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FILED
Superior Court of California
County of Los Angeles

MAY 23 2014

Attorneys for Defendant
COUNTY OF LOS ANGELES

Sherri B. Carter, Executive Officer/Clerk
By Raul Sanchez Deputy

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES**

11 PATRICK E. MAXWELL

12 Plaintiff,

13 vs.

14 COUNTY OF LOS ANGELES and DOES 1 - 100,
15 inclusive

16 Defendants.

Case No.: BC497305

Assigned to the Honorable: Michelle R. Rosenblatt
[Dept. 40]

**DEFENDANT COUNTY OF LOS ANGELES'
OBJECTIONS TO THE DECLARATION OF
LIEUTENANT CHRIS BLASNEK (SADR. DEC.
EXHIBIT 36)**

[Filed concurrently with Defendant County of Los Angeles' Reply to Plaintiff's Opposition to Motion for Summary Judgment; and Defendant County of Los Angeles' Evidentiary Objections]

Date: May 29, 2014
Time: 8:30 a.m.
Dept: 40

Trial Date: July 14, 2014
Complaint Filed: December 12, 2012

24 TO PLAINTIFF PATRICK E. MAXWELL AND HIS COUNSEL OF RECORD:

25 Defendant, COUNTY OF LOS ANGELES hereby submits the following objections to the Declaration
26 of Lieutenant Chris Blasnek dated March 11, 2014, and submitted by Plaintiff as Exhibit 36 to the Declaration
27 of Milad Sadr, Esq. in Support of Opposition to Defendant's Motion for Summary Judgment, or in the
28 Alternative, Summary Adjudication.

