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7 ***Plaintiff***
8 ***in pro per***

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 **JOSEPH ZERNIK**

Plaintiff

No. CV-08-01550-VAP/CW

HON CARLA WOHRLE, JUDGE

12
13 **V.**

14 **JACQUELINE CONNOR ET AL**

Defendants

**OBJECTION TO REQUEST FOR
JUDICIAL NOTICE AND
EXHIBIT- 3/12/2008 "DOCKET",
FILED BY DEFENDANTS HON
JACQUELINE CONNOR ET AL;
AND
REQUEST FOR EVIDENTIARY
RULING**

DATE: MAY 6, 2008

TIME: 10:00AM

DEPT: 640

JUDGE: CARLA WOHRLE

24
25 **TO ALL PARTIES AND COUNSELS OF RECORD:** Plaintiff Joseph
26 Zernik hereby files Objection and Request for Evidentiary Ruling in re: *Request for*
27 *Judicial Notice and Exhibit – 3/12/08 "DOCKET"*, filed by Att Overton, Counsel for
28 Defendants Hon Jacqueline Connor et al.

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**I.
OBJECTION:**

Grounds for the objection are:

1. Lack of certification/authentication – this purported Court document is not certified.
2. Lack of foundation – Counsel failed to provide foundation. Counsel entered the document in Exhibit 1 as “Docket from *Samaan v Zernik*, Los Angeles Superior Court case number SC087400.

The document in Exhibit 1 is not the docket of *Samaan v Zernik* in any of the meanings of “Docket” in regular parlance. Look up in Merriam-Webster's Dictionary of Law ©1996 finds the following definitions for DOCKET:

“1 a: a formal abridged record of the proceedings (as motions, orders, and judgments) in a legal action

Example: the clerk shall keep a **{h,1}docket** in each case -- U.S. Code

b: a register of such records

2 a: a list of legal actions to be heard by a court

Example: the nearly 500 such cases on court **{h,1}dockets** -- Rorie Sherman

(compare [calendar](#))

b: the caseload of a court

Example: a great part of our **{h,1}docket** consisted of regulatory agency cases -- R. H. Bork”

The document filed by Counsel Overton is none of the above.

The LA Superior Court does not hold the document titled “*Case Summary*”, which is printout from the web-based, public-accessible “*Courtnet*” system to be the valid, formal document representing the registry of actions or the registry of documents filed. Defendant Debbie Witts, former Civil Unlimited Court Manager explained that fact to Plaintiff Zernik on a number of occasions. The Court holds a

1 different document, from an altogether different computer system to be the valid,
2 formal “*Case History*”.

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4 **II.**
5 **REQUEST FOR EVIDENTIARY RULING**

6 Plaintiff hereby requests that the Court issue evidentiary ruling regarding the
7 document dated 3/12/2008, holding total of 28 pages, titled:

8 *LA Superior Court – Civil Case Summary*

9 *Case Summary*

10 *Case Number: SC087400*

11 *Nivie Samaan vs. Joseph Zernik*

12 Plaintiff *in pro per* files for that purpose, under separate cover, Evidentiary
13 Rulings Form, and requests that the Court inform him if such form is inappropriate, so
14 that he provide the appropriate form for this Court.

15 ///

16 Respectfully submitted,

17 March 31, 2008

18 JOSEPH ZERNIK

19 

20 By: _____

21 JOSEPH ZERNIK

22 PLAINTIFF

23 *in pro per*

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY(S)

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CASE NUMBER

PLAINTIFF(S),

v.

DEFENDANT(S).

**PROOF OF SERVICE - ACKNOWLEDGMENT
OF SERVICE**

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of _____, State of California, and not a party to the above-entitled cause. On _____, 20_____, I served a true copy of

by personally delivering it to the person (s) indicated below in the manner as provided in FRCivP 5(b); by depositing it in the United States Mail in a sealed envelope with the postage thereon fully prepaid to the following: (list names and addresses for person(s) served. Attach additional pages if necessary.)

Place of Mailing: _____

Executed on _____, 20_____ at _____, California

Please check one of these boxes if service is made by mail:

- I hereby certify that I am a member of the Bar of the United States District Court, Central District of California.
- I hereby certify that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.
- I hereby certify under the penalty of perjury that the foregoing is true and correct.

Signature of Person Making Service

ACKNOWLEDGEMENT OF SERVICE

I, _____, received a true copy of the within document on _____.

Signature

Party Served

SERVICE LIST:

A. LASC & STAFF

Att Overton

CUMMINGS, MCCLOREY, ET AL

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1. Judge Jacqueline Connor – Dept I
2. Courtroom Clerk Vivian Jaime –Dept I
3. Judge John Segal – Dept O
4. Judge Patricia Collins – Dept B
5. Judge Terry Friedman – Dept J
6. Judge Gerald Rosenberg – Dept A
7. Judge Linda Hart-Cole – Dept X
8. Judge Allan Goodman – Dept C
9. Retired Judge Gregory O'Brien
10. Court Manager Debbie Witts – Clerk Room
11. Los Angeles Superior Court – Clerk Room

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1. David Pasternak

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Judge Phillips

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UNITED STATES COURT

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G.

Judge Woehrle

Courtroom 640

UNITED STATES COURT

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