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Paul J. Orfanedes (Appearing *Pro Hac Vice*)  
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5 *Attorneys for Plaintiff*

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8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
9 **COUNTY OF LOS ANGELES**

10 HAROLD P. STURGEON,

11 Plaintiff,

12 v.

13  
14 LOS ANGELES COUNTY, *et al.*,

15 Defendants.

) Case No. BC351286

) **DECLARATION OF PAUL J. ORFANEDES**  
) **IN SUPPORT OF PLAINTIFF'S**  
) **OPPOSITION TO DEFENDANTS'**  
) **MOTION FOR SUMMARY JUDGMENT**  
) **OR, IN THE ALTERNATIVE, FOR**  
) **SUMMARY ADJUDICATION**

) DATE: November 20, 2006

) TIME: TBD

) PLACE: TBD

) JUDGE: Honorable James A. Richman

16  
17 ACTION FILED: April 24, 2006

18 TRIAL DATE: None Set

**DECLARATION OF PAUL J. ORFANEDES**

I, Paul J. Orfanedes, declare as follows:

1. I am a member in good standing of the bar of the District of Columbia and the states of Illinois and Maryland. I am appearing in this matter *pro hac vice*. I am the Director of Litigation for Judicial Watch, Inc., counsel of record for the Plaintiff in this action. As one of the lawyers responsible for this litigation, I have personal knowledge of the facts set forth herein, except where such facts are stated on information and belief, and if called and sworn as a witness, I could and would testify competently thereto.

2. I make this declaration in support of Plaintiff’s Memorandum of Points and Authorities in Opposition to Defendants’ Motion for Summary Judgment or, in the Alternative, for Summary Adjudication.

3. On August 14, 2006, Plaintiff served Plaintiff’s Form Interrogatories (Set I) on Defendants. By agreement of the parties, Defendants served their responses thereto on October 4, 2006. A true and correct copy of Defendants’ Responses to Plaintiff’s First Set of Form Interrogatories is attached hereto as Exhibit A.

4. On August 15, 2006, Plaintiff served Plaintiff’s First Set of Requests to Defendants for the Production of Documents on Defendants. By agreement of the parties, Defendants served their responses thereto on October 4, 2006. A true and correct copy of Defendants’ Responses to Plaintiff’s First Set of Requests for Production of Documents is attached hereto as Exhibit B.

5. On August 24, 2006, Plaintiff served Plaintiff’s First Set of Requests for Admission on Defendants. By agreement of the parties, Defendants served their responses thereto on October 4, 2006. A true and correct copy of Defendants’ Responses to Plaintiff’s First Set of Requests for Admissions is attached hereto as Exhibit C.

6. On August 24, 2006, Plaintiff served Plaintiff’s Form Interrogatories (Set II) on Defendants. By agreement of the parties, Defendants served their responses thereto on October

1 4, 2006. A true and correct copy of Defendants' Responses to Plaintiff's Second Set of Form  
2 Interrogatories is attached hereto as Exhibit D.

3 7. On August 24, 2006, Plaintiff served Plaintiff's First Set of Special Interrogatories  
4 to Defendants on Defendants. By agreement of the parties, Defendants served their responses  
5 thereto on October 4, 2006. A true and correct copy of Defendants' Responses to Plaintiff's First  
6 Set of Special Interrogatories is attached hereto as Exhibit E.

7 8. On August 24, 2006, Plaintiff served Plaintiff's Second Set of Requests to  
8 Defendants for the Production of Documents on Defendants. By agreement of the parties,  
9 Defendants served their responses thereto on October 4, 2006. A true and correct copy of  
10 Defendants' Responses to Plaintiff's Second Set of Requests for Production of Documents is  
11 attached hereto as Exhibit F.

12 9. On October 23, 2006, Plaintiff served Plaintiff's Second Set of Special  
13 Interrogatories to Defendants on Defendants. Defendants served their responses thereto on  
14 October 30, 2006. A true and correct copy of Defendants' Responses to Plaintiff's Second Set of  
15 Special Interrogatories is attached hereto as Exhibit G.

16 10. In response to Plaintiff's discovery requests, Defendants have produced 450 pages  
17 of records. A true and correct of Defendants' entire document production to Plaintiff is attached  
18 hereto as Exhibit H.

19 11. A true and correct copy of an article by Steve Berry and Tracy Weber entitled  
20 "L.A. County Lets Judges Draw Duplicate Benefits and Perks" that appeared in the August 20,  
21 2000 edition of *The Los Angeles Times* is attached hereto as Exhibit I.

22 12. To date, Defendants have not produced any evidence demonstrating that the Los  
23 Angeles County Board of Supervisors ("the Board") specifically authorized, approved,  
24 considered, or deliberated on the payment of duplicate county benefits to trial judges in light of  
25 the passage of the Lockyer Isenberg Trial Court Funding Act of 1997 ("the Act"). While  
26 Defendants have produced documents relating to the County of Los Angeles' annual budget  
27 process referencing "local judicial benefits" in the context of the Act, these documents do not  
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1 demonstrate that the Board of Supervisors specifically authorized, approved, considered, or  
2 deliberated on the payment of duplicate benefits or supplemental compensation to trial judges in  
3 light of the passage of the Act. Nor have Defendants produced any evidence demonstrating that  
4 the Board specifically authorized, approved, considered, or deliberated on the payment of  
5 duplicate county benefits to trial judges in order to attract and/or retain well-qualified judges to  
6 serve the public in the County of Los Angeles, or whether the payment of duplicate benefits or  
7 supplemental compensation to trial judges would provide an additional public benefit to  
8 taxpayers in light of the fact that the State already pays benefits to trial judges.

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

11 Executed on November 6, 2006 at Washington, D.C.

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14 Paul J. Orfanedes  
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1 **PROOF OF SERVICE BY MAIL**

2 I am employed in the County of Los Angeles, State of California. I am over the age of 18  
3 and not a party to the within action. My business address is 2540 Huntington Drive, Suite 201,  
4 San Marino, California 91108.

5 On November 6, 2006, I served the foregoing document described as:

6 **DECLARATION OF PAUL J. ORFANEDES IN SUPPORT OF  
7 PLAINTIFF’S OPPOSITION TO DEFENDANTS’ MOTION FOR  
8 SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, FOR SUMMARY  
9 ADJUDICATION**

10 by placing a true and correct copy thereof in a sealed envelope addressed as follows:

11 Elwood Lui, Esq.  
12 Jason C. Murray, Esq.  
13 Erica L. Reilley, Esq.  
14 JONES DAY  
15 555 South Flower Street  
16 Fiftieth Floor  
17 Los Angeles, CA 90071-2300

18 I caused such envelope to be deposited in the U.S. mail, with postage thereon fully  
19 prepaid, at San Marino, California. I am “readily familiar” with the firm’s practice of collecting  
20 and processing correspondence for mailing. Under that practice, it would be deposited with the  
21 U.S. Postal Service on that same day, with postage thereon fully prepaid, at San Marino,  
22 California in the ordinary course of business. I am aware that on motion of the party served,  
23 service is presumed invalid if postal cancellation date or postage meter date is more than one day  
24 after date of deposit for mailing affidavit.

25 I declare that I am employed in the office of a member of the bar of this Court at whose  
26 direction the service was made.

27 I declare under penalty of perjury of the laws of the State of California that the foregoing  
28 is true and correct and that this declaration was executed on November 6, 2006 at San Marino,  
California.

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CONSTANCE S. RUFFLEY