

ENDORSED
FILED
ALAMEDA COUNTY

APR 25 2014

CLERK OF THE SUPERIOR COURT
By *[Signature]* Deputy

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Pacifica Foundation Radio

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

PACIFICA FOUNDATION RADIO, A
CALIFORNIA NOT-FOR-PROFIT
CORPORATION,

Cross-Complainant,

vs.

SUMMER REESE, and DOES 1 to 100,
inclusive,

Cross-Defendants.

Case No. HG14720131

**ORDER TO SHOW CAUSE AND
TEMPORARY RESTRAINING
ORDER**

Hearing Date: April 28, 2014

Hearing Time: 9:00 a.m.

Department: 15

Reservation# R-1508181

After considering the moving papers filed in this action, the Court finds that (1) this is a proper case for issuance of an order to show cause, and (2) unless the Court issues a temporary restraining order, cross-complainant, Pacifica Foundation Radio (Foundation), a not-for-profit public charity, acting by and through its Board of Directors (Board), and the public at large, will suffer irreparable injury before the matter can be heard on formal notice.

1 IT IS ORDERED that:

2 1)

3 a) Cross-Defendants Summer Reese and Does 1 through 100, and each of them,
4 appear before this Court in Department 15, located at 1221 Fallon Street, Oakland, CA
5 94612, on _____ 2014 , at 9:00 a.m., to show cause why a preliminary
6 injunction should not be issued enjoining them, and all persons acting in concert or
7 participating with them, from entering, remaining, blocking or impeding ingress or
8 egress into, or persons through, Foundation facilities including, but in no way limited
9 to, passage of persons into or out of Foundation's National Office in violation of
10 California Civil Code Sections 3479 (nuisance), Berkeley Municipal Code 13.52.020
11 (trespass), Penal Code § 647 (e) (disorderly conduct) and Code of Civil Procedure
12 Sections 735 (Forcible Entry damages).

13 b) Pending the hearing on the order to show cause, cross-defendants Reese,
14 Does 1 through 100, and each of them, their agents, officers, employees, and
15 representatives, and all persons acting in concert or participating with them, are
16 enjoined from entering, remaining, blocking ingress into or egress from, or the passage
17 of persons through, Foundation facilities including, but in no way limited to, passage of
18 persons into or out of Foundation's National Office in violation of California Civil Code
19 Sections 3479 (nuisance), Berkeley Municipal Code 13.52.020 (trespass), Penal Code §
20 647 (e) (disorderly conduct) and Code of Civil Procedure Sections 735 (Forcible Entry
21 damages).

22 2) A copy of the cross-complaint, declarations, and memorandum of points and
23 authorities, together with a copy of this order to show cause and temporary restraining
24 order, which have not already been served, shall be served by hand on cross-defendants
25 no later than _____ 2014. Papers pertaining to the motion for preliminary
26 injunction shall be served on statutory notice. Specifically, any moving papers the
27 Board may choose to submit to supplement the papers already on file shall be filed and
28 served no later than _____ 2014. Any opposition must be filed and served in a

1 manner consistent with Code of Civil Procedure Section 1005(c) on or before
2 _____ 2014. Any reply must be filed and served by hand on or before
3 _____ 2014, again in a manner consistent with Code of Civil Procedure
4 Section 1005(c).

5 Dated: April _____, 2014

6 _____
7 Judge of the Superior Court

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