

1 Michael D. Youril, Bar No. 285591  
myouril@lcwlegal.com  
2 Lars T. Reed, Bar No. 318807  
lreed@lcwlegal.com  
3 **LIEBERT CASSIDY WHITMORE**  
A Professional Law Corporation  
4 5250 North Palm Ave, Suite 310  
Fresno, California 93704  
5 Telephone: 559.256.7800  
Facsimile: 559.449.4535

6 Attorneys for Respondent COUNTY OF PLACER  
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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.  
16

Case No.: S-CV-0047770

Complaint Filed: December 21, 2021

**DECLARATION OF LARS REED IN  
SUPPORT OF RESPONDENT'S REPLY TO  
PETITIONERS' OPPOSITION TO MOTION  
TO STRIKE**

Date: March 3, 2022

Time: 8:30 a.m.

Dept.: 42

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

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

21 1. I am duly licensed to practice law in the State of California. I am an attorney with  
22 the law firm of Liebert Cassidy Whitmore ("LCW"), counsel of record in the above-captioned  
23 matter for Respondent COUNTY OF PLACER ("Respondent" or "County"), along with Michael  
24 D. Youril. This declaration is submitted in support of Respondent's Reply to Petitioner's  
25 Opposition to Motion to Strike the Verified Petition for Writ of Mandate and Complaint for  
26 Declaratory Relief ("Original Petition") filed by Petitioners Placer County Deputy Sheriff's  
27 Association and Noah Frederito (collectively, "Petitioners"), and supplements my prior  
28 declaration in support of the County's Demurrer, filed February 2, 2022. The following facts are

1 within my personal knowledge and, if called as a witness herein, I can and will testify  
2 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. This phone call lasted nearly  
10 one hour.

11 4. During the call, in addition to a discussion regarding the grounds for the County's  
12 demurrer, counsel discussed the County's proposed motion to strike. Mr. Youril and I explained  
13 the County's position that a substantial portion of the allegations in the Petition are entirely  
14 irrelevant to determining the legal questions underlying the specific causes of action asserted in  
15 the Petition.

16 5. Mr. Mastagni indicated that he believes everything alleged in the Petition is  
17 relevant, and asserted several proposed theories of relevance. These included that the disputed  
18 allegations were relevant to claims for attorneys' fees and damages, that the disputed allegations  
19 were relevant to showing a pattern of bad-faith conduct, that the disputed allegations were  
20 relevant to showing that the parties had operated within the restrictions of Measure F for decades,  
21 and that the disputed allegations were relevant to showing that the County's prior representations  
22 about the legal effect and status of Measure F were inconsistent.

23 6. Although counsel did not discuss each disputed paragraph individually, we  
24 nonetheless discussed each of the proposed theories of relevance. Mr. Youril and I explained that  
25 none of the proposed theories of relevance were actually pertinent to the causes of action asserted  
26 in the Petition.

27 7. On January 21, 2022, Petitioners filed an Amended Petition for Writ of Mandate  
28 and Complaint for Declaratory Relief ("Amended Petition"), which our office received by e-mail

1 service the same day. The Amended Petition omitted several of the disputed paragraphs, but the  
2 vast majority remained unchanged.

3 8. On January 28, 2022, Mr. Youril and I participated in a second teleconference with  
4 Mr. Mastagni and Ms. Davies-Mahaffey to meet and confer over the County's proposed demurrer  
5 and motion to strike portions of the Amended Petition.

6 9. During the call, Mr. Youril and I explained that although the Amended Petition  
7 omitted some of the allegations the County objected to in the Original Petition, the majority of the  
8 allegations the County sought to strike still remained. We explained that the County still  
9 maintained that the challenged sections were legally irrelevant with no probative value to the  
10 legal issues raised by the Petition, and so the County still intended to file a motion to strike.  
11 Mr. Mastagni explained that Petitioners maintain that the Petition states a valid cause of action,  
12 and that the challenged sections are relevant.

13 10. Because the remaining challenged allegations were essentially unchanged, neither  
14 party's counsel had anything new to add to the discussion, and so the second phone call was  
15 significantly shorter than the first.

16 11. Through the course of meeting and conferring, both parties' counsel engaged in a  
17 serious effort to discuss the County's objections, comparing viewpoints, and deliberating, but the  
18 parties were not able to reach an agreement resolving Respondent's objections to the Amended  
19 Petition. Mr. Mastagni indicated that he had no intention to further amend the Petition in  
20 response to Respondent's objections.

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

23 Executed this 24th day of February 2022, at Woodland, California.

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26 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 North Palm Ave, Suite 310, Fresno, California 93704.**

On **February 24, 2022**, I served the foregoing document(s) described as **DECLARATION OF LARS REED IN SUPPORT OF RESPONDENT'S REPLY TO PETITIONERS' OPPOSITION TO RESPONDENT'S MOTION TO STRIKE** in the manner checked below on all interested parties in this action addressed as follows:

Mr. 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.
- (BY ELECTRONIC SERVICE)** By electronically mailing a true and correct copy through Liebert Cassidy Whitmore's electronic mail system from cdewey@lcwlegal.com to the email address(es) set forth above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

Executed on **February 24, 2022**, at Fresno, California.

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

  
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Constance Dewey