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5 Phone (661) 327-1360

6 Attorneys for Plaintiffs,

7
8 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN**
9 **METROPOLITAN DIVISION**

10
11 CRAIG HARRISON,
12 Plaintiff,

13 v.

14 ROMAN CATHOLIC FAITHFUL, INC.
STEPHEN BRADY and DOES 1-50
15 Inclusive,
16 Defendants.

Case No.: : BCV-19-102204

NOTICE OF OBJECTION TO
DEPOSITION SUBPOENA FOR
PRODUCTION OF BUSINESS RECORDS

Date: September 24, 2019
Time: 10:00 a.m.
Location: First Legal Records
1511 Beverly Blvd.
Los Angeles, CA 90026

17
18 COMES NOW Plaintiff CRAIG HARRISON and objects to the Deposition Subpoena For
19 Records issued September 3, 2019 to the Diocese of Fresno (See Exhibit "1") and directs the
20 Diocese not to produce any records in response to the Subpoena on the following grounds:

21
22 1. The Subpoena requests production of private and confidential employment personnel
23 files and records and financial records which are protected from discovery and therefore violates
24 plaintiff Craig Harrison's Right to Privacy pursuant to Board of Trustees v. Superior Court(1981)
25 119 Cal. App.3d 516, 529; City and County of S. F. V. Superior Court(1951) 38 Cal.2d 156, 163.

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27 2. The Subpoena seeks production of character evidence and violates California Evidence
28 Code Sections 1102, 1103, 1108 and 1109.

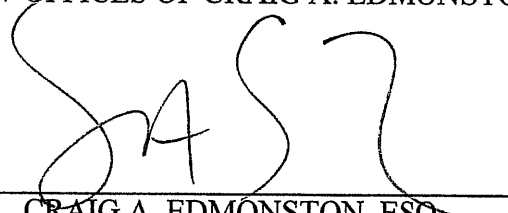
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- 3. The Subpoena is overbroad.
- 4. The Subpoena is vague and ambiguous.
- 5. The Subpoena seeks production of records which are not reasonably calculated to lead to the discovery of admissible evidence.
- 6. The Subpoena is argumentative.

Based on the foregoing, Plaintiff CRAIG HARRISON objects to the Subpoena in its entirety and directs the Diocese not to produce any records in response to the subpoena without an appropriate order from the Superior Court.

Dated: September 5, 2019

LAW OFFICES OF CRAIG A. EDMONSTON

By 
CRAIG A. EDMONSTON, ESQ.
Attorneys for Plaintiff

PROOF OF SERVICE
1013a (3) CCP Revised 5/1/88

1 STATE OF CALIFORNIA, COUNTY OF KERN:

2 I am employed in the County of Kern, State of California. I am over the age of 18 years
3 and not a party to the within action; my business address is 2204 Truxtun Avenue, Bakersfield,
4 California 93303-2171.

5 On September 5, 2019 I served the foregoing document described as: NOTICE OF
6 OBJECTION TO DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS; on interested
7 parties in this action by placing true copies thereof enclosed in sealed envelope(s) addressed as
8 follows:

9 Paul M. Jonna, Esq.
10 LIMANDRI & JONNA LLP
11 P.O. Box 9120
12 Rancho Santa, CA 92067
13 (858) 759-9930 (858) 759-9938

KYLE J. HUMPHREY, Esq. S.B.N. 118477
THE LAW OFFICES OF KYLE J. HUMPHREY
2211 17th Street, Bakersfield, CA 93301
Phone (661) 327-1360

14 First Legal Records
15 1511 Beverly Blvd.
16 Los Angeles, CA 90026
17 Fax (213) 802-0810

ROMAN CATHOLIC DIOCESE OF FRESNO
1550 North Fresno Street
Fresno, CA 93703

18 (BY MAIL) I am "readily familiar" with the firm's practice of collection and processing
19 correspondence for mailing. Under that practice it would be deposited with U.S. postal
20 service on that same day with postage thereon fully prepaid at Bakersfield, California.
21 Service made pursuant to this paragraph, upon motion of a party served, shall be presumed
22 invalid if the postal cancellation date or postage meter date on the envelope is more than
23 one day after the date of deposit for mailing contained in the affidavit.

24 (BY ELECTRONIC MAIL) I served a copy of the above-described document(s) on the
25 parties on the above service list by electronic transmission from the electronic address
26 maria@edmonstonlaw.com to the electronic notification address listed on the above
27 service list.

28 (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the
offices of the addressee(s).

