

Superior Court of California, County of San Francisco

Case Information

FDV-18-813693

LAURA OWENS VS. MICHAEL MARRACCINI (Unlimited)

Register of Actions

Date	Proceedings	Fee
Sep-11-2020	ORDER TO RENEW DOMESTIC VIOLENCE RESTRAINING ORDER, EXPIRES JUL-10-2025, FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Sep-11-2020	PROOF OF PERSONAL SERVICE FILED BY PETITIONER OWENS, LAURA	d
Sep-11-2020	DOMESTIC VIOLENCE Z ON SEP-11-2020 GRANTED PER WRITTEN ORDER - 5 YEAR RENEWAL -CLETS RESTRAINING ORDER	
Sep-11-2020	MINI MINUTES FOR SEP-11-2020 09:00 AM FOR DEPT 403	
Aug-12-2020	PROOF OF PERSONAL SERVICE FILED BY PETITIONER OWENS, LAURA	d
Jul-31-2020	DOMESTIC VIOLENCE Z ON JUL-31-2020 CONTINUED TO DOMESTIC VIOLENCE Z CALENDAR ON SEP-11-2020 AT 9:00 AM IN DEPT. 403 FOR SERVICE	
Jul-31-2020	ORDER ON REQUEST TO CONTINUE HEARING FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Jul-31-2020	MINI MINUTES FOR JUL-31-2020 09:00 AM FOR DEPT 403	
Jul-10-2020	NOTICE OF HEARING TO RENEW RESTRAINING ORDER (DOMESTIC VIOLENCE) FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Jul-10-2020	HEARING SET FOR JUL-31-2020 AT 09:00 AM IN DEPT 403	
Jul-10-2020	REQUEST TO RENEW RESTRAINING ORDER (DOMESTIC VIOLENCE) FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Aug-03-2018	PROOF OF FIREARMS TURNED IN OR SOLD FILED BY RESPONDENT MARRACCINI, MICHAEL	d
Jul-16-2018	DV HEARING ON JUL-17-2018 OFF CALENDAR	
Jul-10-2018	NOTICE OF HEARING (DOMESTIC VIOLENCE) ON JUL-10-2018 2 YEAR GRANTED PER WRITTEN ORDER - CLETS RESTRAINING ORDER, PER STIP	
Jul-10-2018	MINI MINUTES FOR JUL-10-2018 01:45 PM FOR DEPT 403	
Jul-09-2018	RESTRAINING ORDER AFTER HEARING (CLETS), EXPIRES JUL-10-2020, FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Jun-13-2018	NOTICE OF LIMITED SCOPE REPRESENTATION OF COURSON, AUDREY TEARNAN: 7/10 AND 7/17 HRG AND ANY CONTINUANCE; ESTABLISH REST. ORD FOR PETITIONER OWENS, LAURA	d
Jun-13-2018	ASSOCIATION OF ATTORNEYS: COURSON, AUDREY TEARNAN ADDED AS ATTORNEY FOR OWENS, LAURA	d
May-29-2018	STIPULATION AND ORDER TO EXTEND DISCOVERY CUT-OFF AND HEARING DATES	NO FEE d

Superior Court of California, County of San Francisco

Case Information

FDV-18-813693

LAURA OWENS VS. MICHAEL MARRACCINI (Unlimited)

Register of Actions

Date	Proceedings	Fee
	FILED BY PETITIONER OWENS, LAURA	
May-09-2018	NOTICE OF UNAVAILABILITY OF JUSSEN-COOKE, ELISHA ON MAY-25-2018 THROUGH JUN-10-2018 FILED BY PETITIONER OWENS, LAURA	d
Apr-25-2018	ORDER ON REQUEST TO CONTINUE HEARING FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Apr-25-2018	REQUEST FOR ORDER [X] CHANGE [X] OTHER - AMENDED COURT ORDER FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Apr-09-2018	DECLARATION REGARDING NOTICE AND SERVICE OF REQUEST FOR TEMPORARY EMERGENCY (EX PARTE) ORDERS ON APR-09-2018 GRANTED PER WRITTEN ORDER	
Apr-09-2018	MINI MINUTES FOR APR-09-2018 01:30 PM FOR DEPT 403	
Apr-09-2018	ADDED TO CALENDAR FOR DV HEARING HEARING SET FOR JUL-17-2018 AT 01:45 PM IN DEPT 403	
Apr-09-2018	NOTICE OF HEARING (DOMESTIC VIOLENCE) ON APR-13-2018 CONTINUED TO FAMILY LAW TRIAL/ SPECIAL SETTING CALENDAR ON JUL-10-2018 AT 1:45 PM IN DEPT. 403 - EX-PARTE GRANTED	
Apr-09-2018	TEMPORARY EMERGENCY (EX PARTE) ORDER CHANGE TRIAL DATE	d
Apr-09-2018	REQUEST FOR ORDER (EX PARTE) CHANGE GRANTED THE COURT FINDS GOOD CAUSE TO GRANT RESPONDENT'S REQUEST FOR A CONTINUANCE. WITNESSES MAY NOT APPEAR BY PHONE UNLESS THERE IS A STIPULATION OF THE PARTIES. TRO REISSUED FILED BY RESPONDENT MARRACCINI, MICHAEL	d
Apr-09-2018	PROOF OF SERVICE BY ELECTRONIC MAIL FILED BY PETITIONER OWENS, LAURA	d
Apr-09-2018	RESPONSIVE DECLARATION TO REQUEST FOR ORDER ON CALENDAR ON APR-09-2018 AT 01:30 PM IN DEPARTMENT 403 FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Apr-06-2018	DECLARATION OF COUNSEL IN OPPOSITION TO TELEPHONIC APPEARANCE OF WITNESS JOAN O'NEILL FILED BY RESPONDENT MARRACCINI, MICHAEL	d
Apr-06-2018	DECLARATION REGARDING NOTICE AND SERVICE OF REQUEST FOR TEMPORARY EMERGENCY (EX PARTE) ORDERS FILED BY RESPONDENT MARRACCINI, MICHAEL HEARING SET FOR APR-09-2018 AT 01:30 PM IN DEPT 403	NO FEE
Apr-06-2018	PETITIONER'S MOTION IN LIMINE AND REQUEST TO STRIKE FILED BY PETITIONER OWENS, LAURA	d
Apr-04-2018	ORDER FOR TELEPHONIC APPEARANCE *DENIED BY JUDGE CHAN*	d
Apr-03-2018	APPLICATION AND DECLARATION FOR TELEPHONIC APPEARANCE FILED BY PETITIONER OWENS, LAURA	NO FEE

Superior Court of California, County of San Francisco

Case Information

FDV-18-813693

LAURA OWENS VS. MICHAEL MARRACCINI (Unlimited)

