decl. of Sean Kelly.
7	13 13 13
8	DATED: March 13, 2014 LAGARIAS LAW OFFICES
9	By: St. (- figure) Peter C. Lagarias Asq.
10	Attorneys for Defendant-Kelly
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PROOF OF SERVICE BY MAIL, FACSIMILE, FEDERAL EXPRESS 1 CCP ' ' 1013a, 2015.5 2 3 I. Michelle M. Hughes, declare as follows: 4 I am over the age of 18 years, and not a party to the within action; my business address is 1629 Fifth Avenue, San Rafael, California 94901-1828; I am employed in Marin County. On the 5 date set forth below, I served copies of the following documents(s): 6 Notice Of Motion Of Defendant Sean Kelly And Special Motion Of Sean Kelly To Strike Plaintiff Mark Golob's Causes Of Action For Intentional Tort Of Defamation 7 And For General Negligence (CCP 425.16 Memorandum Of Points And Authorities Of Defendant Sean Kelly In Support Of 8 2. Special Motion To Strike 9 Declaration Of Defendant Sean Kelly In Support Of Special Motion To Strike Of 3. 10 Defendant Sean Kelly Request For Judicial Notice In Support Of Special Motion Of Defendant Sean Kelly 11 To Strike Plaintiff Mark Golob's Causes Of Action For Intentional Tort Of Defamation And For General Negligence (CCP 425.16 12 Said document(s) were addressed as follows: 13 Nikolaus W. Reed, Esq. 14 Law Offices of Nikolaus W. Reed 15 135 10th Street San Francisco, CA 94103 16 17 The described document(s) were served by the method(s) indicated as following: (BY MAIL) The above-described document(s) will be deposited with the United States 18 П Postal Service on this same date in the ordinary course of business, in a sealed envelope(s) 19 with postage thereon fully prepaid and placed for collection in the United States mail at San Rafael, California. 2.0 (BY FEDERAL EXPRESS) I caused such envelope(s) with postage thereon fully prepaid 21 to be placed in the Federal Express office at San Rafael, California. 22 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on March 13, 2014, at San 23 Rafael, California. 24 Michelle M. Hughes 25 Legal Assistant 26 N:\ACTIVE\Kelly, Sean\Proof\Reed 3-13-14.doc 27

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