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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 COUNTY OF PLACER

10 PLACER COUNTY DEPUTY
SHERIFFS' ASSOCIATION and
11 NOAH FREDERITO,

12 Petitioners,

13 v.

14 COUNTY OF PLACER,

15 Respondent.

Case No.: S-CV-0047770

Complaint Filed: December 21, 2021

**DECLARATION OF LARS T. REED IN
SUPPORT OF RESPONDENT'S DEMURRER
TO AMENDED VERIFIED PETITION FOR
WRIT OF MANDATE AND COMPLAINT
FOR DECLARATORY RELIEF AND IN
SUPPORT OF RESPONDENT'S MOTION TO
STRIKE.**

**[Filed concurrently with Respondent's Notice
and Motion to Strike and Demurrer to Amended
Petition.]**

Date: March 3, 2022
Time: 8:30 a.m.
Dept.: 42

**(*Exempt from filing fees pursuant to Gov.
Code, § 6103.)**

22 I, Lars T. Reed, declare as follows:

23 1. I am duly licensed to practice law in the State of California. I am an attorney with
24 the law firm of Liebert Cassidy Whitmore ("LCW"), counsel of record in the above-captioned
25 matter for Respondent COUNTY OF PLACER ("Respondent" or "County"), along with Michael
26 D. Youril. This declaration is submitted in support of Respondent's Demurrer to the Verified
27 Petition for Writ of Mandate and Complaint for Declaratory Relief ("Original Petition") filed by
28 Petitioners Placer County Deputy Sheriff's Association and Noah Frederito (collectively,

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1 “Petitioners”). The following facts are within my personal knowledge and, if called as a witness
2 herein, I can and will testify competently thereto.

3 2. Petitioners filed the Original Petition on December 21, 2021, and I am informed
4 that it was served on Respondent on January 4, 2022.

5 3. On January 12, 2022, Michael Youril and I participated in a teleconference with
6 David E. Mastagni and Taylor Davies-Mahaffey of the law firm Mastagni Holstedt, counsel for
7 Petitioners, to meet and confer regarding Respondent’s intent to file a demurrer and motion to
8 strike in response to the Original Petition, pursuant to the requirements of Code of Civil
9 Procedure section 430.41(a), and Placer County Local Rule 20.2.1.

10 4. During the call, we discussed the County’s legal position – underlying its proposed
11 demurrer – that the 1976 ballot initiative known as Measure F is void and unenforceable under
12 the California Constitution, the Meyers-Milias-Brown Act, and the Placer County Charter.
13 Counsel for both parties agreed that these legal arguments have been discussed at length between
14 the parties in prior correspondence and pleadings. Mr. Mastagni indicated that the Petitioners
15 continued to disagree with the County’s legal position and believed the Original Petition set forth
16 a valid legal claim.

17 5. We also discussed the County’s proposed motion to strike. Mr. Youril and I
18 explained the County’s position that a substantial portion of the allegations in the Petition are
19 entirely irrelevant to determining the legal questions underlying the specific causes of action
20 asserted in the Petition. Mr. Mastagni indicated that he believes everything alleged in the Petition
21 is relevant.

22 6. On January 21, 2022, Petitioners filed an Amended Petition for Writ of Mandate
23 and Complaint for Declaratory Relief (“Amended Petition”), which our office received by e-mail
24 service the same day.

25 7. On January 28, 2022, Mr. Youril and I participated in a second teleconference with
26 Mr. Mastagni and Ms. Davies-Mahaffey to meet and confer over the County’s proposed demurrer
27 and motion to strike.

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1 8. During the call, Mr. Youril and I explained that the Amended Petition did not
2 address the County's position with regard to the legal merits, and that the same grounds for
3 demurrer still remained. We also explained that although the Amended Petition omitted some of
4 the allegations the County objected to in the Original Petition, the majority of the allegations the
5 County sought to strike still remained. We explained that the County still maintained that the
6 challenged sections were legally irrelevant with no probative value to the legal issues raised by
7 the Petition, and so the County still intended to file a motion to strike. Mr. Mastagni explained
8 that Petitioners maintain that the Petition states a valid cause of action, and that the challenged
9 sections are relevant.

10 9. During this call, the parties were not able to reach an agreement resolving
11 Respondent's objections to the Amended Petition. Mr. Mastagni indicated that he had no
12 intention to further amend the Petition in response to Respondent's objections.

13 I declare under penalty of perjury under the laws of the United States and the State of
14 California that the foregoing is true and correct.

15 Executed this 2nd day of February 2022, at Sacramento, California.

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17 _____
18 Lars T. Reed

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is: **5250 N. Palm Ave., Suite 310, Fresno, CA 93704.**

On **February 2, 2022**, I served the foregoing document(s) described as **DECLARATION OF LARS T. REED IN SUPPORT OF RESPONDENT’S DEMURRER TO AMENDED VERIFIED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR DECLARATORY RELIEF AND IN SUPPORT OF RESPONDENT’S MOTION TO STRIKE.** in the manner checked below on all interested parties in this action addressed as follows:

David E. Mastagni
Taylor Davies-Mahaffey
Mastagni Holstedt, APC
1912 I Street
Sacramento, California 95811
email: davidm@mastagni.com
tdavies-mahaffey@mastagni.com

- (BY U.S. MAIL)** I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Fresno, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on **February 2, 2022**, at Sacramento, California.

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



Constance Dewey