Register of Actions

Date	Proceedings	Fee
Apr-03-2018	DECLARATION RE: NOTICE OF APPLICATION FOR TELEPHONIC APPEARANCE FILED BY PETITIONER OWENS, LAURA	d
Mar-29-2018	PROOF OF SERVICE BY ELECTRONIC MAIL FILED BY PETITIONER OWENS, LAURA	d
Mar-29-2018	NOTICE OF LIMITED SCOPE REPRESENTATION OF JUSSEN-COOKE, ELISHA: HEARING ON 4/13/18 AND FOR ANY CONTINUANCE FOR PETITIONER OWENS, LAURA	d
Mar-29-2018	DECLARATION OF LAURA OWENS FILED BY PETITIONER OWENS, LAURA	d
Mar-29-2018	DECLARATION OF JOAN O'NEILL IN SUPPORT OF R/O FILED BY PETITIONER OWENS, LAURA	d
Mar-29-2018	DECLARATION OF KAREN ILMBERGER IN SUPPORT OF R/O FILED BY PETITIONER OWENS, LAURA	d
Mar-29-2018	DECLARATION OF ELIZABETH "JAN" OWENS IN SUPPORT OF R/O FILED BY PETITIONER OWENS, LAURA	d
Mar-28-2018	PROOF OF SERVICE BY ELECTRONIC MAIL FILED BY RESPONDENT MARRACCINI, MICHAEL	d
Mar-28-2018	DECLARATION OF WITNESS STEPHANIE MARRACCINI IN SUPPORT OF RESPONDENT FILED BY RESPONDENT MARRACCINI, MICHAEL	d
Mar-28-2018	PROOF OF SERVICE BY ELECTRONIC MAIL FILED BY RESPONDENT MARRACCINI, MICHAEL	d
Mar-28-2018	DECLARATION OF WITNESS COLIN SCANLON IN SUPPORT OF RESPONDENT FILED BY RESPONDENT MARRACCINI, MICHAEL	d
Jan-26-2018	ORDER ON REQUEST TO CONTINUE HEARING (APRIL 13, 2018 AT 1:30PM IN DEPT. 403) FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Jan-26-2018	DOMESTIC VIOLENCE Z HEARD ON JAN-26-2018. CASE SPECIALLY SET ON APR-13-2018 AT 1:30 PM IN DEPT. 403.	
Jan-26-2018	MINI MINUTES FOR JAN-26-2018 09:00 AM FOR DEPT 403	
Jan-22-2018	RESPONSE TO REQUEST FOR DOMESTIC VIOLENCE RESTRAINING ORDER ON CALENDAR ON JAN-26-2018 AT 09:00 AM IN DEPARTMENT 403 FILED BY RESPONDENT MARRACCINI, MICHAEL AS TO PETITIONER OWENS, LAURA	d
Jan-19-2018	PROOF OF PERSONAL SERVICE *SHERIFF'S DEPARTMENT* FILED BY PETITIONER OWENS, LAURA	d
Jan-10-2018	NOTICE OF HEARING (DOMESTIC VIOLENCE) FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d

Case Information

FDV-18-813693

LAURA OWENS VS. MICHAEL MARRACCINI (Unlimited)

Register of Actions

Date	Proceedings	Fee
Jan-10-2018	HEARING SET FOR JAN-26-2018 AT 09:00 AM IN DEPT 403 TEMPORARY RESTRAINING ORDER (DOMESTIC VIOLENCE) FILED BY PETITIONER OWENS, LAURA AS TO RESPONDENT MARRACCINI, MICHAEL	d
Jan-09-2018	***AMENDED REQUEST FOR ORDER*** FILED BY PETITIONER OWENS, LAURA	d
Jan-09-2018	REQUEST FOR ORDER (DOMESTIC VIOLENCE) AS TO RESPONDENT MARRACCINI, MICHAEL	NO FEE d

DV-730

Order to Renew Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

FILED
San Francisco County Superior Court

SEP 11 2020

CLERK OF THE COURT
BY: [Signature]
Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO
SAN FRANCISCO SUPERIOR COURT
400 McAllister Street
San Francisco CA 94102

Fill in case number:

Case Number:
FDV-18-813693

1 Name of Protected Person:

Laura Owens

Your lawyer in this case (if you have one):

Name: In Pro Per State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 3330 Pierce Street, #305

City: San Francisco State: CA Zip: 94123

Telephone: _____ Fax: _____

E-Mail Address: _____

2 Name of Restrained Person:

Michael Marraccini

Description of restrained person:

Sex: M F Height: 6'4 Weight: 220 Hair Color: brown Eye Color: green

Race: White Age: 33 Date of Birth: 6/2/87

Mailing Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

3 Hearing

There was a hearing on (date): 9/11/2020 at (time): 9:00 a.m. p.m. Dept. 403 Room: 403

These people were at the hearing:

a. The person in ① c. The lawyer for the person in ① (name): _____

b. The person in ② d. The lawyer for the person in ② (name): _____

4 Renewal and Expiration

The request to renew the attached restraining order, issued on (date): July 9, 2018 is:

a. GRANTED. The attached restraining order is renewed and will now be in effect for:
 5 years permanently (the renewed restraining order must be attached to this form.)

The attached order will expire on:

(date): July 10, 2025 (time): 12:00 noon a.m. p.m. or midnight

(Child custody, visitation, and support orders may have been modified and may be different from those issued on the attached restraining order).

b. DENIED. The attached restraining order expires as stated in that order.

Number of pages attached: 9

Date: September 11, 2020

[Signature]
Judicial Officer
Hon. Sharon Reardon

This is a Court Order.

DV-130

**Restraining Order After Hearing
(Order of Protection)**

Original Order Amended Order

1 Name of Protected Person:

Laura Owens

Your lawyer in this case (if you have one):

Name: Elisha Jussen-Cooke State Bar No.: 283446

Firm Name: Cooperative Restraining Order Clinic

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 3543 18th Street, #5

City: San Francisco State: CA Zip: 94110

Telephone: 415-864-1790 Fax: 415-241-9491

E-Mail Address: elisha@roclinic.org

2 Name of Restrained Person:

Michael Marraccini

Description of restrained person:

Sex: <input checked="" type="checkbox"/> M <input type="checkbox"/> F	Height: <u>6'4</u>	Weight: <u>220</u>	Hair Color: <u>brown</u>	Eye Color: <u>green</u>
Race: <u>White</u>	Age: <u>31</u>	Date of Birth: <u>6/2/87</u>		
Mailing Address (if known): _____				
City: _____	State: _____	Zip: _____		
Relationship to protected person: _____				

3 Additional Protected Persons

In addition to the person named in (1), the following persons are protected by orders as indicated in items (6) and (7) (family or household members):

Full name	Relationship to person in (1)	Sex	Age
_____	_____	_____	_____
_____	_____	_____	_____

Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-130, Additional Protected Persons," as a title.

4 Expiration Date

The orders, except as noted below, end on

(date): July 10, 2020 at (time): 12:00 noon a.m. p.m. or midnight

- If no date is written, the restraining order ends three years after the date of the hearing in item (5)(a).
- If no time is written, the restraining order ends at midnight on the expiration date.
- Note: Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18.
- The court orders are on pages 2, 3, 4, and 5 and attachment pages (if any).

This order complies with VAWA and shall be enforced throughout the United States. See page 5.

This is a Court Order.

**Restraining Order After Hearing (CLETS—OAH)
(Order of Protection)
(Domestic Violence Prevention)**

Clerk stamps date here when form is filed.

FILED
San Francisco County Superior Court

JUL - 9 2018

CLERK OF THE COURT

BY: Jade A.
Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO
SAN FRANCISCO SUPERIOR COURT
400 McAllister Street
San Francisco CA 94102

Clerk fills in case number when form is filed.

