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Attorneys for Plaintiffs

ORIGINAL FILED

JUL 23 1998

LOS ANGELES  
SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

ANTHONY MARIO ASSENZA, )  
et al., )  
Plaintiffs/Petitioners, )  
vs. )  
CITY OF LOS ANGELES, et al., )  
Defendants/Respondents, )  
\_\_\_\_\_ )

CASE NO. BC 115813  
PLAINTIFFS AND/OR APPLICANTS  
REQUEST FOR JUDICIAL NOTICE  
PURSUANT TO EVIDENCE CODE  
SECTIONS 452(d) and 453  
  
(Filed concurrently with  
Plaintiffs and/or Applicants'  
Closing Brief As Per Court  
Order of July 9, 1998)  
Date: July 24, 1998  
Time: 10:30 a.m.  
Dept: 14

Additional Attorneys for Plaintiffs:

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Novato, CA 94947  
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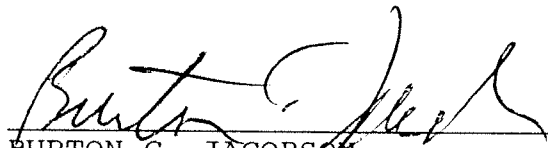
COMES NOW PLAINTIFFS AND/OR APPLICANTS who pursuant to Evidence Code Sections 452(d) and 453, respectfully ask the Court to judicial notice certain parts of its file, to wit:


3. The Reporter's Transcript of Proceedings for Friday, June 26, 1998. A true and correct copy of the pertinent page from that transcript is attached hereto as Exhibit "A".

Dated: July 22, 1998

Respectfully submitted,

BURTON C. JACOBSON and  
WILLIAM ARTHUR CRAWFORD

By:   
BURTON C. JACOBSON  
Attorneys for  
Plaintiffs/Petitioners

By:   
WILLIAM ARTHUR CRAWFORD  
Attorneys for  
Plaintiffs/Petitioners

1 MR. BOECKMAN: -- A LONG SET OF --

2 THE COURT: I SEE IT.

3 MR. BOECKMAN: NOW, WHAT THE PLAINTIFFS ARE  
4 ASKING, YOUR HONOR --

5 THE COURT: BEFORE WE GET TO WHAT THE  
6 PLAINTIFFS ARE ASKING, LET'S MAKE A CAREFUL RECORD.  
7 AT THE TOP OF PAGE FIVE OF THE STIPULATED JUDGMENT  
8 THERE APPEARS THE HEADER "CRITERIA FOR LICENSURE".

9 MR. JACOBSON: CORRECT.

10 MR. BOECKMAN: YES, YOUR HONOR.

11 THE COURT: THE FIRST NUMBERED PARAGRAPH UNDER  
12 THAT HEADER IS "TRAINING" AND I'M GOING TO ASSUME  
13 THAT EVERY APPLICANT HAS THE REQUISITE TRAINING?

14 MR. JACOBSON: CORRECT, YOUR HONOR.

15 THE COURT: IS THAT CONTESTED?

16 MR. BOECKMAN: THAT IS NOT CONTESTED.

17 THE COURT: VERY WELL. I DIDN'T THINK SO.  
18 THEN WE GET TO PARAGRAPH NUMBERED TWO WHICH BEGINS AT  
19 LINE 13, AT PAGE FIVE. NOW WE GET VERY SPECIFIC AS  
20 TO GOOD CAUSE.

21 IN THE FIRST CLAUSE THERE APPEARS AN  
22 INTERESTING WORD "DEEMED". SOME OF OUR CASE LAW SAYS  
23 THAT DEEMED CREATES A REBUTTABLE PRESUMPTION. SEE,  
24 FOR EXAMPLE, GRUENBERG VERSUS AETNA FIRE AND CASUALTY  
25 COMPANY, A 1967 DECISION OF THE CALIFORNIA SUPREME  
26 COURT.

27 IN ANY EVENT, THE GOOD CAUSE PARAGRAPH,  
28 AND IT'S RATHER A LONG ONE, ALMOST A FULL PAGE, READS

