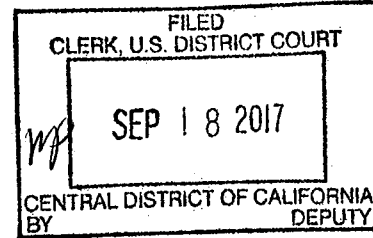


1 Travis Middleton
2 27 West Anapamu St. #153
3 Santa Barbara, California [93101]
4 Telephone: 805-284-6562
5 Email: travis_m_93101@yahoo.com



6 REFUSAL FOR FRAUD – PAGES 1 OF 21
7 CENTRAL DISTRICT OF CALIFORNIA,
8 WESTERN DIVISION

9
10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **WESTERN DIVISION**

13 Travis Middleton, et al.,
14 Plaintiff(s), Applicants
15 vs.

16 Richard Pan, et al.
17 Defendant(s)

18 **PLAINTIFFS' REFUSAL FOR**
19 **FRAUD THE MAGISTRATE'S**
20 **MINUTE ORDERS IN CHAMBERS**

21 **Fed. R. Civ. P. 12(f)(2), 12(i) & UCC**
22 **1-103.6**

23 This Refusal is filed under the American Free Flag of
24 peace of the united states of America. No jurisdiction
25 under any American flags of war or admiralty will be
26 accepted in this Case Incorporation

27 Incorporated Case No. 2:16-cv-05224-
28 SVW-AGR

Date: September 14, 2017
Court Room 10A, Tenth Floor
First Street Court House
Hon. Stephen V. Wilson

Oral Argument vacated

TO DEFENDANTS COUNSEL AND ALL PARTIES AT INTERST:

1 THIS Refusal for Fraud of MAGISTRATE'S MINUTE ORDER IN
2 CHAMBERS Nos. 139 & 141 to Plaintiffs, Parties Injured Complaint for
3 violations of the "RICO" and Civil Rights laws, 18 U.S.C. Sections 1962, 1961,
4 1964, 42 U.S.C. 1983, 1986 and 18 U.S.C. Sections 241 & 242, Pursuant To
5 F.R.C.P. 12(f)(2), 12(i) & UCC 1-103.6. See Attached as *Exhibit A*.

6 THIS IS A COMMERCIAL AFFIDAVIT AND MUST BE RESPONDED TO ON
7 A POINT BY POINT BASIS.

8 -----
9 I, Travis Middleton, and "Plaintiffs", hereinafter Parties Injured, being duly
10 sworn according to law, having first-hand knowledge of the facts herein, and being
11 competent to testify, do affirm that the facts herein are stated by the Parties
12 Injured, and are true, correct and complete, stated under the penalties of perjury
13 pursuant to the laws of the United States of America.

14 1). I know all men by these presents, Travis Middleton, and "Plaintiffs", Parties
15 Injured, brings this Refusal for Fraud, for the people of the united States of
16 America, under the American Free Flag of peace, without an attorney, ex rel.,
17 without Admiralty/Maritime jurisdiction, but on the Land of California Republic
18 and states: Ramsey v. Allegrie, 25 U.S. (12 Wheaton) 611, 631 (1827): "If the
19 common law can try the cause and give full redress, that alone takes away the
20 admiralty jurisdiction."

21 2). Ex rel.: for the people of the united states; "...But it is the manner of
22 enforcement which gives Title 42 U.S.C. 1983 its unique importance, for the
23 enforcement is placed in the hands of the people." Each citizen, "acts as a private
24 attorney general who takes on the mantle of the sovereign, guarding for all of us
25 the individual liberties enunciated in the constitution." Section 1983 represents a
26 balancing feature in our government structure whereby individual citizens are
27 encouraged to police those who are charged with policing us all. Thus, it is of
28 special importance that suits brought under this statute be resolved by a
determination of truth." Wood v. Breir, 54 F.R.D. 7, (1972).

3). Definition: "Case Incorporated", the formation of a legal body, with the quality

1 of perpetual existence and succession. (2). Consisting of an association of
2 numerous individuals. (3). Matters relating to the common purpose of the
3 association, within the scope of the powers and authorities conferred upon such
4 bodies with the quality of perpetual existence and successions. Ref. Black's Law
5 Dictionary 67th, Pg. 690. "Case Incorporation" will establish the legal bounds of
6 the members of this lawful assembly to solve a specific "Case Number" and the
7 issues in motion.

