

FILED

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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: 

7
8 United States District Court
9 Central District of California
10

11 Charles Nichols,

12 PLAINTIFF,

13 vs.

14 KAMALA D. HARRIS, Attorney

15 General, in her official capacity as

16 Attorney General of California

17
18 Defendant.
19
20

Case No.: CV-11-9916 SJO (SS)

**PLAINTIFF NICHOLS'
OBJECTION TO EVIDENCE**

Date: Vacated

Time: Vacated

Ctrm: 23 - 3rd Floor

Magistrate Judge: Suzanne H. Segal

District Judge: S. James Otero

Trial Date: None

Action Filed: November 30, 2011

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22
23 The facts of "Exhibit A" and exhibits attached to "Exhibit A" of Defendant Harris'
24 REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION FOR
25 JUDGMENT ON THE PLEADINGS Dkt # 129-2 were and are very much in
26 dispute and the Redondo Beach and Doe Defendants were voluntarily dismissed,
27 without prejudice, by Plaintiff Nichols.
28

Judicial notice is taken of the existence and authenticity of the public and quasi public documents listed. To the extent their contents are in dispute, such matters of controversy are not appropriate subjects for judicial notice." *Del Puerto Water Dist. v. U.S. Bureau of Reclamation*, 271 F.Supp.2d 1224, 1234 (E.D.Cal.2003). See also, *California ex rel. RoNo, LLC v. Altus Finance S.A.*, 344 F.3d 920, 931 (9th Cir.2003) ("requests for judicial notice are GRANTED to the extent that they are compatible with Fed. Rule Evid. 201 and do not require the acceptance of facts `subject to reasonable dispute.'" quoting *Lee*, 250 F.3d at 690); *Kent v. Daimlerchrysler Corp.*, 200 F.Supp.2d 1208, 1219 (N.D.Cal.2002); *Weizmann Institute of Science v. Neschis*, 229 F.Supp.2d 234, 246-47 (S.D.N.Y.2002); *Happy Inv. Group v. Lakeworld Properties, Inc.*, 396 F.Supp. 175, 183 (N.D.Cal.1975); and *Chloe Z Fishing Co. v. Odyssey Re (London) Ltd.*, 109 F.Supp.2d 1236, 1242-43 (S.D.Cal.2000).

Dated: November 26, 2013

Respectfully submitted,



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///

Objection to Evidence

- 2 - Charles Nichols v. Edmund G Brown Jr et al

CERTIFICATE OF SERVICE

On this, the 26th day of November, 2013, I caused to be served a copy of the foregoing **PLAINTIFF NICHOLS' OBJECTION TO EVIDENCE** by US Mail on:

Jonathan Michael Eisenberg
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LEAD ATTORNEY / ATTORNEY TO BE NOTICED representing Kamala D Harris
(Defendant).

Executed this the 26th day of November, 2013 by:



Charles Nichols