Case Number:
FDV-18-813693

5 Hearings The hearing schedule for July 10, 2018 is taken off calendar by agreement of the parties.

- a. The hearing was on (date): 7/10/18 with (name of judicial officer): Hon. Roger Chan
- b. These people were at the hearing (check all that apply):
- The person in (1) The lawyer for the person in (1) (name): _____
- The person in (2) The lawyer for the person in (2) (name): _____
- c. The people in (1) and (2) must return to Dept. _____ of the court on (date): _____ at (time): _____ a.m. p.m. to review (specify issues): _____

To the person in (2):

The court has granted the orders checked below. Item (9) is also an order. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

6 **Personal Conduct Orders**

- a. The person in (2) must not do the following things to the protected people in (1) and (3):
- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements.
- Contact, either directly or indirectly, by any means, including, but not limited to, by telephone, mail, e-mail, or other electronic means.
- Take any action, directly or through others, to obtain the addresses or locations of any protected persons. (If this item is not checked, the court has found good cause not to make this order.)
- b. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.
- c. Exceptions: Brief and peaceful contact with the person in (1), and peaceful contact with children in (3), as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

7 **Stay-Away Order**

- a. The person in (2) must stay at least (specify): 100 yards away from (check all that apply):
- The person in (1) School of person in (1)
- Home of person in (1) The persons in (3)
- The job or workplace of person in (1) The child(ren)'s school or child care
- Vehicle of person in (1) Other (specify): _____
- b. Exceptions: Brief and peaceful contact with the person in (1), and peaceful contact with children in (3), as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

8 **Move-Out Order**

The person in (2) must move out immediately from (address): _____

9 **No Guns or Other Firearms or Ammunition**

- a. The person in (2) cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

This is a Court Order



- 9 b. The person in (2) must:
 - o Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within his or her immediate possession or control. Do so within 24 hours of being served with this order.
 - o Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, sold, or stored. (Form DV-800, Proof of Firearms Turned In, Sold, or Stored, may be used for the receipt.) Bring a court filed copy to the hearing.
- c. The court has received information that the person in (2) owns or possesses a firearm.
- d. The court has made the necessary findings and applies the firearm relinquishment exemption under Family Code section 6389(h). Under California law, the person in (2) is not required to relinquish this firearm (specify make, model, and serial number of firearm): _____
The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the person in (2) may be subject to federal prosecution for possessing or controlling a firearm.

10 Record Unlawful Communications

The person in (1) has the right to record communications made by the person in (2) that violate the judge's orders.

11 Care of Animals

The person in (1) is given the sole possession, care, and control of the animals listed below. The person in (2) must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____

12 Child Custody and Visitation

Child custody and visitation are ordered on the attached Form DV-140, Child Custody and Visitation Order or (specify other form): _____

13 Child Support

Child support is ordered on the attached Form FL-342, Child Support Information and Order Attachment or (specify other form): _____

14 Property Control

Only the person in (1) can use, control, and possess the following property: _____

15 Debt Payment

The person in (2) must make these payments until this order ends:

Pay to: _____	For: _____	Amount: \$ _____	Due date: _____
Pay to: _____	For: _____	Amount: \$ _____	Due date: _____
Pay to: _____	For: _____	Amount: \$ _____	Due date: _____

Check here if more payments are ordered. List them on an attached sheet of paper and write "DV-130, Debt Payments" as a title.

16 Property Restraint

The person in (1) person in (2) must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, the person must notify the other of any new or big expenses and explain them to the court. (The person in (2) cannot contact the person in (1) if the court has made a "No-Contact" order.)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.



17 **Spousal Support**

Spousal support is ordered on the attached Form FL-343, *Spousal, Partner, or Family Support Order Attachment* or (specify other form): _____

18 **Rights to Mobile Device and Wireless Phone Account**

a. **Property Control of Mobile Device and Wireless Phone Account**

Only the person in (1) can use, control, and possess the following property:

Mobile device (describe) _____ and account (phone number): _____

Mobile device (describe) _____ and account (phone number): _____

Check here if you need more space. Attach a sheet of paper and write "DV-130 Rights to Mobile Device and Wireless Phone Account" as a title.

b. **Debt Payment**

The person in (2) must make these payments until this order ends:

Pay to (wireless service provider): _____ Amount: \$ _____ Due date: _____

c. **Transfer of Wireless Phone Account**

The court has made an order transferring one or more wireless service accounts from the person in (2) to the person in (1). These orders are contained in a separate order (Form DV-900).

19 **Insurance**

The person in (1) the person in (2) is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their child(ren), if any, for whom support may be ordered, or both.

20 **Lawyer's Fees and Costs**

The person in (2) must pay the following lawyer's fees and costs:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

21 **Payments for Costs and Services**

The person in (2) must pay the following:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Check here if more payments are ordered. List them on an attached sheet of paper and write "DV-130, Payments for Costs and Services" as a title.

22 **Batterer Intervention Program**

The person in (2) must go to and pay for a 52-week batterer intervention program and show written proof of completion to the court. This program must be approved by the probation department under Penal Code § 1203.097. The person in (2) must enroll by (date): _____ or if no date is listed, must enroll within 30 days after the order is made. The person in (2) must complete, file and serve Form 805, Proof of Enrollment for Batterer Intervention Program.

23 **Other Orders**

Other orders (specify): _____

24 **No Fee to Serve (Notify) Restrained Person**

If the sheriff or marshal serves this order, he or she will do it for free.

This is a Court Order.

Case Number:

FDV-18-813693

25 Service

- a. The people in 1 and 2 were at the hearing or agreed in writing to this order. No other proof of service is needed.
- b. The person in 1 was at the hearing on the request for original orders. The person in 2 was not present.
 - (1) Proof of service of Form DV-109 and Form DV-110 (if issued) was presented to the court. The judge's orders in this form are the same as in Form DV-110 except for the end date. The person in 2 must be served. This order can be served by mail.
 - (2) Proof of service of Form DV-109 and Form DV-110 (if issued) was presented to the court. The judge's orders in this form are different from the orders in Form DV-110, or Form DV-110 was not issued. The person in 2 must be personally "served" (given) a copy of this order.
- c. Proof of service of Form FL-300 to modify the orders in Form DV-130 was presented to the court.
 - (1) The people in 1 and 2 were at the hearing or agreed in writing to this order. No other proof of service is needed.
 - (2) The people in 1 2 was not at the hearing and must be personally "served" (given) a copy of this amended order.

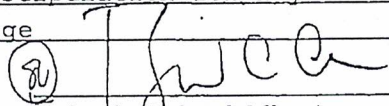
26 Criminal Protective Order

- a. Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____
- b. Other Criminal Protective Order in effect (specify): _____
Case Number: _____ County: _____ Expiration Date: _____
(List other orders on an attached sheet of paper. Write "DV-130, Other Criminal Protective Orders" as a title.)
- c. No information has been provided to the judge about a criminal protective order.

27 Attached pages are orders.

- Number of pages attached to this seven-page form: -1-
- All of the attached pages are part of this order.
- Attachments include (check all that apply):
 DV-140 DV-145 DV-150 FL-342 FL-343 DV-900
 Other (specify): Attachment One (1) - stipulation for 2-year Restraining Order After Hearing signature page

Date: _____


 Judge (or Judicial Officer)
 Hon. Roger Chan

Certificate of Compliance With VAWA

This restraining (protective) order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.

This is a Court Order.



Warnings and Notices to the Restrained Person in 2**If you do not obey this order, you can be arrested and charged with a crime.**

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

You cannot have guns, firearms, and/or ammunition.

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. Unless the court grants an exemption, you must sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect. Even if exempt under California law, you may be subject to federal prosecution for possessing or controlling a firearm.

Instructions for Law Enforcement**Start Date and End Date of Orders**

The orders *start* on the earlier of the following dates:

- The hearing date in item ⑤ (a) on page 2, or
- The date next to the judge's signature on this page.

The orders *end* on the expiration date in item ④ on page 1. If no date is listed, they end three years from the hearing date.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

Notice/Proof of Service

Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Fam. Code, § 6383.)

Consider the restrained person "served" (notified) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer. (Fam. Code, § 6383; Pen. Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the Domestic Violence Restraining Order System (DVROS). (Fam. Code, § 6381(b)-(c).)

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

This is a Court Order.

Case Number:

FDV-18-813693

Child Custody and Visitation

The custody and visitation orders are on Form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.

Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, in the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Restraining Order After Hearing (Order of Protection)* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order

SHORT TITLE: Owens v. Marraccini	CASE NUMBER: FDV-18-813693
-------------------------------------	-------------------------------

ATTACHMENT (Number): One (1)

(This Attachment may be used with any Judicial Council form.)

The parties agree that a Two (2) year Restraining Order After Hearing shall be granted protecting Ms. Laura Owens and restraining Mr. Michael Marraccini.

