

OCT 11 2011

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2 DEAN SCHIRMER, ESQ./SBN: 146407  
3 HIROSHIMA, JACOBS, ROTH and LEWIS  
4 1420 River Park Drive, Second Floor  
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6 Telephone: (916) 923-2223  
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8 Attorneys for Defendants, DANIEL R. JACKSON and LARRY BLACKMER

9 SUPERIOR COURT OF CALIFORNIA  
10 COUNTY OF RIVERSIDE

11 JEFFRY M. KAATZ, JAMES W.  
12 BEACH, and GARY L. BRADLEY,

Case No.: RIC 1112557

13 Plaintiff,

NOTICE OF MOTION AND MOTION TO  
QUASH SERVICE OF SUMMONS OF  
COMPLAINT FOR LACK OF  
PERSONAL JURISDICTION

14 v.

Date: 11/8/11  
Time: 830  
Dept: 2

15 RICARDO GRAHAM; PACIFIC UNION  
16 CONFERENCE OF SEVENTH-DAY  
17 ADVENTISTS, a not-for-profit  
18 corporation; DANIEL R. JACKSON;  
19 LARRY BLACKMER; NORTH  
20 AMERICAN DIVISION CORPORATION  
FO SEVENTH-DAY ADVENTISTS, a  
not-for-profit corporation; and LA  
SIERRA UNIVERSITY, a not-for profit  
corporation; and DOES 1-100,

FILED BY FAX  
CRC 2005

21 Defendants.

22  
23 To JEFFRY M. KAATZ, JAMES W. BEACH, and GARY L. BRADLEY, plaintiffs,  
24 and to McCuneWright LLP, their attorney of record:

25 NOTICE IS HEREBY GIVEN that defendants DANIEL R. JACKSON and  
26 LARRY BLACKMER appear specially to make this motion only and, so specially  
27 appearing, hereby do and will, on 11/18, 2011, at 830  
28 a.m./p.m., or as soon thereafter as the matter may be heard, in Department 2 of

1 JON DAGGETT, ESQ./SBN: 227375  
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8 Attorneys for Defendants, DANIEL R. JACKSON and LARRY BLACKMER

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

JEFFRY M. KAATZ, JAMES W.  
BEACH, and GARY L. BRADLEY,

Plaintiff,

v.

RICARDO GRAHAM; PACIFIC UNION  
CONFERENCE OF SEVENTH-DAY  
ADVENTISTS, a not-for-profit  
corporation; DANIEL R. JACKSON;  
LARRY BLACKMER; NORTH  
AMERICAN DIVISION CORPORATION  
FO SEVENTH-DAY ADVENTISTS, a  
not-for-profit corporation; and LA  
SIERRA UNIVERSITY, a not-for profit  
corporation; and DOES 1-100,

Defendants.

Case No.: RIC 1112557

**NOTICE OF MOTION AND MOTION TO  
QUASH SERVICE OF SUMMONS OF  
COMPLAINT FOR LACK OF  
PERSONAL JURISDICTION**

**Date:**  
**Time:**  
**Dept:**

To JEFFRY M. KAATZ, JAMES W. BEACH, and GARY L. BRADLEY, plaintiffs,  
and to McCuneWright LLP, their attorney of record:

NOTICE IS HEREBY GIVEN that defendants DANIEL R. JACKSON and  
LARRY BLACKMER appear specially to make this motion only and, so specially  
appearing, hereby do and will, on \_\_\_\_\_, 2011, at \_\_\_\_\_  
a.m./p.m., or as soon thereafter as the matter may be heard, in Department \_\_\_\_\_ of

1 this court, located at 4050 Main Street, Riverside, CA 92501, move for an order  
2 quashing the service of summons on these defendants and/or staying or dismissing the  
3 action. The motion will be made on the ground(s) that the court lacks jurisdiction over  
4 the person of these defendants and/or California is an inconvenient forum and this  
5 action, in the interest of substantial justice.

6 The motion will be based on this notice of motion, on the declaration(s) of  
7 DANIEL R. JACKSON and LARRY BLACKMER and the supporting memorandum  
8 served and filed herewith, on the records and file herein, and on such evidence as may  
9 be presented at the hearing of the motion.

10 Dated: October 11, 2011

11 By: 

12 JON DAGGETT / SBN 227375  
13 DEAN SCHIRMER / SBN 146409  
14 **HIROSHIMA, JACOBS, ROTH and LEWIS**  
15 1420 River Park Drive, Second Floor  
16 Sacramento, California 95815  
17 Telephone: (916) 923-2223  
18 Facsimile: (916) 929-7335  
19 Attorneys for Defendants, DANIEL R.  
20 JACKSON and LARRY BLACKMER  
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**PROOF OF SERVICE**  
CCP 1013(a), 1013(c), 2015.5/FRCP 5  
California Rules of Court 2.253, 2.255, 2.260, 2.301(3), 2.306(a)

1 CASE NAME: KAATZ v. GRAHAM, et al.  
2 COURT NAME: RIVERSIDE COUNTY SUPERIOR COURT  
3 CASE NO: RIC 1112557

4 I am a resident of, or employed in the County of Sacramento, State of California. I am over the age of eighteen years  
5 and not a party to this action. My business address is: 1420 River Park Drive, 2<sup>nd</sup> Floor; Sacramento, CA 95815.