**DEFENDANT COUNTY OF LOS ANGELES' OBJECTIONS TO THE DECLARATION OF LIEUTENANT CHRIS BLASNEK
(SADR. DEC. EXHIBIT 36)**

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND(S) FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
1.	Blasnek Dec., page 1, ¶ 4, lines 10-11: "As a Lieutenant I started work in custody which is the least desirable location in the Sheriff's Department in my opinion."	1.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
2.	Blasnek Dec., page 1, ¶ 4, lines 11-12: "Custody is considered dead time and it is very difficult to promote out of."	2.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation and calls for Speculation. <u>Evid. Code</u> § 403, 702. Improper opinion testimony. <u>Evid. Code</u> . § 720, 800 et seq.	Sustained _____ Overruled _____
3.	Blasnek Dec., page 1, ¶ 4, lines 12-14: "As a new Lieutenant I figured I should be able to leave the jails within a year, because they are very undesirable to work in. When I tried to leave Custody, I found that my career path was blocked because of favoritism in the Sheriff's Department."	3.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Improper opinion testimony. <u>Evid. Code</u> . § 720, 800 et seq.	Sustained _____ Overruled _____
4.	Blasnek Dec., page 1, ¶ 4, lines 14-16: "Those individuals who were known as "Vikings," who "paid to play" for Baca or Tanaka,	4.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND(S) FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
	were given preference in the promotional process and even with respect to better job opportunities as a Lieutenant."		Speculation. <u>Evid. Code</u> § 403, 702.	
5.	Blasnek Dec., page 1, ¶ 5, lines 20-22: "Captain Halm had some health issues after being berated by then Under Sheriff Tanaka, and I filled in as the Acting Captain."	5.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
6.	Blasnek Dec., page 1, ¶ 6, lines 24-25; "In Field Operations 3, most of the Captains were known as Tanaka supporters."	6.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
7.	Blasnek Dec., page 1, ¶ 6, lines 25-26: "David Halm, Mike Claus and Patrick Maxwell were the three exceptions.	7.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
8.	Blasnek Dec., page 1, ¶ 6, lines 26-28; page 2, ¶ 6, line 1: "During the annual golf tournament for Walnut station, there was a dinner, where Captain Maxwell	8.	Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
	told Mr. Waldie about the assignment of Tanaka and all of the work it entailed. After that dinner, the next day, Waldie went to Tanaka to speak to him about all the work Tanaka was giving to the Captains. "			
9.	Blasnek Dec., page 2, ¶ 7, line 2: "Tanaka flipped out when he heard this. He started to yell and swear."	9.	Lacks foundation, lacks personal knowledge, and calls for Speculation based on what was stated in paragraph 9.. <u>Evid. Code</u> § 403, 702. Vague and ambiguous.	Sustained _____ Overruled _____
10.	Blasnek Dec., page 2, ¶ 8, lines 3-4: "After Tanaka's tirade, Chief Laing called in all three captains (Halm, Maxwell and Claus) and read them the riot act."	10.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Argumentative. <u>Evid. Code</u> § 403.	Sustained _____ Overruled _____
11.	Blasnek Dec., page 2, ¶ 9, lines 5-6: "Captain Halm was so upset about the way he was treated by Chief Laing, that immediately after	11.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND(S) FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
	the meeting, he told me about it."		Speculation. <u>Evid. Code § 403, 702.</u> Hearsay. <u>Evid. Code § 1200</u>	
12.	Blasnek Dec., page 2, ¶ 10, lines 7-11: "Captain Halm reiterated the conversation from Laing. Laing advised Captains Halm, Maxwell and Claus that according to Tanaka, all of the Captains were on their own islands. The should not ask for anything to help the stations protect the community. Each of the three Captains were on their own planet and they should not ask for anything (i.e. any Sheriff's Department Resources.)"	12.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u> Hearsay. <u>Evid. Code § 1200.</u> Improper opinion testimony. <u>Evid. Code § 720, 800 et seq.</u>	Sustained _____ Overruled _____
13.	Blasnek Dec., page 2, ¶ 11, lines 12-13: "After meeting with Laing, Captain Maxwell took this as a threat."	13.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u>	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND(S) FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
14.	Blasnek Dec., page 2, ¶ 11, lines 13-14: "Maxwell told his two commanders and Chief, that he could not eat or sleep, and that he was suffering from a hostile work environment."	14.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
15.	Blasnek Dec., page 2, ¶ 12, lines 15-17: "A Policy of Equality (POE) complaint should have been started. However, as I understand it, Sheriff Baca required Captain Maxwell to speak with his harasser, Tanaka, in violation of our normal department policies and procedures."	15.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Calls for a legal conclusion. <u>Evid. Code</u> § 702, 800 et seq. <u>Kahn v. East Side Union High School Dist.</u> , (2003) 31 Cal. 4th 990, 1017.	Sustained _____ Overruled _____
16.	Blasnek Dec., page 2, ¶ 13, lines 18-19: "For the next four years, Captains Maxwell, Claus and Halm were black balled by Tanaka who was an angry man."	16.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Vague and ambiguous.	Sustained _____ Overruled _____

