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Attorneys for Defendants

JUDICIAL COUNCIL OF CALIFORNIA and CHIEF
JUSTICE TANI G. CANTIL-SAKAUYE

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

GLENN MAHLER, JAMES H. POOLE,
JULIE CONGER, EDWARD M. LACY JR.,
WILLIAM S. LEBOV, JOHN C. MINNEY,
and JOHN SAPUNOR,

Plaintiffs,

v.

JUDICIAL COUNCIL OF CALIFORNIA,
CHIEF JUSTICE TANI G. CANTIL-
SAKAUYE, and DOES ONE through TEN,

Defendants.

Case No. CGC-19-575842

**NOTICE OF HEARING ON
DEFENDANTS' DEMURRER;
STATEMENT OF DEMURRER TO
THIRD AMENDED COMPLAINT**

[Memorandum of Points and Authorities,
Request for Judicial Notice, and Declaration
of Nathaniel P. Garrett Filed Concurrently
Herewith]

Date: April 12, 2022
Time: 9:30 a.m.
Dept: 302
Judge: Hon. Richard B. Ulmer Jr.

Complaint Filed: May 9, 2019
First Amd. Compl. Filed: May 28, 2019
Second Amd. Compl. Filed: Oct. 19, 2021
Third Amd. Compl. Filed: Feb. 15, 2022

**EXEMPT FROM FILING FEES
(Gov't Code § 6103)**

ELECTRONICALLY
FILED
Superior Court of California,
County of San Francisco

03/17/2022
Clerk of the Court
BY: EDNALEEN ALEGRE
Deputy Clerk

1 **TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE** that on April 12, 2022, at 9:30 a.m., or as soon thereafter as
3 counsel may be heard, in Department 302 of the above-entitled Court, located at 400 McAllister
4 St., San Francisco, CA 94102, Defendants Judicial Council of California and Chief Justice Tani
5 G. Cantil-Sakauye will bring for hearing, under California Code of Civil Procedure § 430.10(a),
6 (e), a general demurrer to the cause of action in the Third Amended Complaint filed by Plaintiffs
7 Glenn Mahler, James H. Poole, Julie Conger, Edward M. Lacy Jr., William S. Lebov, John C.
8 Minney, and John Sapunor in the above-captioned matter.

9 The demurrer will be based upon this Notice, the Statement of Demurrer, Request for
10 Judicial Notice, and Memorandum of Points and Authorities attached hereto, the papers and
11 pleadings on file in this action, and on such further evidence and argument as may be presented at
12 the hearing.

13
14 Dated: March 17, 2022.

JONES DAY

By: 

Robert A. Naeye

Attorneys for Defendants
JUDICIAL COUNCIL OF CALIFORNIA and
CHIEF JUSTICE TANI G. CANTIL-
SAKAUYE

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GROUND FOR DEMURRER TO THE FIRST CAUSE OF ACTION

WHEREFORE, Defendants pray that their demurrer be sustained in its entirety and without leave to amend, such that Plaintiffs take nothing by their Third Amended Complaint.

JONES DAY

Robert A. Naeve

JONES DAY

1 **PROOF OF SERVICE**

2 I, Frances Pham, declare:

3 I am a citizen of the United States and employed in Orange County, California. I am over
4 the age of eighteen years and not a party to the within-entitled action. My business address is
5 3161 Michelson Drive, Suite 800, Irvine, California 92612. On March 17, 2022, I served a copy
6 of the within document(s):

7 **NOTICE OF HEARING ON DEFENDANTS' DEMURRER; STATEMENT OF**
8 **DEMURRER TO THIRD AMENDED COMPLAINT**

- 9 ☒ by e-filing via File & Serve Xpress and transmitting to the recipients designated on
10 the Transaction Receipt located on the File & Serve Xpress website the
11 document(s) listed above to the person(s) at the address(es) set forth below.
- 12 ☒ by transmitting via e-mail or electronic transmission the document(s) listed above
13 to the person(s) at the e-mail address(es) set forth below.

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WILLIAM S. LEBOV, JOHN C. MINNEY,
JOHN SAPUNOR, and F. CLARK
SUEYRES

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

25 Executed on March 17, 2022, at Irvine, California.

26
27 
28 Frances Pham