By signing below, the parties acknowledge that each has read and discussed the terms of this restraining order with his or her respective counsel. Each party understands and accepts the terms of this agreement. Each party warrants that each freely and voluntarily executed this agreement. This agreement may be signed in counterparts. Each counterpart shall be deemed part of the original document. This agreement may also be signed by email and such email signatures shall be valid as originals.

So Agreed.

Dated: 7/6/18

Laura Owens
Laura Owens, Protected Party

Dated: 7/6/2018

Elisha Jussen-Cooke
Elisha Jussen-Cooke, Attorney for
Laura Owens

Dated: _____

Michael Marraccini, Restrained Party

Dated: _____

Randy Sue Pollock, Attorney for
Michael Marraccini

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page _____ of _____
(Add pages as required)

SHORT TITLE: Owens v. Marraccini	CASE NUMBER: FDV-18-813693
-------------------------------------	-------------------------------

ATTACHMENT (Number): One (1)

(This Attachment may be used with any Judicial Council form.)

The parties agree that a Two (2) year Restraining Order After Hearing shall be granted protecting Ms. Laura Owens and restraining Mr. Michael Marraccini.

By signing below, the parties acknowledge that each has read and discussed the terms of this restraining order with his or her respective counsel. Each party understands and accepts the terms of this agreement. Each party warrants that each freely and voluntarily executed this agreement. This agreement may be signed in counterparts. Each counterpart shall be deemed part of the original document. This agreement may also be signed by email and such email signatures shall be valid as originals.

So Agreed.

Dated: _____

Laura Owens, Protected Party

Dated: _____

Elisha Jussen-Cooke, Attorney for
Laura Owens

7/8/2018

Dated: _____

Michael Marraccini

Michael Marraccini, Restrained Party

Dated: 7/11/2018

Randy Sue Pollock

Randy Sue Pollock, Attorney for
Michael Marraccini

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page _____ of _____
(Add pages as required)

DV-200**Proof of Personal Service**

Clerk stamps date here when form is filed.

FILEDSuperior Court of California
County of San Francisco

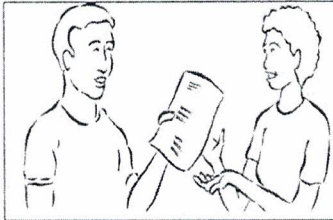
SEP 11 2020

CLERK OF THE COURT

BY: Tommy Lynn
Deputy Clerk**1 Name of Party Asking for Protection:**Laura Owens**2 Name of Party to Be Restrained:**Michael Marraccini**3 Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items ① or ③ of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in ④ to the restrained party in ② (You cannot send them by mail.) Then complete and sign this form, and give or mail it to the person in ①.



Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO400 McAllister Street
San Francisco, CA 94102

Court clerk fill in case number when form is filed.

Case Number:
FDV-18-813693**4 I gave the person in ② a copy of all the documents checked:**

- a. DV-109 with DV-100 and a blank DV-120 (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
- b. DV-110 (*Temporary Restraining Order*)
- c. DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
- d. FL-150 with a blank FL-150 (*Income and Expense Declaration*)
- e. FL-155 with a blank FL-155 (*Financial Statement (Simplified)*)
- f. DV-115 (*Request to Continue Hearing*)
- g. DV-116 (*Order on Request to Continue Hearing*)
- h. DV-130 (*Restraining Order After Hearing*)
- i. Other (*specify*): Order to Renew Domestic Violence Restraining Order

5 I personally gave copies of the documents checked above to the party in ② on:

- a. Date: 9/11/2020 b. Time: 11:05 a.m. p.m.
- c. At this address: 400 McAllister Street, 4th Floor
City: San Francisco State: CA Zip: _____

6 Server's InformationName: T. BertaAddress: 3543 18th Street, #5City: San Francisco State: CA Zip: 94110Telephone: 415-864-1790*(If you are a registered process server):*

County of registration: _____ Registration number: _____

7 I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.Date: 9/11/2020T. Berta

Type or print server's name

Server to sign here

MINI MINUTES FOR SEP-11-2020 09:00 AM FO

September 11, 2020
Dept 403/ Hon. Sharon Reardon
Clerk: Theresa Santos
Court Reporter: Rocio Lopez CSR#11194
Bailiff: Deputy Loo

In accordance with the emergency order issued by the Chief Justice of the California Supreme Court on March 16, 2020, and under the provisions of Gov. Code 68115 and in response to the public health orders issued regarding the coronavirus (COVID-19) outbreak, Court allowed telephonic appearance/s.

Petitioner present via telephone and in pro per. Respondent present in Court and in pro. Tara Berta of CROC present as support person for Petitioner.

Matter is on calendar for Petitioner's request to renew restraining order issued on 7/9/2018. Parties were sworn and testified. After hearing testimonies, review of file, pleadings, argument and submission, Court finds that there is reasonable apprehension of future abuse and therefore grants Petitioner's request for to renew restraining order against Respondent for period of 5 years with all the same terms as the ROAH issued on 7/9/2018. Tara Berta of CROC assisted in preparing the Order to Renew Domestic Violence Restraining Order that Court accepted and signed as Order of the Court. Certified filed endorsed copy was provided to Respondent in Court and Ms. Berta of CROC.

DV-200**Proof of Personal Service****1 Name of Party Asking for Protection:**Laura Owens**2 Name of Party to Be Restrained:**Michael Marraccini**3 Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items **1** or **3** of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in **4** to the restrained party in **2** (you cannot send them by mail). Then complete and sign this form, and give or mail it to the party in **1**.

**4 I gave the party in 2 a copy of all the documents checked:**

- a. DV-109 with DV-100 and a blank DV-120 (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
- b. DV-110 (*Temporary Restraining Order*)
- c. DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
- d. FL-150 with a blank FL-150 (*Income and Expense Declaration*)
- e. FL-155 with a blank FL-155 (*Financial Statement (Simplified)*)
- f. DV-115 (*Request to Continue Hearing*)
- g. DV-116 (*Order on Request to Continue Hearing*)
- h. DV-130 (*Restraining Order After Hearing*)
- i. Other (*specify*): Request and Notice of Hearing to Renew Restraining Order and blank DV-720

5 I personally gave copies of the documents checked above to the party in 2 on:

- a. Date: 8/9/2020 b. Time: 11:45 a.m. p.m.
- c. At this address: 633 Elm Street, #202

City: San Carlos State: CA Zip: _____**6 Server's Information**Name: T. BertaAddress: 3543 18th Street, #5City: San Francisco State: CA Zip: 94110Telephone: 415-864-1790*(If you are a registered process server):*

County of registration: _____ Registration number: _____

7 I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.Date: 8/10/2020T. Berta

Type or print server's name

 Server to sign here

Clerk stamps date here when form is filed.

FILEDSuperior Court of California
County of San Francisco

AUG 12 2020

CLERK OF THE COURT

BY: [Signature]
Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
 SAN FRANCISCO
 SAN FRANCISCO SUPERIOR COURT
 400 McAllister Street
 San Francisco CA 94102

Court clerk fills in case number when form is filed.

Case Number:

FDV-18-813693

DV-116 Order on Request to Continue Hearing

Complete items ① and ② only.

① Protected Party: Laura Owens

② Restrained Party: Michael Marraccini

_____ The court will complete the rest of this form _____

③ Next Court Date

a. The request to reschedule the court date is **denied**.

Your court date is: _____

(1) Any *Temporary Restraining Order* (form DV-110) already granted stays in full force and effect until the next court date.

(2) Your court date is not rescheduled because: _____

b. The request to reschedule the court date is **granted**. Your court date is rescheduled for the day and time listed below. See ④ - ⑧ for more information.