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17.	Blasnek Dec., page 2, ¶ 14, lines 20-21: "Captain Halm told me that he tried to speak to Tanaka in private and get past the golf tournament where Maxwell complained to Waldie about the work."	17.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u> Hearsay. <u>Evid. Code § 1200.</u>	Sustained _____ Overruled _____
18.	Blasnek Dec., page 2, ¶ 14, lines 21-23: "However, Halm was not allowed to. Halm told me that Tanaka said, "don't even fucking come near me," "get the fuck out of my way." Halm said he felt horrible."	18.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u> Hearsay. <u>Evid. Code § 1200.</u>	Sustained _____ Overruled _____
19.	Blasnek Dec., page 2, ¶ 15, lines; page 24-28, ¶ 15, lines 1-4: "I did a great job."	19.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation and calls for Speculation. <u>Evid. Code § 403, 702.</u>	Sustained _____ Overruled _____
20.	Blasnek Dec., page 2, ¶ 15, lines; 26-27: "When the Captains position opened up, I initially was not even allowed to apply for the position which is quite uncommon."	20.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid.</u>	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND(S) FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
			<u>Code § 720, 800 et seq.</u>	
21.	Blasnek Dec., page 2, ¶ 15, lines 27-28: "The City Managers wanted me as the Captain and created such an uproar that Assistant Sheriff Hemold came to a meeting."	21.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation and calls for Speculation. <u>Evid. Code § 403, 702.</u> Argumentative.	Sustained _____ Overruled _____
22.	Blasnek Dec., page 2, ¶ 15, line 28; page 3, lines ¶ 15, lines 1-4: I was then allowed to at the last minute apply for the Captains position and interview. Rather than selecting the best candidate for a promotion as was typical, the Sheriff's Department had the City select two individuals. I was one of the two finalist, but then the Department chose Jeff Scroggin the other finalist."	22.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid. Code § 720, 800 et seq.</u>	Sustained _____ Overruled _____
23.	Blasnek Dec., page 3, ¶ 16, lines 5-6: "I believe one reason why I was passed over for the promotion to Captain is because I was associated with then Captains Maxwell, Halm and	23.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid.</u>	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
	Claus, whom Tanaka was upset with."		<u>Code § 720, 800 et seq.</u> Calls for a legal conclusion. <u>Evid. Code § 702, 800 et seq. Kahn v. East Side Union High School Dist., (2003) 31 Cal. 4th 990, 1017.</u>	
24.	Blasnek Dec., page 3, ¶ 17, lines 7-8: "The Sheriff's Department has a pattern and practice of retaliating against (and refusing to promote) individuals who are associated with people who file lawsuits."	24.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid. Code § 720, 800 et seq.</u> Calls for a legal conclusion. <u>Evid. Code § 702, 720, 800 et seq. Kahn v. East Side Union High School Dist., (2003) 31 Cal. 4th 990, 1017.</u>	Sustained _____ Overruled _____
25.	Blasnek Dec., page 3, ¶ 17, lines 9-10: "I have not filed a lawsuit and I am still suffering in part because of my association with Maxwell."	25.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation and calls for Speculation. <u>Evid. Code § 403, 702.</u> Calls for a legal	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
			conclusion. <u>Evid. Code</u> § 702, 800 et seq. <u>Kahn v. East Side Union High School Dist.</u> , (2003) 31 Cal. 4th 990, 1017.	
26.	Blasnek Dec., page 3, ¶ 18, lines 11-12: "I also have heard of the lawsuit at Century Station involving Deputy Jaimes for discrimination against Latinos."	26.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
27.	Blasnek Dec., page 3, ¶ 18, lines 12-13: "It is well known that two of the Captains who testified in that proceeding were Lieutenants Voyer and Rampone and that they could not promote."	27.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
28.	Blasnek Dec., page 3, ¶ 18, lines 13-14: "I also heard that Voyer spent several years in custody, being transferred there from Century Station."	28.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
29.	Blasnek Dec., page 3, ¶ 18, lines 14-16: "Such a move is well known to be a step backward in	29.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u> GROUNDS FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
	one's career and staying in custody for years is generally known as punishment or an adverse action."		knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Improper opinion testimony. <u>Evid. Code</u> § 720, 800 et seq. Calls for a legal conclusion. <u>Evid. Code</u> § 702, 800 et seq. <u>Kahn v. East Side Union High School Dist.</u> , (2003) 31 Cal. 4th 990, 1017.	
