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Electronically FILED by
Superior Court of California,
County of Los Angeles
9/26/2023 5:12 PM
David W. Slayton,
Executive Officer/Clerk of Court,
By A. Lopez, Deputy Clerk

11 Attorneys for Plaintiff
12 Deputy District Attorney Michele Hanisee

13 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 FOR THE COUNTY OF LOS ANGELES

15 STANLEY MOSK COURTHOUSE

16 Deputy District Attorney MICHELE
17 HANISEE, an individual,

18 Plaintiff,

19 v.

20 STATE OF CALIFORNIA; and DOES 1
21 through 25, inclusive,

22 Defendants.

CASE NO: 23STCV07718

PLAINTIFF’S REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF OPPOSITION TO
DEFENDANT’S MOTION TO STRIKE
ALLEGATIONS FROM FIRST AMENDED
COMPLAINT

Date: October 11, 2023

Time: 9:00 a.m.

Dept: 51

23 Plaintiff Michele Hanisee respectfully requests that this Court take judicial notice of the
24 following publicly available, government-published, documents under Evidence Code Rule 452
25 and 453, California Rules of Court, rules 3.1113(1) and 3.1306(c):

- 26 1. California Department of Fish and Wildlife “informational notice” email from July 7,
27 2023, informing of a data breach affecting the personal identifying information of fishing
28 license holders in California. (A true and correct copy is attached hereto as **Exhibit “A.”**)

1 Dated: September 26, 2023

MICHEL & ASSOCIATES, P.C.



C. D. Michel
Joshua Robert Dale
Konstadinos T. Moros
Alexander A. Frank
Attorneys for Plaintiff
Deputy District Attorney Michele Hanisee

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EXHIBIT A

INFORMATIONAL NOTICE • July 7, 2023

NOTICE: Recent CDFW System Security Breach

I am writing to inform you of a recent cybersecurity incident that involved recreational fishing license data. This notice provides information about the incident, what information may have been exposed, and what you can do to protect yourself.

WHAT HAPPENED

On March 30, 2023, the California Department of Fish and Wildlife (CDFW) was made aware of a cybersecurity breach within the network of a third-party vendor who uses fishing license information to conduct the Automated License Directory Online Survey (ALDOS) necessary to produce recreational ocean fishing catch and effort estimates.

WHAT INFORMATION WAS INVOLVED

The following fishing license information may have been included within the documents saved on the compromised network:

- Last Name
- First Name
- Middle Name
- Suffix

- Age In Years
- Gender
- Email Address
- Primary Phone Number
- Secondary (Evening) Phone Number
- Mobile Phone Number
- GO ID (Fishing/Angler License #)
- Information about the license, such as license type and sales date.

WHAT WE ARE DOING

Upon notification of the incident, CDFW ceased sharing any additional license data with the vendor. CDFW is considering a suite of options to better protect the license data from future incidents. We are also taking the additional step, out of an abundance of caution, to alert you to the fact that your personal information may have been viewed by an unauthorized person so that you can determine what further actions you would like to take to prevent any potential personal harm.

WHAT YOU CAN DO

If you have concerns about any potential harm, please consult the resources below; these websites have helpful information to protect you from potential identify theft, including how to receive a free copy of your credit report either through the Fair Credit Reporting Act or as a result of placing a fraud alert on your credit files:

- [California Office of Attorney General](#)
- [Social Security Office](#)
- [Free Credit Report](#)

If you suspect you may be a victim of identity theft, you should place a fraud alert on your credit file. You can also place a security freeze on your account to help prevent unauthorized access to your credit reports. Fraud alerts and security freezes must be initiated at each of the three credit bureaus:

- Equifax (800) 525-6285 www.equifax.com
- Experian (888) 397-3742 www.experian.com
- TransUnion (800) 680-7289 www.transunion.com

When you receive your credit reports, carefully look them over for the following:

- Accounts you did not open;
- Inquiries from creditors that you did not initiate;

- Personal information, such as your home address and Social Security number, that is not accurate.

If you see anything you do not understand, call the credit reporting agency at the telephone number on the report. If you do find suspicious activity on your credit reports, call your local police or sheriff's office and file a report of identity theft. Get a copy of the police report as you may need to give copies to creditors to clear up any issues.

We offer our sincerest apology that this unfortunate incident occurred. Please be assured that protecting and safeguarding your personal information is one of our highest priorities. Please send any questions or concerns regarding this matter to ALDOS.Help@wildlife.ca.gov.

Sincerely,

Craig Shuman

Marine Regional Manager
California Department of Fish and Wildlife

CDFW Marine Region News Service
Ocean-related news and information

Learn more about CDFW's Marine Region online at
wildlife.ca.gov/regions/marine
Read the CDFW Marine Management News blog at
cdfwmarine.wordpress.com

Do not reply to this message. CDFW@public.govdelivery.com is for outgoing messages only.

California Department of Fish and Wildlife
[Marine Region](#)
20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940



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▪

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA
3 COUNTY OF LOS ANGELES

4 I, Christina Castron, am employed in the City of Long Beach, Los Angeles County,
5 California. I am over the age eighteen (18) years and am not a party to the within action. My
6 business address is 180 East Ocean Boulevard, Suite 200, Long Beach, California 90802.

7 On September 26, 2023, I served the foregoing document(s) described as:

8 **PLAINTIFF'S REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF OPPOSITION TO**
9 **DEFENDANT'S MOTION TO STRIKE ALLEGATIONS FROM FIRST AMENDED**
10 **COMPLAINT**

11 on the interested parties in this action by placing
12 the original
13 a true and correct copy
14 thereof by the following means, addressed as follows:

15 Laura Lively, Esq.
16 MORRISON FOERSTER
17 707 Wilshire Boulevard, Suite 6000
18 Los Angeles, CA 90017-3543
19 LLively@mofo.com
20 *Attorneys for Defendant*

21 (BY MAIL) As follows: I am "readily familiar" with the firm's practice of collection and
22 processing correspondence for mailing. Under the practice it would be deposited with the
23 U.S. Postal Service on that same day with postage thereon fully prepaid at Long Beach,
24 California, in the ordinary course of business. I am aware that on motion of the party
25 served, service is presumed invalid if postal cancellation date is more than one day after
26 date of deposit for mailing an affidavit.

27 (VIA ELECTRONIC SERVICE) Based on a court order or an agreement of the parties to
28 accept service by electronic transmission, I caused the documents to be sent to the persons
at the electronic notification addresses listed above.

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

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

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

31 
32 CHRISTINA CASTRON