8 4). This Incorporated Case is defined to be a Refusal for Fraud, Pursuant to
9 F.R.C.P. 12(f)(2), 12(i) & UCC 1-103.6 giving rise to F.R.C.P. 19 and 12(b)(7)
10 failure to join parties, 12(b)(6) Fails to state a claim upon which relief can be
11 granted, and Rule 56 granting summary judgment in favor of Plaintiffs, Travis
12 Middleton, Parties Injured as to the alleged Opposition by opposing attorneys for
13 Defendants **and** The Magistrate's **MINUTE ORDER IN CHAMBERS** (Docket
14 Nos. 139 & 141) as assigned to Incorporated Case No. 2:16-cv-05224-SVW-AGR
as described above.

15 5). The Parties Injured herein brings this Incorporated Case, Refusal for Fraud, and
16 dispositive motions are, and or will be considered an act of conspiracy to the
17 crimes and violations defined in this Refusal for Fraud.

18 Hereinafter: F.R.C.P. = Federal Rules of Civil Procedure.

19 U.S.C.A. = United States Code Annotated.

20 U.S.C.S. = United States Code Service.

21 F.R.D. = Federal Rules Decision.

22 U.C.C. = Uniform Commercial Code

23 6). F.R.C.P. Rule 4. Process, (a) Summons, (b) Form, (c) Service, (d) Summons
and Complaint, (g) Return Proof, (h) Amendments, (j) Time.

24 7). F.R.C.P. Rule 5 Service, (a) Required (d) Filing certificate.

25 8). F.R.C.P. Rule 6 Time, (a) Computation (d) Motions and Affidavits.

26 9). F.R.C.P. Rule 7 Pleadings, (a) Pleadings (b) Motions.

27 10). F.R.C.P. Rule 8 Rules of Pleadings, (a) Claim for Relief (b) Defense form of
28 Denials (c) Affirmative Defense (d) Failure to deny (e) Pleading concise.

1 11). F.R.C.P. Rule 9 Pleading special (b) Fraud (e) Judgments (f) Time and place
2 (g) Special damage.

3 12). F.R.C.P. Rule 10 Form of Pleadings (a) Captions (b) Paragraphs.

4 13). F.R.C.P. Rule 11 Signing of Pleadings, Sanctions.

5 14). F.R.C.P. Rule 12 (a) Time of presented (b) How presented (c) Motion,
6 Judgment on Pleadings (f) Motion to Strike (h) Waiver (Subject Matter).

7 15). F.R.C.P. Rule 15 Amended and Supplemental Pleadings a.b.c.d.

8 F.R.C.P. Rule 16, (f) Sanctions (No contract, no fees).

9 F.R.C.P. Rule 18, and 19 Joinder.

10 F.R.C.P. Rule 24, Title 28, U.S.C. 2403 – Challenging Constitutionality.

11 F.R.C.P. Rule 38, Trial by Jury.

12 F.R.C.P. Rule 41, Dismissal of Action Voluntarily.

13 F.R.C.P. Rule 49, Issues sent to Jury by Demand.

14 F.R.C.P. Rule 50, New Trial.

15 F.R.C.P. Rule 54, Demand for Judgment.

16 F.R.C.P. Rule 55, Default.

17 F.R.C.P. Rule 56, Summary Judgment.

18 **(16). Notice:** “Joining”, was never completed between the Parties Injured herein,
19 and the “Defendants”. The lack of “Joining” as described herein above within this
20 complaint give rise to F.R.C.P. 19 and 12(b)(7) failure to join parties, F.R.C.P.
21 12(b)(6), fails to state a claim upon which relief can be granted and Rule 56
22 granting summary judgment in favor of Plaintiffs, Parties Injured, and Travis
23 Middleton. The real-party Defendants have yet to appear personally or on the
24 record in this Case Incorporation by affidavit or deposition.

25 (17). See also, Extortion of Plaintiffs’ Liberty- A conviction for extortion within
26 the meaning of the Hobbs Act requires that the Defendants obtained “property” or
27 “liberty” from another, with his consent, induced by wrongful use of actual or
28 threatened force, or fear, or under color of official right. 18 U.S.C. § 1503.

Plaintiffs have a property right interest in their liberty and the liberty of their
offspring. The Magistrate’s **MINUTE ORDER IN CHAMBERS** is unauthorized,

1 unlawful and a fraud upon this Court, for she is a nominal Defendant in this instant
2 action and now sits in default on the issues at law.