Name and address of court, if different from above:

New Court Date

Date: 9/11/2020 Time: 9:00 a.m.
Dept.: 403 Room: 403

④ Temporary Restraining Order

a. There is no Temporary Restraining Order (TRO) in this case until the next court date because:

(1) A TRO was not previously granted by the court.

(2) The court terminates (cancels) the previously granted TRO because: _____

b. A ~~Temporary Restraining Order (TRO)~~ ^{Restraining Order After Hearing} is in full force and effect because:

(1) The court extends the ~~TRO~~ ^{TRO} previously granted on (date): 7/9/2018

It now expires on (date): 9/11/2020

(If no expiration date is listed, the TRO expires at the end of the court date listed in 3b).

(2) The court changes the TRO previously granted and signs a new TRO (form DV-110).

c. Other (specify): _____

Clerk stamps date here when form is filed.

FILED
San Francisco County Superior Court

JUL 31 2020

CLERK OF THE COURT

BY: [Signature]
Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO

400 McAllister Street
San Francisco, CA 94102

Fill in case number:

Case Number:
FDV-18-813693

Warning and Notice to the Restrained Party:
If ④ b is checked, a domestic violence restraining order has been issued against you. You must follow the orders until they expire.

This is a Court Order.

Order on Request to Continue Hearing
(Temporary Restraining Order) (CLETS-TRO)
(Domestic Violence Prevention)

5 Reason Court Date Is Rescheduled

- a. There is good cause to reschedule the court date (*check one*):
- (1) The protected party has not served the restrained party.
 - (2) Other: _____
- b. This is the first time that the restrained party has asked for more time to prepare.
- c. The court reschedules the court date on its own motion.

6 Serving (Giving) Order to Other Party

The request to reschedule was made by the:

- | | | |
|---|---|--|
| <p>a. <input checked="" type="checkbox"/> Protected party</p> <p>(1) <input type="checkbox"/> You do not have to serve the restrained party because they or their lawyer were at the court date or agreed to reschedule the court date.</p> <p>(2) <input checked="" type="checkbox"/> You must have the restrained party personally served with a copy of this order and a copy of all documents listed on form DV-109, item 6, by (date): <u>9/6/2020</u></p> <p>(3) <input type="checkbox"/> You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by (date): _____</p> <p>(4) <input type="checkbox"/> The court gives you permission to serve the restrained party as listed on the attached form DV-117.</p> <p>(5) <input type="checkbox"/> Other _____</p> | <p>b. <input type="checkbox"/> Restrained party</p> <p>(1) <input type="checkbox"/> You do not have to serve the restrained party because they or their lawyer were at the court date or agreed to reschedule the court date.</p> <p>(2) <input type="checkbox"/> You must have the protected party personally served with a copy of this order by (date): _____</p> <p>(3) <input type="checkbox"/> You must have the protected party served with a copy of this order. This can be done by mail. You must serve by (date): _____</p> <p>(4) <input type="checkbox"/> Other _____</p> | <p>c. <input type="checkbox"/> Court</p> <p>(1) <input type="checkbox"/> Further notice is not required.</p> <p>(2) <input type="checkbox"/> The court will mail a copy of this order to all parties by (date): _____</p> <p>(3) <input type="checkbox"/> Other _____</p> |
|---|---|--|

This is a Court Order.



7 **No Fee to Serve**

The sheriff or marshal will serve this order for **free**.
Bring a copy of all the papers that need to be served to the sheriff or marshal.

8 **Other Orders**

Date: July 31, 2020



Judicial Officer
Hon. Victor Hwang



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

Instructions to Clerk

If the hearing is rescheduled and the court extended, modified, or terminated a temporary restraining order, then the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made.

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Order on Request to Continue Hearing (Temporary Restraining Order)* (CLETS-TRO) (form DV-116) is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by: _____, Deputy

This is a Court Order.

MINI MINUTES FOR JUL-31-2020 09:00 AM FO

Department 403
Jul. 31 2020 | 9:00 AM
Bench Officer: Hon. Victor M. Hwang, Judge
Clerk: Nicholas Lewis
Reporter: Rocio Lopez (CSR #11194)
Bailiff: Deputy Loo

NATURE OF PROCEEDINGS:
DOMESTIC VIOLENCE Z - REQUEST TO RENEW
MOVING PARTY: PETITIONER LAURA OWENS

No appearance by either party.

The Court notes that a valid proof of service has not been filed.

Tara Berta of the Cooperative Restraining Order Clinic appears on behalf of the moving party and requests a continuance to effectuate service on the responding party.

The Court grants the request and finds good cause, in accordance with Cal. Rules of Court, Emergency rule 8(b)(2), to continue this matter to 9/11/2020 at 9:00 AM in Dept. 403 for further proceedings. The previously-issued Temporary Restraining Order remains in effect pending the next hearing.

The Court has reviewed, signed, and filed the Order on Request to Continue Hearing presented by Ms. Berta. Certified, endorsed-filed copies are presented to Ms. Berta in open court.

DV-710

Notice of Hearing to Renew Restraining Order

Clerk stamps date here when form is filed.

1 Name of Protected Person:

Laura Owens

Your lawyer in this case (if you have one):

Name: IN PRO PER State Bar No.:

Firm Name:

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 3330 Pierce Street, #305

City: San Francisco State: CA Zip: 94123

Telephone: Fax:

E-mail Address:

FILED

Superior Court of California
County of San Francisco

JUL 10 2020

CLERK OF THE COURT

BY: Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO
SAN FRANCISCO SUPERIOR
400 McAllister Street

San Francisco CA 94102

Clerk fills in case number when form is filed.

Case Number:

FDV-18-813693

2 Name of Restrained Person:

Michael Marraccini

Description of restrained person:

Sex: M F Height: 6'4 Weight: 220 Hair Color: brown Eye Color: green

Race: White Age: 33 Date of Birth: 6/2/87

Address (if known):

City: State: Zip:

Relationship to protected person:

The court will fill in the rest of this form.

3 Court Hearing

The judge has set a court hearing date.

The Restraining Order After Hearing (Order of Protection) stays in effect until the expiration date on that order or the end of the hearing below, whichever is later.

Hearing Date & Time

Date: 7/31/2020 Time: 9:00 a.m.

Dept.: 403 Room: 403

Name and address of court if different from above:

To the person in 2:

At the hearing, the judge can renew the current restraining order for another five years or permanently. Before the hearing, you can file a response on Form DV-720. You must continue to obey the current restraining orders until the expiration date on the current orders or the hearing date, whichever is later. At the hearing, you can tell the judge why you agree or disagree with the request to renew the orders. If the restraining orders are renewed, you must obey the orders even if you do not attend the hearing.

This is a Court Order.

4 Service and Response**To the Person in ①**

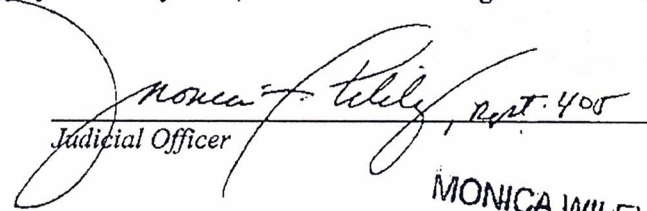
Someone 18 or over—not you or anyone else protected by the restraining order—must personally “serve” a copy of the following forms on the person in ② at least 5 _____ days before the hearing.

- DV-700, *Request to Renew Restraining Order* (file stamped);
- DV-710, *Notice of Hearing to Renew Restraining Order* (this form);
- DV-720, *Response to Request to Renew Restraining Order* (blank copy);
- DV-130, the current *Restraining Order After Hearing (Order of Protection)* that you want to renew.

After the person in ② has been served, file Form DV-200, *Proof of Personal Service*, with the court clerk. For help with service, read Form DV-200-INFO, *What Is “Proof of Personal Service”?* Bring a copy of Form DV-200, *Proof of Personal Service*, to the court hearing.