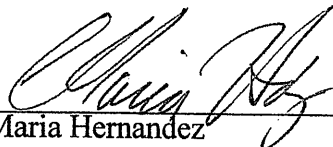
(BY FACSIMILE) I caused the above referenced document to be delivered by facsimile
transmission machine (661) 324-1571 to the above identified recipient(s) and fax
telephone number(s). The above described transmission was reported as complete without
error by a transmission report issued by said fax machine that made the transmission
immediately after it was made.

(FEDERAL) I declare I am employed in the office of a member of the bar of this Court
at whose direction the service was made.

29 (STATE) I declare under penalty of perjury, under the laws of the State of California that
30 the foregoing is true and correct.

Executed on September 5, 2019, at Bakersfield, California.

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

33 
34 _____
35 Maria Hernandez

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): PAUL M. JONNA, SBN 265389 LiMandri & Jonna LLP PO Box 9120 Rancho Santa Fe, CA 92067 TELEPHONE NO.: (858) 759-9930 FAX NO.(optional): E-MAIL ADDRESS: ATTORNEY FOR (Name): ROMAN CATHOLIC FAITHFUL, INC. and STEPHEN BRADY		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1415 TRUXTUN AVENUE CITY AND ZIP CODE: BAKERSFIELD, CA 93301 BRANCH NAME: METROPOLITAN DIVISION		
PLAINTIFF/ PETITIONER: CRAIG HARRISON	DEFENDANT/ RESPONDENT: ROMAN CATHOLIC FAITHFUL, INC., et al.	
DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS		CASE NUMBER: BCV-19-102204

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known): **P: (559) 488-7400**
Custodian of Records for: ROMAN CATHOLIC DIOCESE OF FRESNO, 1550 North Fresno Street,
Fresno, CA 93703

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

To (name of deposition officer):	First Legal Records
On (date):	September 24, 2019
At (time):	10:00 AM
Location (address):	1511 Beverly Blvd, Los Angeles, CA 90026, (877) 591-9979

Do not release the requested records to the deposition officer prior to the date and time stated above.

- a. by delivering a true, legible and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
 - b. by delivering a true, legible and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code Section 1563(b).
 - c. by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code Section 1563(b). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code Section 1561.
3. The records to be produced are described as follows (if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified):
 SEE ATTACHMENT 3

Continued on Attachment 3.

4. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: **September 03, 2019**

PAUL M. JONNA
 (TYPE OR PRINT NAME)

/s/ PAUL M. JONNA
 (SIGNATURE OF PERSON ISSUING SUBPOENA)

Attorney for: DEFENDANTS
 (TITLE)

(Proof of service on page two)

1 ROMAN CATHOLIC DIOCESE OF FRESNO

2 ATTACHMENT 3

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4
5 INSTRUCTION REGARDING PERSONAL IDENTIFYING INFORMATION.

6 For all the requests herein, the names of third parties may be redacted until the parties enter into
7 a protective order governing the use of confidential information in this litigation.

8
9 DEFINITIONS

10 1. The terms "DOCUMENT" or "DOCUMENTS" mean any writing or writings, as defined
11 by California Evidence Code § 250 which states that "[w]riting" means handwriting, typewriting, printing,
12 photostating, photographing, photocopying, transmitting by electronic mail or facsimile, text messages,
13 voicemail messages, and every other means of recording upon any tangible thing, any form of
14 communication or representation, including letters, words, pictures, sounds, or symbols, or combinations
15 thereof, and any record thereby created, regardless of the manner in which the record has been stored. This
16 shall encompass any DOCUMENTS now or at any time in YOUR possession, custody, or control. A
17 person is deemed in control of a DOCUMENT if the person has any ownership, possession, or custody of
18 the document, or the right to secure the DOCUMENT or a copy thereof from any person or public or
19 private entity having physical possession thereof.

20 3. The term "COMMUNICATIONS" as used herein means and refers to all forms of
21 information exchange, whether written, oral, telephonic, electronic, telex, telecopy or other mode of
22 transmission.

23 DOCUMENT REQUESTS

24 1. Monsignor Craig Harrison's full and complete personnel file, including but not limited to
25 any and all complaints made against Msgr. Harrison, and records, regarding the following matters: sexual
26 abuse, drug use, therapy, gambling, addictive disorders, use of pornography, homosexual behavior, and
27 misuse of parish funds.

28 ///

1 2. Any and all DOCUMENTS and COMMUNICATIONS regarding sexual abuse on the part
2 of Msgr. Craig Harrison.