6 On the date below, I served the following listed documents by the method indicated below, on the parties in this action:

7 **NOTICE OF MOTION AND MOTION TO QUASH SERVICE OF SUMMONS OF COMPLAINT**  
8 **FOR LACK OF PERSONAL JURISDICTION**

- 9  BY U.S. MAIL: By placing  the original/  a true copy thereof enclosed in a sealed envelope(s), with postage fully  
10 prepaid, addresses as per the attached service list, for collection and mailing at Hiroshima, Jacobs, Roth & Lewis in  
11 Sacramento, California following ordinary business practices. I am readily familiar with the firm's practice for collection  
12 and processing of correspondence for mailing. Under that practice, the correspondence is deposited with the U.S. Postal  
13 Service on the same day in the ordinary course of business. See CCP 1013(a).
- 14  BY OVERNIGHT DELIVERY: By delivering the document(s) listed above in a sealed envelope(s) or package(s)  
15 designated by the express service carrier, with delivery fees paid or provided for, addresses as per the attached service  
16 list, to a facility regularly maintained by the express service carrier or to an authorized courier or driver authorized by the  
17 express service to receive documents. Sent Via FEDERAL EXPRESS. See CCP 1013(c).
- 18  BY PERSONAL DELIVERY:
- 19  By personally delivering the document(s) listed above to the parties listed on the service list. See CCP 1011.  
20  By personally delivering the documents(s) listed above to the offices at the address(es) shown on the service list.  
21 See CCP 1011(a).  
22  By placing the document(s) listed above in a sealed envelope(s) and instructing a registered process server to  
23 personally deliver the envelope(s) to the offices at the address(es) set forth on the attached service list. The signed proof  
24 of service by the registered process server is attached.
- 25  BY ELECTRONIC SERVICE: (via electronic filing service provider) By electronically transmitting the document(s) listed  
26 above to a LexisNexis File and Serve, an electronic service provider, at [www.fileandserve.lexisnexis.com](http://www.fileandserve.lexisnexis.com) pursuant to  
27 the Court's Order mandating electronic Service. The transmission was reported as complete and without error. See  
28 California Rules of Court 2.253, 2.255, 2.260.
- BY ELECTRONIC SERVICE: (to individual persons) By electronically transmitting the document(s) listed above to the  
email address(es) of the person(s) set forth on the attached service list. The transmission was reported as complete  
without error. See Rules of Court 2.260.
- BY FACSIMILE: By transmitting the document(s) listed above from HIROSHIMA, JACOBS, ROTH & LEWIS in  
Sacramento, California to the facsimile machine telephone number(s) set forth on the attached service list. The  
telephone number I used was (916) 929-7335. The facsimile machine complies with Rule 2.301(3) of the California  
Rules of Court. Service by facsimile transmission was made pursuant to the agreement of the parties, confirmed in  
writing. Pursuant to California Rules of Court, Rule 2.306(a), I caused the machine to print a transmission record of the  
transmission, a copy of which is attached to this Declaration.
- STATE I declare under the penalty of perjury under the laws of the State of California that he above is true and  
correct.
- FEDERAL I declare under the penalty of perjury under the laws of the United States that I am employed in the office of  
a member of the bar of this court whose direction the service is made.

Executed on October 11, 2011 at Sacramento, California.

\_\_\_\_\_  
CHRISTINA WILL

  
\_\_\_\_\_  
(Signature)

PROOF OF SERVICE  
CCP 1013(a), 1013(c), 2015.5/FRCP 5  
California Rules of Court 2.253, 2.255, 2.260, 2.301(3), 2.306(a)

SERVICE LIST

| COUNSEL   | PHONE/FAX/EMAIL  | PARTY(IES)  |
|---|--|---|
| Richard D. McCune, Esq.<br>David C. Wright, Esq.<br>Michele M. Vercoski, Esq.<br>McCuneWright LLP<br>2068 Orange Tree Lane, Suite 216<br>Redlands, CA 92374                     | PH: (909) 557-1250<br>FX: (919) 557-1275<br>EM: <a href="mailto:rdm@mccunewright.com">rdm@mccunewright.com</a><br><a href="mailto:dcw@mccunewright.com">dcw@mccunewright.com</a><br><a href="mailto:mmv@mwtriallawyers.com">mmv@mwtriallawyers.com</a> | <i>Counsel for PLAINTIFFS</i><br>JEFFRY M. KAATZ, JAMES W. BEACH, and GARY L. BRADLEY   |
| Michael W. Connally, Esq.<br>Madonna L. Devling, Esq.<br>Sean Paisan, Esq.<br>LEWIS BRISBOIS BISGAARD & SMITH, LLP<br>650 Town Center Drive, Suite 1400<br>Costa Mesa, CA 92626 | PH: (714) 545-9200<br>FX: (714) 850-1030<br>EM: <a href="mailto:connally@lbbslaw.com">connally@lbbslaw.com</a><br><a href="mailto:devling@lbbslaw.com">devling@lbbslaw.com</a><br><a href="mailto:spaisan@lbbslaw.com">spaisan@lbbslaw.com</a>         | <i>Counsel for DEFENDANTS</i><br>LA SIERRA UNIVERSITY,<br>PACIFIC UNION CONFERENCE<br>OF SEVENTH-DAY ADVENTISTS<br>and NORTH AMERICAN DIVISION<br>CORPORATION OF SEVENTH-<br>DAY ADVENTISTS |

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