To the Person in ②

If you want to respond in writing to the request to renew the restraining order, fill out Form DV-720, *Response to Request to Renew Restraining Order*. File the original with the court, and have someone 18 or over—not you—mail a copy of it to the person in ① before the hearing. Also file Form DV-250, *Proof of Service by Mail*, with the court before the hearing. Bring a copy of Form DV-250, *Proof of Service by Mail*, to the court hearing.

Date: 7/10/2020


Judicial Officer

MONICA WILEY

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons with Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—Clerk's Certificate
[seal]I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

DV-700 Request to Renew Restraining Order

Clerk stamps below when form is filed.

FILED

Superior Court of California
County of San Francisco

JUL 10 2020

CLERK OF THE COURT

BY: Adrian Javal
Deputy Clerk

1 Name of Protected Person:

Laura Owens

Your lawyer in this case (if you have one):

Name: IN PRO PER State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 3330 Pierce Street, #305

City: San Francisco State: CA Zip: 94123

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO
SAN FRANCISCO SUPERIOR
400 McAllister Street

San Francisco CA 94102

Fill in case number:

Case Number:

FDV-18-813693

2 Name of Restrained Person:

Michael Marraccini

Describe that person: Sex: M F Ht.: 6'4 Wt.: 220
Race: White Hair Color: brown
Eye Color: green Age: 33 Date of Birth: 6/2/87

3 I ask the court to renew the Restraining Order After Hearing (Form DV-130). A copy of the order is attached.

a. The order ends on (date): July 10, 2020

b. The order has been renewed 0 times.

c. I want the order to be renewed for (check one):
 5 years permanently

4 I ask the court to renew the order because: (Check all that apply. Explain why you are afraid of abuse in the future):

a. The person in 2 has violated the order (explain what happened and when): Please see attached Declaration.

b. I am afraid that the person in 2 will abuse me in the future because: Please see attached Declaration.

c. Other (explain): _____

Check here if you need more space. Attach a sheet of paper and write "Form DV-700, Other" for a title.

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

Date: 7/9/20

Laura Owens
Type or print your name

Laura Owens
Sign your name

This is not a Court Order.

CPOC

VIA FAX

1 Declaration of Laura Owens for Renewal of Restraining Order

2 I, Laura Owens, declare as follows:

3 1. I make all of the statements herein of my own personal knowledge, except as to those
4 matters stated on information and belief, and as to those matters, I believe them to be true, and if called
5 as a witness, could and would testify competently thereto.

6 **REQUEST TO PERMANENTLY RENEW 2018 RESTRAINING ORDER AFTER HEARING**

7 2. In 2018, Mr. Marraccini and I stipulated to the court's issuance of a 2-year CLETS
8 Restraining Order After Hearing, which expires at noon on July 10, 2020. Based on Mr. Marraccini's
9 violations of that order and my ongoing fear (due both to his violations and to the severe violence that
10 led to the restraining order), I am requesting a permanent renewal of that order.

11 **BRIEF SUMMARY OF INCIDENTS LEADING TO 2018 RESTRAINING ORDER AFTER HEARING**

12 3. As I detailed for the court in my March 29, 2018 supplemental declaration in support of
13 my restraining order request, Mr. Marraccini was brutally violent to me during our relationship. In
14 addition to his frequent verbal berating of me (so severe that a complete stranger slipped me a note when
15 Mr. Marraccini went to the bathroom during our December 30, 2016 international flight to Iceland,
16 telling me to run from Mr. Marraccini and get help and protection; she later submitted a declaration and
17 agreed to testify at the hearing in support of my restraining order request), he slapped me and strangled
18 me during sex on multiple occasions (despite my telling him not to do so and him promising never to
19 do it again) and smothered me into unconsciousness.

20 4. As detailed in my March 29, 2018 declaration, on one occasion in mid-February 2017,
21 Mr. Marraccini held me down so hard while he had sex with me that I was bruised for several days, and
22 then strangled me; when I gasped for air, he shoved two of his fingers down my throat and called me a
23 "good girl" when I gagged. I attached photographs to my March 29, 2018 declaration showing the court
24 the petechial hemorrhaging around my bloodshot eyes which became common due to him strangling me.
25 When he smothered me with a pillow while having sex with me around late March 2017, I thought I was
26 going to die, and he told me it was the best sex he had ever had and that he liked controlling my access
27 to air. Several times during our relationship, he demanded oral sex and held the back of my head so that
28 I couldn't move it, while thrusting his penis so far down my throat that I threw up. Around June 2017,

1 Declaration of Laura Owens for Renewal of Restraining Order

2 I lost consciousness when he smothered me with a pillow while having sex with me; when I came to,
3 he flipped me onto my stomach and then demanded that I get on my knees, and he ejaculated into my
4 mouth. He later told me that what he had done was my fault because I "brought that out" in him. I felt
5 completely broken as a human being and hated myself for being with someone who did this to me.

6 5. After that June 2017 incident, I started avoiding Mr. Marraccini and spending less time
7 with him, hoping that would lead to a natural end to our relationship. Instead, he began stalking me.
8 He began showing up at places he knew I frequented. He started coming to my house unannounced,
9 even when I specifically told him not to, or when I ignored his calls or texts. I detailed these incidents
10 in my March 29, 2018 declaration as well, including the night in November 2017 when he asked if he
11 could come over and showed up anyway after I told him no. He banged on my door and yelled my name
12 until I let him in, because I was worried he would upset my neighbors. He then began having sex with
13 me, and I was too afraid of him to stop him. While having sex with me, he told me about another
14 woman he was sleeping with. When I told him I didn't care, he told me it would be a turn-on for him
15 to make me jealous, and he then held me down with his left hand and strangled me with his right hand.
16 This was the last time he had sex with me. He continued to stalk me. On or around November 28, 2017,
17 he texted me that he had been at a bar in the corner of a restaurant watching me and my family have
18 dinner there. Even though he did not live in my neighborhood and told me he was moving to
19 Sacramento, I saw him at least 10 times within a 2-block radius of my apartment between December
20 2017 and the end of January 2018, which I detailed in my March 29, 2018 declaration.

21 6. I had been going to Barry's Bootcamp gym around the corner of my house daily since
22 before I started dating Mr. Marraccini. Throughout our relationship, he made fun of me for going. In
23 December 2017, Mr. Marraccini joined that gym, even though he did not live in my neighborhood.

24 7. I finally filed a request for a restraining order after an incident on January 8, 2018, while
25 I was walking home from having dinner and encountered Mr. Marraccini and his sister less than 1½
26 blocks from my home. They stood in front of me (which prevented me from walking past them) and
27 screamed at me; when I pulled out my phone to call my parents, his sister yelled at me, "Don't you
28 DARE get your phone!"

1 Declaration of Laura Owens for Renewal of Restraining Order

2 8. Mr. Marraccini violated the Temporary Restraining Order, which I detailed in my
3 March 29, 2018 declaration. For example, on January 28, he posted on Instagram that he was at
4 Delarosa, across the street from my house. He also went to Barry's Bootcamp around the corner from
5 my house on at least two separate occasions while the TRO was in effect.

6 9. In July 2018, Mr. Marraccini and I stipulated to the court's issuance of a 2-year CLETS
7 Restraining Order After Hearing.

8 **INCIDENTS SINCE 2018 RESTRAINING ORDER AFTER HEARING**

9 10. One of the restraining order terms to which Mr. Marraccini agreed was the standard 100-
10 yard stay away order, prohibiting him from coming within 100 yards of me, my home, my workplace,
11 and my vehicle. I understood that part of the reason he was willing to agree to this restraint was because
12 he was moving to San Carlos in San Mateo County on August 1, 2018. It gave me more peace of mind
13 to know that he would be living more than 25 miles away from me. I was reassured by his move and
14 by the restraining order that he would not be in my neighborhood and would not be anywhere near my
15 home.