30.	Blasnek Dec., page 3, ¶ 19, lines 17-20: "In 2006, I understand that Nick Rampone transferred from Century Station to the Technical Services Division. That type of a move would generally be considered a less desirable position. I know of Rampone, he has been in the Department for a super long time and is an older person on the Department around 60 years of age."	30.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Improper opinion testimony. <u>Evid. Code</u> § 720, 800 et seq.	Sustained _____ Overruled _____
31.	Blasnek Dec., page 3, ¶ 20, lines 21-22: "After the Tanaka issues	31.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
	with Captains Maxwell, Halm and Claus, I was denied to Chiefs' Aid position."		foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702.	
32.	Blasnek Dec., page 3, ¶ 20, lines 22-23: "It seemed to me that the open positions were filled with individual loyal to Tanaka and who did not complain of unfair treatment or were not associated with people who complained."	32.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Argumentative. <u>Evid. Code</u> § 403.	Sustained _____ Overruled _____
33.	Blasnek Dec., page 3, ¶ 20, lines 23-25: "I was associated with individual who complained of unfair treatment and filled a POE, I was then retaliated against."	33.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Calls for a legal conclusion. <u>Evid. Code</u> § 702, 800 et seq. <u>Kahn v. East Side Union High School Dist.</u> , (2003) 31 Cal. 4th 990, 1017. Argumentative. <u>Evid. Code</u> § 403.	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u> GROUNDS FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
34.	Blasnek Dec., page 3, ¶ 21, lines 26-28: "I believe I am better qualified to be a Captain than Captain McCorkel, yet he was promoted before me. I believe I am more experience than McCorkel."	34.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Argumentative. <u>Evid. Code</u> § 403.	Sustained _____ Overruled _____
35.	Blasnek Dec., page 3, ¶ 21, line 28; page 4 ¶ 21 line 1: "I have always been in Band 1 for the Captains promotion. I have never heard of any person in the Sheriff's Department being placed in Band 5 on the promotional list."	35.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702.	Sustained _____ Overruled _____
36.	Blasnek Dec., page 4, ¶ 22, lines 2-5: "When I was a Lieutenant in the Jail, I used to see Captain Cooper at IRC. Captain Gerald Cooper was always a friendly person. Captain Cooper used to say hi to me when I sw him. He was very approachable and nice guy. I never heard Captain Cooper use any profanity. In my opinion, Captain Cooper is not the	36.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Improper Character evidence. <u>Evid. Code</u> § 1101 et seq.	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u> GROUNDS FOR OBJECTIONS</u>	<u> RULING ON OBJ.</u>
	type of person to even use profanity."			
37.	Blasnek Dec., page 4, ¶ 23, lines 6-7: "IRC is an assignment known as a hell hole for employees to work in. Whenever I go there, I think of how horrible it is. It is like herding cattle."	37.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Argumentative. <u>Evid. Code</u> § 403.	Sustained _____ Overruled _____
38.	Blasnek Dec., page 4, ¶ 24, lines 8-9: "Normally, the more experienced Lieutenants are assigned more important projects. In my opinion, it would be very unusual for an experienced Lieutenant to be assigned small projects to work on."	38.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Improper opinion testimony. <u>Evid. Code</u> § 720, 800 et seq. Argumentative. <u>Evid. Code</u> § 403.	Sustained _____ Overruled _____
39.	Blasnek Dec., page 4, ¶ 25, lines 10-11: "Normally at IRC the Lieutenants are either on the line or working as the Operations Lieutenant. I am not aware of any exclusively administrative	39.	Irrelevant. <u>Evid. Code</u> § 350, 352. Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code</u> § 403, 702. Improper	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND(S) FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
	assignments for Lieutenants at IRC."		opinion testimony. <u>Evid. Code § 720, 800 et seq.</u>	
40.	Blasnek Dec., page 4, ¶ 26, lines 12-13: "I previously worked at Men's Central Jail across the street from IRC through 2009, thus I am familiar with the assignments there."	40.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u>	Sustained _____ Overruled _____
41.	Blasnek Dec., page 4, ¶ 27, lines 14-15: "The normal practice is for a Captain to approach a Lieutenant about being the Operations Lieutenant."	41.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u>	Sustained _____ Overruled _____
42.	Blasnek Dec., page 4, ¶ 27, lines 15-18: Normally, an Operations Lieutenant is a person being groomed to promote to Captain. I felt quite honored to an Ops Lieutenant for Captain Halm in the past as it is a position known to help improve the chances for a promotion."	42.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid. Code § 720, 800 et seq.</u>	Sustained _____ Overruled _____
43.	Blasnek Dec., page 4, ¶ 28, lines 19-22: "While I do not know all of	43.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks	Sustained _____ Overruled _____