3 18). The Parties Injured herein accuses: the Magistrate Judge in this action,
4 pursuant to Title 42 U.S.C.A. Section 1986, Title 18 USC Section 1961(1) –
5 1503 (relating to obstruction of justice), section 1951 (relating to interference with
6 commerce, robbery or extortion), section 1952 (relating to racketeering), having
7 superior knowledge of the law, having taken an Oath and Affirmation to support
8 and defend the Constitution of the United States and of the STATE OF
9 CALIFORNIA, have submitted a **MINUTE ORDER IN CHAMBERS** into this
10 Incorporated Case No. 2:16-cv-05224-SVW-AGR as described above, in violation
11 of the Constitution of the United States of America, Bill of Rights, Articles I &
12 XIV, due process and equal protection of the law, and Article V, due process of
13 law.

14 (19). **Notice:** The Parties Injured herein accuses: the Magistrate Judge in this
15 action, pursuant to Title 42 U.S.C.A. Section 1986, Title 18 USC Section 1961(1) -
16 1503 (relating to obstruction of justice), section 1951 (relating to interference with
17 commerce, robbery or extortion), section 1952 (relating to racketeering), Title 18
18 U.S.C. Sec. 513(a), the filing of Counterfeit Securities.

19 (20). **Notice:** This Court is hereby Noticed pursuant to Federal Rule of Civil
20 Procedure 17 and Federal Rules of Evidence 201 & UCC 1-103.6 that the
21 Magistrate’s **MINUTE ORDER IN CHAMBERS** are deemed Counterfeit
22 Securities, and constitute violations of Title 18 U.S.C. Section 4 of the commission
23 of crimes cognizable by a court of the United States, or any subdivision thereof
24 under Title 18 U.S.C. Section 513(a) “Whoever makes, utters or possesses a
25 counterfeit security of a State of a political subdivision thereof or of an
26 organization, or whoever makes, utters, or possesses a forged security of a State or
27 political subdivision thereof or of an organization, with intent to deceive another
28 person, organization, or government shall be fined not more than \$250,000 or
imprisoned not more than ten years or both”.

1 See also Sections 2311, 2314 and 2320 for additional fines and sanctions. Among
2 the securities defined at 18 U.S.C. Section 2311 is included “evidence of
3 indebtedness” which, in a broad sense, may mean anything that is due and owing
4 which could be a duty, obligation or right of action. The Magistrate’s **MINUTE**
5 **ORDERS IN CHAMBERS** are attached under **Exhibit A**, Refused and Returned
6 for fraud.

7 (21). The above referenced documents qualify as “counterfeit Securities” in that
8 the makers have stated them to have been officially signed and sealed as valid
9 claims of a duty, obligation, evidence of indebtedness, or right of action owed by
10 them against Parties Injured, the Plaintiffs.

11 (21). Additionally, the above referenced documents are counterfeit securities used
12 by fraud to adversely affect interstate and foreign commerce within the meaning of
13 Title 18 U.S.C. section 1951 & 1952 and 1962(a)(b)(c)(d).

14 (22). The Parties Injured herein accuses: the Magistrate Judge, of committed
15 crimes, Falsification, and Perjury as to their oath and Affirmation, Title 18
16 U.S.C.A. 1621, in a court proceeding, in Case No. 2:16-cv-05224-SVW-AGR,
17 causing violations of the Constitution of the United States of America.

18 (23). The Parties Injured herein accuses: the Magistrate Judge of violations of 18
19 U.S.C.A. Sec. 72, Extortion of Rights, 18 U.S.C.A., 18 U.S.C.A. Sec. 241,
20 Criminal Conspiracy, 18 U.S.C.A. Sec. 1621, Perjury as to their Oaths and
21 Affirmation.

22 (24). The Magistrate Judge and Attorneys caused the Parties Injured herein
23 damages actionable for monetary relief, pursuant to 42 U.S.C.A. Sec. 1986 and 18
24 U.S.C. Sec. 1962(a)(b)(c), 1503 and 1961.

25 **FACTS AND FINDINGS OF LAW**

26 25). ////

27 26). ////

28

1 27). NOTICE OF JUDICIAL MISCONDUCT.

2 **Canon 1: A Judge Should Uphold the Integrity and Independence of the Judiciary**

3 An independent and honorable judiciary is indispensable to justice in our society.

4 A judge should maintain and enforce high standards of conduct and should

5 personally observe those standards, so that the integrity and independence of the

6 judiciary may be preserved. The provisions of this Code should be construed and

7 applied to further that objective.

8 Deference to the judgments and rulings of courts depends on public confidence in

9 the integrity and independence of judges. The integrity and independence of judges

10 depend in turn on their acting without fear or favor. Although judges should be

11 independent, they must comply with the law and should comply with this Code.