3 3. Any and all DOCUMENTS and COMMUNICATIONS regarding drug use by Msgr. Craig
4 Harrison.

5 4. Any and all DOCUMENTS and COMMUNICATIONS regarding therapy for Msgr. Craig
6 Harrison.

7 5. Any and all DOCUMENTS and COMMUNICATIONS regarding gambling on the part of
8 Msgr. Craig Harrison.

9 6. Any and all DOCUMENTS and COMMUNICATIONS regarding addictive disorders (or
10 other psychological issues) on the part of Msgr. Craig Harrison.

11 7. Any and all DOCUMENTS and COMMUNICATIONS regarding the use of pornography
12 by Msgr. Craig Harrison.

13 8. Any and all DOCUMENTS and COMMUNICATIONS regarding homosexual behavior,
14 or any other sexual misconduct, by Msgr. Craig Harrison.

15 9. Any and all DOCUMENTS and COMMUNICATIONS regarding the misuse of parish
16 funds on the part of Msgr. Craig Harrison.

17 10. Any and all DOCUMENTS and COMMUNICATIONS regarding complaints as to Msgr.
18 Harrison adopting children (including complaints from Msgr. Harrison's adopted children or regarding
19 them).

20 11. Any and all DOCUMENTS and COMMUNICATIONS regarding Msgr. Harrison
21 accumulating excessive wealth.

22 12. Any and all DOCUMENTS and COMMUNICATIONS regarding Msgr. Harrison being
23 listed as an heir or beneficiary in parishioners' wills.

24 13. Any and all DOCUMENTS and COMMUNICATIONS regarding any inheritance Msgr.
25 Harrison received or is expected to receive.

26 14. Any and all DOCUMENTS and COMMUNICATIONS regarding real estate purchased or
27 sold by Msgr. Harrison.

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1 15. Any and all DOCUMENTS and COMMUNICATIONS regarding money raised by Msgr.
2 Harrison for his home for troubled youth.

3 16. Any and all DOCUMENTS and COMMUNICATIONS regarding Msgr. Harrison's
4 involvement with Lennox Virtual Academy.

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ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): PAUL M. JONNA, SBN 265389 LiMandri & Jonna LLP PO Box 9120 Rancho Santa Fe, CA 92067 TELEPHONE NO.: (858) 759-9930 FAX NO.(optional): E-MAIL ADDRESS: ATTORNEY FOR (Name): ROMAN CATHOLIC FAITHFUL, INC. and STEPHEN BRADY	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN STREET ADDRESS: 1415 TRUXTUN AVENUE CITY AND ZIP CODE: BAKERSFIELD, CA 93301 BRANCH NAME: METROPOLITAN DIVISION	
PLAINTIFF/ PETITIONER: CRAIG HARRISON DEFENDANT/ RESPONDENT: ROMAN CATHOLIC FAITFUL, INC., et al.	
NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION (Code Civ. Proc., §§ 1985.3, 1985.6)	CASE NUMBER: BCV-19-102204

NOTICE TO CONSUMER OR EMPLOYEE

TO (name): MONSINGOR CRAIG HARRISON and/or Attorney of Record

- PLEASE TAKE NOTICE THAT **REQUESTING PARTY (name): ROMAN CATHOLIC FAITHFUL, INC. and STEPHEN BRADY** SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on *(specify date)*: **September 24, 2019**
 The records are described in the subpoena directed to **witness (specify name, address of person or entity from whom records are sought)**:
Custodian of Records for: ROMAN CATHOLIC DIOCESE OF FRESNO, 1550 North Fresno Street, Fresno, CA 93703
 A copy of the subpoena is attached.
- IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED IN ITEM a. OR b. BELOW:
 - If you are a party to the above-entitled action, you must file a motion pursuant to Code of Civil Procedure section 1987.1 to quash or modify the subpoena and give notice of that motion to the **witness** and the **deposition officer** named in the subpoena at least five days before the date set for the production of the records.
 - If you are not a party to this action, you must serve on the **requesting party** and on the **witness**, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should **not** be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**
- YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: **September 03, 2019**

PAUL M. JONNA

(TYPE OR PRINT NAME)

/s/ PAUL M. JONNA

(SIGNATURE OF REQUESTING PARTY ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

- I object to the production of all of my records specified in the subpoena.
- I object only to the production of the following specified records:
- The specific grounds for my objection are as follows:

Date:

(TYPE OR PRINT NAME)

(SIGNATURE)

(See next page for proof of service)