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5 *Trevor Quirk, Trustees of the Quirk/Gooden Family Trust, Roe 199;*
6 *Aletheia Gooden, Trustee of the Quirk/Gooden Family Trust, Roe 95*

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

8 **FOR THE COUNTY OF LOS ANGELES**

9 SANTA BARBARA CHANNELKEEPER, a
10 California non-profit corporation,

11 Petitioner,

12 v.

13 STATE WATER RESOURCES CONTROL
14 BOARD, et al.,

15 Respondents.

16 CITY OF SAN BUENAVENTURA, et al.,

17 Cross-Complainant,

18 v.

19 DUNCAN ABBOTT, an individual, et al.,

20 Cross-Defendants.

Case No.: 19STCP01176

**CROSS-DEFENDANTS TREVOR QUIRK
& ALETHEIA GOODEN'S REQUEST
FOR JUDICIAL NOTICE**

Trial Date: 03/16/2022

Time: 8:30 AM

Place: Dept. SS10

21 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:**

22 PLEASE TAKE NOTICE that on March 16, 2022, at 8:30 a.m. in Dept. SS10 of this Court,
23 located at 312 N Spring Street, Los Angeles, California, Cross-Defendants Trevor Quirk and
24 Aletheia Gooden ("Cross-Defendants"), will move this Court for an Order taking judicial notice
25 of:

- 26
- Code of Federal Regulations § 328.3;
 - City of Ventura Legal Report, Agenda Item No. 8E dated November 20, 2018;
 - City of Ventura Response to Public Records Act Request dated February 22, 2022;
- 27
28

- United States Department of Commerce letter dated August 29, 2007 and accompanying draft biological opinion; and
- The definition of material provided in Black's Law Dictionary, Seventh Addition
- The definition of material provided in Merriam Webster's Collegiate Dictionary, Tenth Edition.

Memorandum of Points & Authorities


The Court is required to take judicial notice of Code of Federal Regulations § 328.3 as Evidence Code § 451(a) provides [j]udicial notice *shall* be taken of the statutory law of the United States.

Similarly, the Court is required to take judicial notice of the definitions of substantial and material as Evidence Code § 451(e) provides [j]udicial notice *shall* be taken of all English words and phrases and of all legal expressions.

Pursuant to Evidence Code 452, the Court may take judicial notice of the City of Ventura's Legal Report, Response to Public Records Act Request and the United States Department of Commerce letter and draft biological opinion.

Based on the foregoing, Cross-Defendants request the Court take judicial notice of the above-mentioned items.

DATED: March 2, 2022.

By: 

Trevor Quirk
Cross Defendant

1 **PROOF OF SERVICE**

2 *Santa Barbara Channelkeeper vs. State Water Resources Control, et al.*

3 **Los Angeles County Superior Court, Case No. 19STCP01176**

4 I declare that I am over the age of 18 and not a party to this action. My business address is 877 S. Victoria
5 Ave., Suite 111, Ventura, California 93003.

- 6 **1. CROSS-DEFENDANTS TREVOR QUIRK AND ALETHEIA GOODEN'S MOTION IN LIMINE**
- 7 **2. CROSS-DEFENDANTS TREVOR QUIRK AND ALETHEIA GOODEN'S REQUEST FOR JUDICIAL NOTICE**
- 8 **3. CROSS-DEFENDANTS TREVOR QUIRK AND ALETHEIA GOODEN'S DECLARATION IN SUPPORT OF JUDICIAL NOTICE**
- 9 **4. CROSS-DEFENDANTS TREVOR QUIRK AND ALETHEIA GOODEN'S PRE-TRIAL STATEMENT**
- 10 **5. NOTICE TO APPEAR [CUSTODIAN OF RECORDS CITY OF VENTURA]**

11 on the interested parties in this action by placing a true and correct copy of each document thereof, enclosed
12 in a sealed envelope, addressed as follows:

13 **SEE SERVICE LIST**

14 By E-mail or Electronic Transmission. Based on an agreement of the parties to accept service by
15 e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-
16 mail address(es) listed above. I did not receive, within a reasonable time after the
17 transmission, any indication that the transmission was unsuccessful.

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

20 Executed on **March 2, 2022** at Ventura, California.



21 Esteban Minero

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8 Terry Cline and Connie Burreson Cline
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18 William Armstrong and April Nardini; Joseph
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24 Trust; Sumeet Bhatia and Michael McDonald;
25 John Joseph Broesamle and Katharine Sue
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27 Trust; Richard Aaron Carlson, Trustee of the
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