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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF MENDOCINO**

10 MARK GOLOB,

11 Plaintiffs,

12 v.

13 SEAN KELLY,

14 Defendants.

) **CASE NO. SUUK CV PO-1463543**

) **REQUEST FOR JUDICIAL NOTICE IN**
) **SUPPORT OF SPECIAL MOTION OF**
) **DEFENDANT SEAN KELLY TO**
) **STRIKE PLAINTIFF MARK GOLOB'S**
) **CAUSES OF ACTION FOR**
) **INTENTIONAL TORT OF**
) **DEFAMATION AND FOR GENERAL**
) **NEGLIGENCE (CCP 425.16)**

) **Date: April 11, 2014**

) **Time: 9:30 a.m.**

) **Dept.: E (Hon. Richard Henderson)**

) **Complaint Filed: Feb. 5, 2014**

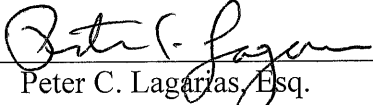
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18 In connection with Defendant Sean Kelly's special motion to strike the two causes of
19 action to plaintiff Mark Golob's complaint for defamation and negligent misrepresentation,
20 defendant Sean Kelly requests that the court take judicial notice 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, *Rosner v. Gergley*, Case No. 1:09-cv-03730-NLH-AMD, filed July

- 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 DATED: March 13, 2014

LAGARIAS LAW OFFICES

9 By: 
10 Peter C. Lagarias, Esq.
11 Attorneys for Defendant Kelly

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