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
	<p>the facets of being a Records Lieutenant, it is what I would consider to be one of the worst positions in the Department. It is a position that often oversees civilians and is a position where the Lietenant often has to deal with petty complaints. I would never want to be assigned the menial task of being a Records Lieutenant."</p>		<p>foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid. Code § 720, 800 et seq.</u> Argumentative. <u>Evid. Code § 403.</u></p>	
44.	<p>Blasnek Dec., page 4, ¶ 29, lines 23-25: "While I have been a victim of discrimination and retaliation, I was afraid to contact the County's equity unit to file a complaint about conduct which I believe to be discriminatory or retaliatory because of a fear of further retaliation."</p>	44.	<p>Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid. Code § 720, 800 et seq.</u> Calls for a legal conclusion. <u>Evid. Code § 702, 800 et seq.</u> <u>Kahn v. East Side Union High School Dist., (2003) 31 Cal. 4th 990, 1017.</u></p>	<p>Sustained _____ Overruled _____</p>

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	<u>MATERIAL OBJECTED TO:</u>		<u>GROUND FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
			Argumentative. <u>Evid.</u> <u>Code § 403.</u>	
45.	Blasnek Dec., page 4, ¶ 29, lines 23-25: "Seeing what happened to Captains Claus and Halm, when Maxwell complained (and they did not even complain) what happened to Maxwell and how it still affects me, makes it clear the County will not take corrective action and does not protect those who file a complaint with the Intake unit."	45.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid. Code § 720, 800 et seq.</u> Calls for a legal conclusion. <u>Evid. Code § 702, 800 et seq.</u> <u>Kahn v. East Side Union High School Dist., (2003) 31 Cal. 4th 990, 1017.</u> Argumentative. <u>Evid. Code § 403.</u>	Sustained _____ Overruled _____
46.	Blasnek Dec., page 5, ¶ 30, lines 1-6: "I have assisted the Sheriff's Department in terminating an employee who was suspected of selling Sheriff's Department ID's and CCW permits. The individual was a close friend of Baca's and I	46.	Irrelevant. <u>Evid. Code § 350, 352.</u> Lacks foundation, lacks personal knowledge, and calls for Speculation. <u>Evid. Code § 403, 702.</u> Improper opinion testimony. <u>Evid.</u>	Sustained _____ Overruled _____


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<u>MATERIAL OBJECTED TO:</u>	<u> GROUNDS FOR OBJECTIONS</u>	<u>RULING ON OBJ.</u>
believe the Sheriff's Department should conduct an investigation of him but it is outside of my job duties to make such a decision. I am afraid of retaliation for being a whistleblower as well. This individual I believe contributed to Sheriff Baca's campaign when he ran for Sheriff. Now that Baca is no longer in the department, Baca no longer can protect him."	<u>Code § 720, 800 et seq.</u> Vague and ambiguous. Argumentative. <u>Evid.</u> <u>Code § 403.</u>	

DATED: May 23, 2014

PETERSON · BRADFORD · BURKWITZ

By: 
George E. Peterson, Esq.
Avi Burkwitz, Esq.
Natalie U. Luongo, Esq.
Kyle Maland, Esq.
Attorneys for Defendant,
COUNTY OF LOS ANGELES

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 100 North First Street, Suite 300, Burbank, California 91502.

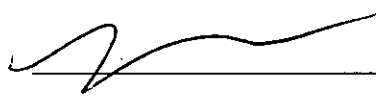
On May 23, 2014, I served the foregoing document described as:
DEFENDANT COUNTY OF LOS ANGELES' OBJECTIONS TO THE DECLARATION OF LIEUTENANT CHRIS BLASNEK (SADR. DEC. EXHIBIT 36)

on interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED MAILING LIST

- BY MAIL:** I deposited such envelope in the mail at Burbank, California. The envelope was mailed with postage thereon fully prepaid. As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Burbank, 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 FACSIMILE:** I served by facsimile a true copy of the above-described document. I am "readily familiar" with this firm's practice of processing correspondence by fax. Under that practice documents are placed in our fax machine and are processed and received simultaneously at their destination. The above-referenced document(s) was placed in the fax machine with all costs of faxing prepaid, directed to each party (using their fax number), listed on the attached Service List. Once the document has been transmitted, the fax machine provides a report indicating time of completion.
- BY OVERNIGHT EXPRESS MAIL:** As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence by Overnight Express mailing. Under that practice it was deposited with the Overnight Express service on that same day with proper postage thereon fully prepaid at Burbank, California in the ordinary course of business.
- BY PERSONAL SERVICE:** I delivered such envelope by hand to the addressee.
- STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on May 23, 2014, at Burbank, California.



Martha Gonzalez

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SERVICE LIST

RE: Maxwell, Patrick E. v. County Of Los Angeles

Case No.: BC497305

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