12 Adherence to this responsibility helps to maintain public confidence in the

13 impartiality of the judiciary. Conversely, violation of this Code diminishes public

14 confidence in the judiciary and injures our system of government under law.

15 In the case in chief the Magistrate Judge, Alicia G. Rosenberg, now a defendant in

16 the Second Amended Complaint, was directed by the Court to file a reply within

17 30 days after this Order (by August 16, 2017). See Courts Order dated July 13,

18 2017 (Docket No. 135) attached under **Exhibit B**.

19 28). The record is devoid of any reply by defendant Rosenberg. Perhaps defendant

20 Rosenberg believes she is above the rules of law and is not required to file a

21 response. Perhaps defendant Rosenberg has not read the Second Amended

22 Complaint or the last Order from this Court. Thus her actions might suggest that

23 she is negligent in her judicial functions to read all the pleadings.

24 Nonetheless, the actions or inactions of the Magistrate judge as alleged herein does

25 little to instill confidence in the Plaintiffs that the rules of law and procedure in this

26 District Court is enforced equally and unbiased across the court room between the

27 unrepresented Plaintiffs and their professional adversaries, the defendant attorneys.

28

1 **(29) Canon 2: A Judge Should Avoid Impropriety and the Appearance of**
2 **Impropriety in all Activities**

3 (A) Respect for Law. A judge should respect and comply with the law and
4 should act at all times in a manner that promotes public confidence in the
5 integrity and impartiality of the judiciary.

6 **Canon 2A.** An appearance of impropriety occurs when reasonable minds, with
7 knowledge of all the relevant circumstances disclosed by a reasonable inquiry,
8 would conclude that the judge's honesty, integrity, impartiality, temperament, or
9 fitness to serve as a judge is impaired. Public confidence in the judiciary is eroded
10 by irresponsible or improper conduct by judges. A judge must avoid all
11 impropriety and appearance of impropriety. This prohibition applies to both
12 professional and personal conduct. A judge must expect to be the subject of
13 constant public scrutiny and accept freely and willingly restrictions that might be
14 viewed as burdensome by the ordinary citizen. Because it is not practicable to list
15 all prohibited acts, the prohibition is necessarily cast in general terms that extend to
16 conduct by judges that is harmful although not specifically mentioned in the Code.
17 Actual improprieties under this standard include violations of law, court rules, or
18 other specific provisions of this Code.

19 **(30). Canon 3: A Judge Should Perform the Duties of the Office Fairly,**
20 **Impartially and Diligently. *Has Magistrate Rosenberg met this standard in the***
21 ***instant circumstances?***

22 The duties of judicial office take precedence over all other activities. In performing
23 the duties prescribed by law, the judge should adhere to the following standards:

24 (A) Adjudicative Responsibilities.

25 (1) A judge should be faithful to, and maintain professional competence in, the law
26 and should not be swayed by partisan interests, public clamor, or fear of criticism.

27 31). The Parties Injured herein is accusing the Magistrate Judge with perjury to
28 proceed by fraud; perjury of due process, 14th and 5th Amendment. Further

1 references Title 18 U.S.C.A. 1621; a citizen is guilty of perjury if in any official
2 proceeding he or she makes a false statement or swears or affirms the truth of a
3 statement previously made, when the statement is material and he or she does not
4 believe it to be true. Reference. Model Penal Code section 241.1, F.R.C.P. 9(b) and
5 Rule 12(d).

6 32). The Parties Injured herein accuses the Magistrate Judge of: "Perjury of Oath";
7 "Constitutional Tort", Title 42 U.S.C.A. 1983: Every citizen who under color of
8 any statute, ordinance, regulation, custom or usage, of any state or territory,
9 subjects, or causes to be subjected, any citizen of the United States or any other
10 citizen within the jurisdiction thereof to the deprivation of any rights, privileges or
11 immunities secured by the United States Constitution and laws shall be liable to the
12 party injured in an action at law, suit in equity or other proper proceeding for
13 redress. F.R.C.P. 9(b), Rule 12(d), Title 42 U.S.C.A. 1986 of the wrongs
14 committed, Title 42 U.S.C.A. 1985 the conspiracy with high standards, to "fraud"
15 the Parties Injured herein, and 42 U.S.C.A. 1983 for the injury of Constitutional
16 Rights 4th, 5th, 7th, 9th and 14th Amendment Equal Protection of the law.