16 11. On July 16, 2018, less than one week after issuance of the Restraining Order After
17 Hearing, my parents told me that they had seen Mr. Marraccini in my neighborhood. Through my
18 lawyer, I communicated with Mr. Marraccini's lawyer that Mr. Marraccini was violating our agreement
19 and the Order. On information and belief, his attorney said that Mr. Marraccini had been buying a bed
20 nearby.

21 12. On three different occasions in 2018, after the Restraining Order was in place, our mutual
22 friend Joan told me that she saw Mr. Marraccini around my neighborhood.

23 13. Two of my friends from the Barry's Bootcamp gym, who knew about Mr. Marraccini and
24 knew I had a restraining order in place, told me that on two separate occasions in late summer or early
25 fall of 2018, Mr. Marraccini had come to the Barry's Bootcamp gym (the same one Mr. Marraccini knew
26 I went to daily before and during our relationship). They expressed concern for me and surprise at
27 having seen him there.

28 14. One day around the beginning of April 2019, some friends from the same Barry's

1 Declaration of Laura Owens for Renewal of Restraining Order

2 Bootcamp gym (where I have taken over 980 classes) told me that Mr. Marraccini had again come into
3 the gym. They said he didn't work out, but just came and got a shake at the "fuel bar" (refreshment
4 counter). Someone sent me a screenshot of Mr. Marraccini's instagram post from April 5, 2019,
5 showing he was outside my gym, a copy of which I am attaching to this declaration. The gym is
6 approximately 300 yards from my home, around the corner from me. While I realize this is farther than
7 100 yards away from my home, I can think of no reason for Mr. Marraccini to be at the particular gym
8 around the corner from my house – that he knows I go to so regularly – other than to be near me and my
9 home. He represented that he was moving more than 25 miles from my home, he made fun of me
10 throughout our relationship for going to that gym, and he did not even work out when he went into the
11 gym on that day in April 2019.

12 15. One day during the summer of 2019, my mom told me that she saw Mr. Marraccini at a
13 restaurant about one block from my house.

14 16. Another time in late 2019, my mom told me that she saw him getting into his car a couple
15 blocks from my house while she was driving to pick me up.

16 17. In mid-January 2020, I saw Mr. Marraccini at the restaurant Delarosa, which is across
17 the street from my home, well within 100 yards from my home. When I saw him near my home, I
18 panicked. I felt paralyzed and I didn't know where to run or what to do. I was afraid of whether he
19 would approach me, harm me, or make a scene. I was flooded with horrible memories, and I felt back
20 to square one, fearing for my life.

21 18. One day in early May 2020 (while both San Mateo and San Francisco Counties were
22 under strict Shelter in Place orders due to Covid 19), I was walking to the pharmacy on Chestnut Street
23 near my home when I saw Mr. Marraccini right across the street from my house, standing in line for take
24 out at Delarosa. He was wearing the green Patagonia jacket I gave him, and he is very tall and has a
25 distinctive look, so I was certain it was him. I was with my mom (whom he knows), and I saw him turn
26 towards us and I believe he saw us. When I saw him, I was very scared. I began to have a panic attack.
27 I said to my mom, "That is Mike, he is not supposed to be here." I understood that Mr. Marraccini lives
28 in another county, so I was shocked to see him right outside my house for any reason, but especially

1 Declaration of Laura Owens for Renewal of Restraining Order

2 when shelter in place orders were in effect. When I came out of the pharmacy, I saw that he had walked
3 across my street and was walking with another man directly in front of my apartment. I yelled out his
4 name, to let him know that I knew he was violating the order. He did not turn around, and he kept
5 walking. I was terrified that he was not taking the order seriously. I felt threatened and unsafe.

6 19. Mr. Marraccini's brutal and repeated violence against me during our relationship, and
7 then his stalking of me when I tried to get out of the relationship, have caused me severe, psychological
8 distress. I have been diagnosed with PTSD, anxiety and depression.

9 20. Since he did all of these things to me, I struggle to have any intimate relationship.

10 21. I sleep on my couch to avoid being in my bed where he hurt me.

11 22. I stopped going to my favorite restaurants, out of fear that he might come there.

12 23. I have frequent flashbacks of his hands around my neck, not being able to breathe or
13 scream, and him violently raping me.

14 24. Every time I leave my apartment, I look over my shoulder, expecting he will grab me or
15 push me or strangle me.

16 25. I never go anywhere alone at night. I have friends or family walk me all the way inside
17 my building, in case he is there waiting, like he was before.

18 26. I carry pepper spray (I really never want to have to use it).

19 27. I have a psychiatric service dog, and I live in fear each and every day.

20 28. I can't even imagine what Mr. Marraccini would do to me if he caught me alone.

21 29. I see a therapist regularly. I take medication for PTSD and depression. I have undergone
22 extreme, cutting edge treatments for PTSD. In the last two years, I have spent approximately \$75,000
23 of my own money on therapy, specialists, and treatment to try to heal from what Mr. Marraccini did to
24 me, so I can move on. My doctors have told me that the treatment has not worked sufficiently to address
25 my PTSD.

26 **I REQUEST THE COURT ISSUE A PERMANENT RENEWAL OF THE RESTRAINING ORDER**

27 30. Without a restraining order, I would never feel safe again.

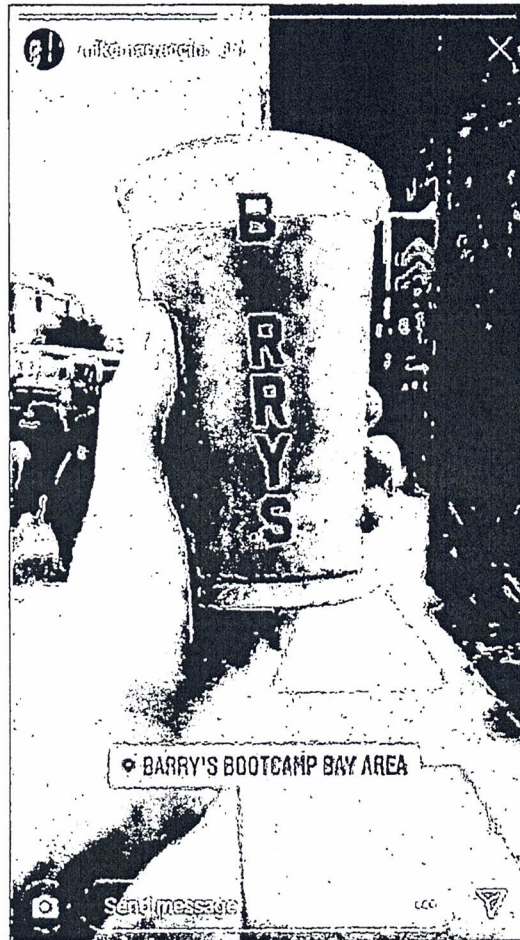
28 31. I live with fear of Mr. Marraccini every day of my life. He may not look like the kind of

1 Declaration of Laura Owens for Renewal of Restraining Order

2 person who would do dangerous, lethal things, but he repeatedly strangled and suffocated me to within
3 seconds of my final breath. I have suffered from depression, anxiety, and PTSD, and even after
4 significant treatment, I am terrified every day because of what he did to me. I have spent two years
5 trying to recover, but that has not been enough and I am not healed. He has not stayed away from me,
6 and I don't think he will ever leave me alone completely. The thought of not having any protection from
7 him, the thought that he might be *allowed* to come near me, is terrifying. I can't live with that kind of
8 fear. I know the restraining order has angered him, and I am scared he harbors even more resentment
9 towards me. I don't want to have anything to do with him ever again.