17 33). The Parties Injured herein accuses the Magistrate of; "Extortion", perjury of
18 oath, (commerce) Title 42 U.S.C.A 1985 (2) Ref. Obstructing Justice: intimidating
19 party, witness, (2) if two or more citizens in any state or territory conspire to deter,
20 by force, intimidation, or threat, any party or witness in any court of the United
21 States form "attending such court or from testifying to any matter pending" therein,
22 freely, fully, and truthfully, or to injure such party or witness in his body or
23 property on account of his having so attended or testified, or to influence the
24 verdict, presentment, or indictment of any kind of grand or petit jury or property on
25 account of any verdict, presentment, or indictment lawfully assented to by him, or
26 of his being or having been such juror, or if two of more citizens conspire for the
27 purpose of impeding, hindering, obstructing, or defeating, in any matter, the due
28 course of justice in any state or territory, with intent to deny to any citizen the

1 equal protection of the law, or to injure him or his property for lawfully enforcing,
2 or attempting to enforce, the right of any citizen, or class of citizens, to the equal
3 protection of the law.

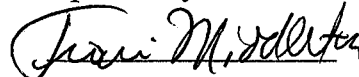
4 34). Extortion: The obtaining of property from another induced by wrongful use of
5 actual or threatened force, or fear, or under color of official right. Ref. Title 18
6 U.S.C.A. Sec. 871 et seq., 1951.

7 WHEREFORE:

8 35). The Parties Injured herein Refuses for Fraud pursuant to Fed. Rules of Civ.
9 Pro. 12(b) (for fraud), 12(f) (to strike), 12(i), and UCC 1-103.6, the Magistrate's
10 **MINUTE ORDER IN CHAMBERS** assigned to Case Incorporated No. 2:16-cv-
11 05224-SVW-AGR as described above, giving rise to violations of F.R.C.P. 19, and
12 12(b)(7) joinder, F.R.C.P. 12(b)(6) fails to state a claim.

13 36). The Parties Injured herein requests this court refund all payment of fees and
14 award Parties Injured herein damages totaling \$200,900,000.00 per F.R.C.P. 12 (c)
15 judgment on the pleadings and or Rule 56(c) Summary Judgment, injunctive and
16 declaratory relief within 10 days nun pro tunc as of September 14, 2017.

17
18
19
20
21
22
23 Respectfully Submitted,

24 

25 Travis Middleton

26
27 27 West Anapamu St. #153
28 Santa Barbara, California [93101]
Dated this September 14, 2017

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____

Signature of Document Signer No. 1 Signature of Document Signer No. 2 (if any)

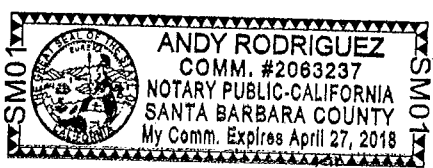
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of Santa Barbara

Subscribed and sworn to (or affirmed) before me
 on this 14th day of Sept, 2017,
 by Date Month Year
 (1) Travis Middleton

(and (2) _____),
 Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.



Seal
 Place Notary Seal Above

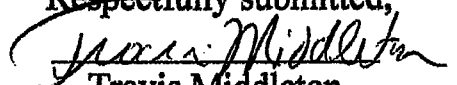
Signature _____
 Signature of Notary Public

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.


Description of Attached Document Magistrate's Minute Court order
 Title or Type of Document: in chambers Document Date: 9/14/17
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

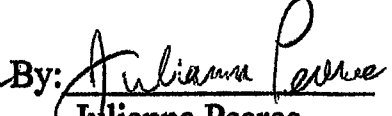
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Respectfully submitted,

Travis Middleton
Plaintiff, Pro Se


By: 


Eric Durak
Plaintiff, Pro Se

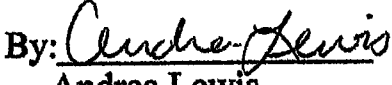
By: 
Jade Baxter
Plaintiff, Pro Se

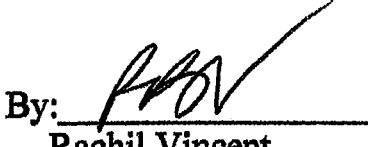
By: 
Julianna Pearce
Plaintiff, Pro Se


By: 
Candyce Estave
Plaintiff, Pro Se

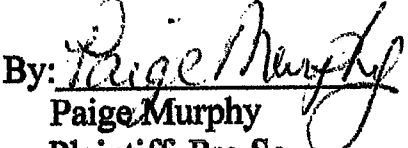
By: 
Denise Michele Derusha
Plaintiff, Pro Se

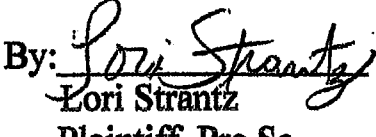
By: 
Melissa Christou
Plaintiff, Pro Se

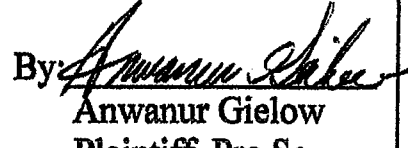
By: 
Andrea Lewis
Plaintiff, Pro Se

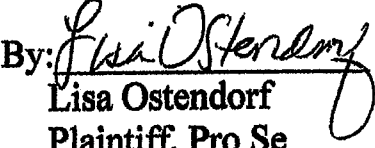
By: 
Rachil Vincent
Plaintiff, Pro Se

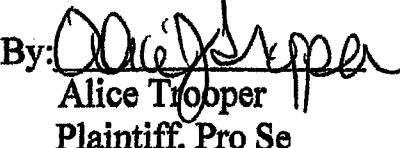
By: 
Jessica Haas
Plaintiff, Pro Se

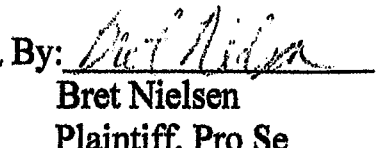
By: 
Paige Murphy
Plaintiff, Pro Se

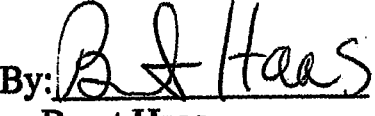
By: 
Lori Strantz
Plaintiff, Pro Se

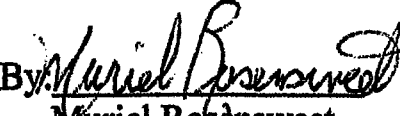
By: 
Anwanur Gielow
Plaintiff, Pro Se

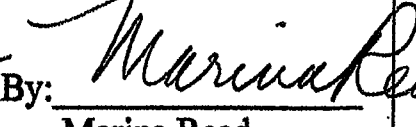
By: 
Lisa Ostendorf
Plaintiff, Pro Se


By: 
Alice Tropper
Plaintiff, Pro Se

By: 
Bret Nielsen
Plaintiff, Pro Se

By: 
Brent Haas
Plaintiff, Pro se

By: 
Muriel Rosensweet
Plaintiff, Pro Se

By: 
Marina Read
Plaintiff, Pro Se

By: 
Don Deman Levasde
plaintiff pro se

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EXHIBIT A

-Counterfeit Securities- 18 USC 513(a)

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 16-5224-SVW (AGR) Date August 11, 2017
Title Travis Middleton, et al. v. Richard Pan, et al.

Present: The Honorable Alicia G. Rosenberg, United States Magistrate Judge

Marine Poggian None None
Deputy Clerk Court Reporter / Recorder Tape No.

Attorneys Present for Plaintiff Attorneys Present for Defendants
None None

Proceedings: In Chambers: BRIEFING SCHEDULE

On August 10, 2017, Defendants State of California, Governor Brown, Anne Gust, Deputy AG Rich and Jacquelyn Young filed a motion to dismiss the complaint.

IT IS HEREBY ORDERED that:

1. Plaintiff shall file an opposition on or before **September 11, 2017**.
2. Defendant may file a reply within 14 days of service of the opposition.
3. The hearing date of September 11, 2017 at 1:30 p.m. is VACATED. Unless otherwise ordered, the court will take the motion under submission without oral argument as of the date the reply is due.

Initials of Preparer mp

Refused Return of Plaintiff's Counter Filing (U.C.C. 1-103.6)
Attorney's Work Product - Security

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Travis Middleton et al v. Richard Pan et al Minutes of In Chambers Order/Directive - no proceeding
held Content-Type: text/html

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Notice of Electronic Filing

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Case Name: Travis Middleton et al v. Richard Pan et al
Case Number: 2:16-cv-05224-SVW-AGR
Filer:
Document Number: 141

Docket Text:

MINUTE ORDER IN CHAMBERS by Magistrate Judge Alitia G. Rosenberg re: NOTICE OF
MOTION AND MOTION to Dismiss Case Second Amended Complaint[140]. BRIEFING
SCHEDULE. On August 14, 2017, Legislative Defendants filed a motion to dismiss the
complaint. IT IS HEREBY ORDERED that: 1. Plaintiff shall file an opposition on or before
September 14, 2017. 2. Defendant may file a reply within 14 days of service of the opposition. 3.
The hearing date of September 11, 2017 at 1:30 p.m. is VACATED unless otherwise ordered,
the court will take the motion under submission without oral argument as of the date the reply is
due. (mp)

2:16-cv-05224-SVW-AGR Notice has been electronically mailed to:

Cara L Jenkins cara.jenkins@lc.ca.gov, christina.witt@lc.ca.gov
Jonathan E Rich veronica.sawers@doj.ca.gov, jennifer.kim@doj.ca.gov, yesenia.caro@doj.ca.gov,
jonathan.rich@doj.ca.gov, elizabeth.odonnell@doj.ca.gov, richard.waldow@doj.ca.gov
Elizabeth G O'Donnell elizabeth.odonnell@doj.ca.gov, teresa.depaz@doj.ca.gov,
elizabeth.angres@doj.ca.gov

2:16-cv-05224-SVW-AGR Notice has been delivered by First Class U. S. Mail or by other means
BY THE FILER to :

Jessica Haas
2715 Verde Vista
Santa Barbara CA 93105
US

Refused to be filed
Notice of Filing
U.S. District Court
Central District of California
Case No. 2:16-cv-05224-SVW-AGR
Filed 9/18/17 1:10:36 PM

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 16-5224-SVW (AGR)

Date August 16, 2017

Title Travis Middleton, et al. v. Richard Pan, et al.

Present The Honorable Alicia G. Rosenberg, United States Magistrate Judge

Marine Pogorvan None None

Deputy Clerk Court Reporter / Recorder Tape No.

Attorneys Present for Plaintiff Attorneys Present for Defendants

None None

Proceedings: In Chambers BRIEFING SCHEDULE

On August 14, 2017, legislative Defendants filed a motion to dismiss the complaint.

IT IS HEREBY ORDERED that:

1. Plaintiff shall file an opposition on or before September 14, 2017.
2. Defendant may file a reply within 14 days of service of the opposition.
3. The hearing date of September 11, 2017 at 1:30 p.m. is VACATED. Unless otherwise ordered, the court will take the motion under submission without oral argument as of the date the reply is due.

Initials of Preparer mp

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EXHIBIT B

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TRAVIS MIDDLETON, et al.,
Plaintiff,
v.
RICHARD PAN, et al.,
Defendant.

NO. CV 16-5224-SVW (AGR)

ORDER ACCEPTING FINDINGS AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE

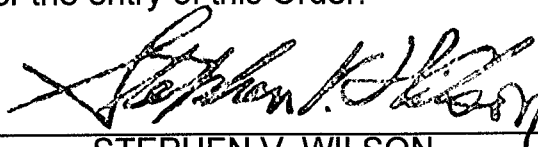
Pursuant to 28 U.S.C. § 636, the Court has reviewed the complaint, records on file, the Report and Recommendation of the United States Magistrate Judge, the document entitled "Refusal for Fraud" filed by Plaintiffs (which the court construes as objections), and Defendants' responses. (Dkt. Nos. 127, 130-132.) The Court accepts the findings and recommendation of the Magistrate Judge.

IT IS ORDERED that (1) the following defendants: Dan Baker, Robbie Black, Robbie Block, Cindy Block, Candace Chen, Kristen Cooper, George Eskin, Sky Hill, Douglas Jackson, Annie Lam, Sue Lemke, Kevin McCarthy, Judy McCarthy, Erika McGuire, Diana Nazarian, Laura L. Quirk, Kathy Stone, Jane Wood and Pat or Pak Lafkas are dismissed without prejudice under Fed. R. Civ. P. 4(m); (2) Defendants'

1 motion to dismiss the First Amended Complaint is granted with leave to amend; and
2 (3) the Clerk is directed to file the Second Amended Complaint received on January
3 9, 2017.

4 IT IS FURTHER ORDERED that Defendants shall respond to the Second
5 Amended Complaint within 30 days after the entry of this Order.

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7 DATED: July 13, 2017



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STEPHEN V. WILSON
United States District Judge

CERTIFICATE OF SERVICE

This is to certify that I have on this 14th day of September, 2017 placed a true and correct copy of the:

APPLICANT PARTIES INJURED / PLAINTIFFS' REFUSAL FOR FRAUD OF The "The Magistrate's MINUTE ORDERS IN CHAMBERS filed by the Magistrate Judge in assigned Case Incorporated No. 2:16-cv-05224-SVW-AGR at the below address, or by depositing the same in the U.S. Mails, to DIANE F. BOYER-VINE (SBN: 124182) Legislative Counsel, ROBERT A. PRATT (SBN: 137704) Principal Deputy Legislative Counsel, CARA L. JENKINS (SBN: 271432) Deputy Legislative Counsel Office of Legislative Counsel 925 L Street, Suite 700 Sacramento, California 95814 Telephone: (916) 341-8245 E-mail: cara.jenkins@lc.ca.gov, Attorneys for Defendants: Assembly Member Catharine Baker, Assembly Member Richard Bloom, Assembly Member David Chiu, Assembly Member Jim Cooper, Assembly Member Cristina Garcia, Assembly Member Lorena Gonzalez, Assembly Member Reginald Jones-Sawyer, Assembly Member Evan Low, Assembly Member Adrin Nazarian, Assembly Member Bill Quirk, Assembly Member Anthony Rendon, Assembly Member Mark Stone, Assembly Member Jim Wood, Senator Ben Allen, Senator Jim Beall, Senator Marty Block, Senator Kevin de Leon, Senator Robert Hertzberg, Senator Mark Leno, Senator Isadore Hall, Senator Jerry Hill, Senator Hannah-Beth Jackson, Senator Mike McGuire, Senator Holly Mitchell, Senator Richard Pan, Senator Jeff Stone, Senator Bob Wieckowski, Senator Lois Wolk;

To: KAMALA D. HARRIS Attorney General of California, RICHARD T. WALDOW ELIZABETH S. ANGRES, Supervising Deputy Attorneys General; JONATHAN E. RICH (SBN 187386), ELIZABETH G. O'DONNELL (SBN 162453), JACQUELYN Y. YOUNG (SBN 306094), Deputy Attorneys General, 300 South Spring Street, Suite 1702, Los Angeles, CA 90013 Telephone: (213) 897-2439 Fax: (213) 897-2805, E-mail: Jonathan.Rich@doj.ca.gov Attorneys for Defendants Governor Edmund G. Brown, Jr., and the State of California.

AND; To: Marine Pogosyan, Clerk to Magistrate Judge Alicia G. Rosenberg, United States District Court Central District of California 312 North Spring Street Los Angeles, California 90012. **Certified Mail No.: 70161370000130208041.**

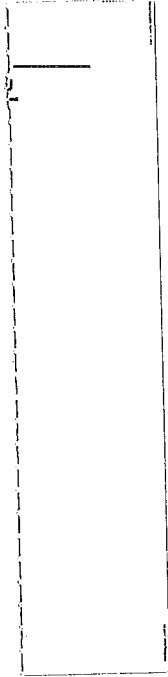
I declare under penalty of perjury that the above is true and correct.


Travis Middleton

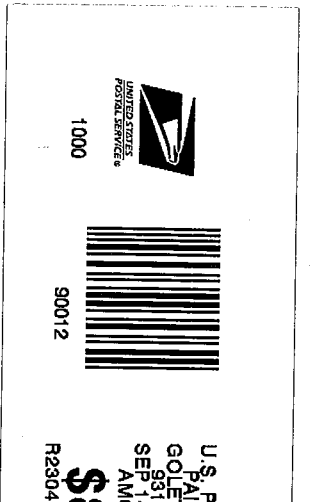
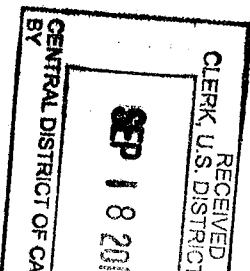
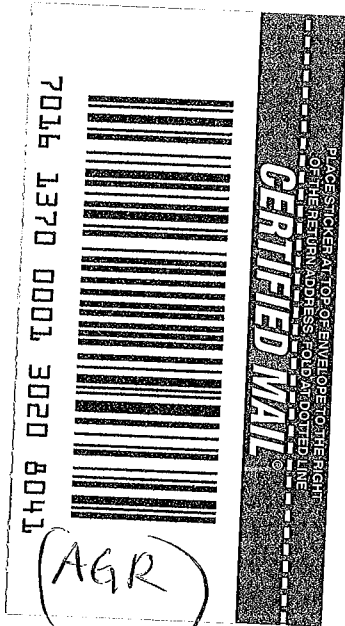
27 West Anapamu St. #153
Santa Barbara, California [93101]

Trouis Middleton

*c/o 27 West Anapamu #153
Santa Barbara, California 93101*



*United States District Court
Central District of California
312 North Spring Street, Room 6
Los Angeles, CA 90012
ATTN: Marina Pogoyan, Clerk*



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