10 [ORIGINAL SIGNATURE ON JUDICIAL COUNCIL FORM]

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



Screenshot of Michael Marraccini's April 5, 2019 Instagram post, with drink from Barry's Bootcamp gym around the corner from Laura Owens's home

DV-800/JV-252

**Proof of Firearms Turned In,
Sold, or Stored**

1 Protected Person

Name: LAURA OWENS

2 Restrained Person

a. Your Name: MICHAEL MARRICINI

Your Lawyer (if you have one for this case):

Name: RANDY SUE POLLOCK State Bar No.: 64493

Firm Name: Law Offices of Randy Sue Pollock

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.):

Address: 286 Santa Clara Avenue

City: Oakland State: CA Zip: 94610

Telephone: 510-763-9967 Fax: 510-380-6551

E-Mail Address: rsp@rspollocklaw.com

Clerk stamps date here when form is filed.

FILED

Superior Court of California
County of San Francisco

AUG 03 2018

CLERK OF THE COURT

BY: P. G. Pollock
Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
UNIFIED FAMILY COURT
400 McALLISTER STREET
SAN FRANCISCO, CA 94102

Court fills in case number when form is filed.

Case Number:
FDV-18-813693

3 To the Restrained Person:

If the court has ordered you to turn in, sell, or store your firearms, you may use this form to prove to the court that you have obeyed its orders. When you deliver your unloaded weapons, ask the law enforcement officer or the licensed gun dealer to complete item 4 or 5 and item 6. After the form is signed, file it with the court clerk. Keep a copy for yourself. For help, read form DV-800-INFO/JV-252-INFO, *How Do I Turn In, Sell, or Store My Firearms?*

4 To Law Enforcement

Fill out items 4 and 6 of this form. Keep a copy and give the original to the person who turned in the firearms.

The firearms listed in 6 were turned in on:

Date: _____ at: _____ a.m. p.m.

To: _____
Name and title of law enforcement agent

Name of law enforcement agency

Address

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

Signature of law enforcement agent

5 To Licensed Gun Dealer

Fill out items 5 and 6 of this form. Keep a copy and give the original to the person who sold you the firearms or stored them with you.

The firearms listed in 6 were

sold to me transferred to me for storage on:

Date: _____ at: _____ a.m. p.m.

To: _____
Name of licensed gun dealer

License number Telephone

Address

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

Signature of law enforcement agent



Case Number:
FDV-18-813693

6 Firearms

	<u>Make</u>	<u>Model</u>	<u>Serial Number</u>
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____
e.	_____	_____	_____

Check here if you turned in, sold, or stored more firearms. Attach a sheet of paper and write "DV-800/JV-252, Item 6—Firearms Turned In, Sold, or Stored" for a title. Include make, model, and serial number of each firearm. You may use form MC-025, Attachment.

7 Do you have, own, possess, or control any other firearms besides the firearms listed in 6? Yes No

If you answered yes, have you turned in, sold, or stored those other firearms? Yes No

If yes, check one of the boxes below:

a. I filed a *Proof of Firearms Turned In, Sold, or Stored* for those firearms with the court on (date):

b. I am filing the proof for those firearms along with this proof.

c. I have not yet filed the proof for the other firearms. (explain why not):

Check here if there is not enough space below for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7c" for a title.

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

Date: _____

Type or print your name

Sign your name

Case Number:
FDV-18-813693

6 Firearms

	<u>Make</u>	<u>Model</u>	<u>Serial Number</u>
a.	Springfield	4d 45	
b.			
c.			
d.			
e.			

Check here if you turned in, sold, or stored more firearms. Attach a sheet of paper and write "DV-800/JV-252, Item 6—Firearms Turned In, Sold, or Stored" for a title. Include make, model, and serial number of each firearm. You may use form MC-025, Attachment.

7 Do you have, own, possess, or control any other firearms besides the firearms listed in 6? Yes No

If you answered yes, have you turned in, sold, or stored those other firearms? Yes No

If yes, check one of the boxes below:

a. I filed a Proof of Firearms Turned In, Sold, or Stored for those firearms with the court on (date):

b. I am filing the proof for those firearms along with this proof.

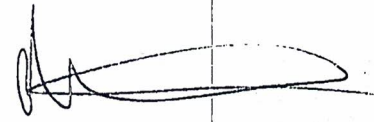
c. I have not yet filed the proof for the other firearms. (explain why not):

Check here if there is not enough space below for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7c" for a title.

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

Date: 8/2/18

Michael Mavracchiu
Type or print your name


Sign your name

PROPERTY RECEIPT FORM
San Francisco Police Department

RECEIVED FROM (ITEM(S))	DATE	CASE NUMBER
MICHAEL MARRACANT	7/17/99	18001989
1. SPAIN-FORD XD, 75 ACC + 1 EMPTY MAGAZINE		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
OFFICER ACCEPTING PROPERTY (SIGNATURE) <i>Off. Roberto</i>	WITNESS (SIGNATURE) <i>[Signature]</i>	RECEIVED FROM (SIGNATURE) <i>[Signature]</i>

SFPD-315 (REV.06/99)

MINI MINUTES FOR JUL-10-2018 01:45 PM FO

(403) 7/10/2018

Judge Roger Chan

Reporter: Sherry Sawyer #5976

Clerk: Sadie Li

Baliff: Deputy Reyes

Off calendar - parties agreed on a 2 year restraining order. DV-130 submitted.

DV-130

Restraining Order After Hearing (Order of Protection)

[x] Original Order [] Amended Order

1 Name of Protected Person:

Laura Owens
Your lawyer in this case (if you have one):
Name: Elisha Jussen-Cooke State Bar No.: 283446
Firm Name: Cooperative Restraining Order Clinic
Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):
Address: 3543 18th Street, #5
City: San Francisco State: CA Zip: 94110
Telephone: 415-864-1790 Fax: 415-241-9491
E-Mail Address: elisha@roclinic.org

Clerk stamps date here when form is filed.

FILED
San Francisco County Superior Court

JUL -9 2018

CLERK OF THE COURT

BY: [Signature] Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO
SAN FRANCISCO SUPERIOR COURT
400 McAllister Street
San Francisco CA 94102

Clerk fills in case number when form is filed.

Case Number:

FDV-18-813693

2 Name of Restrained Person:

Michael Marraccini
Description of restrained person:

Sex: [x] M [] F Height: 6'4 Weight: 220 Hair Color: brown Eye Color: green
Race: White Age: 31 Date of Birth: 6/2/87
Mailing Address (if known):
City: State: Zip:
Relationship to protected person:

3 Additional Protected Persons

In addition to the person named in 1, the following persons are protected by orders as indicated in items 6 and 7 (family or household members):

Table with 4 columns: Full name, Relationship to person in 1, Sex, Age

Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-130, Additional Protected Persons," as a title.

4 Expiration Date

The orders, except as noted below, end on

(date): July 10, 2020 at (time): 12:00 noon [] a.m. [] p.m. or [] midnight

- If no date is written, the restraining order ends three years after the date of the hearing in item 5 (a).
If no time is written, the restraining order ends at midnight on the expiration date.
Note: Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18.
The court orders are on pages 2, 3, 4, and 5 and attachment pages (if any).

This order complies with VAWA and shall be enforced throughout the United States: See page 5.

This is a Court Order.

Restraining Order After Hearing (CLETS—OAH)
(Order of Protection)
(Domestic Violence Prevention)

Legal Solutions Co. Plus

5 **Hearings** The hearing schedule for July 10, 2018 is taken off calendar by agreement of the parties.

- a. The hearing was on (date): 7/10/18 with (name of judicial officer): Hon. Roger Chan
- b. These people were at the hearing (check all that apply):
- The person in ① The lawyer for the person in ① (name): _____
- The person in ② The lawyer for the person in ② (name): _____
- c. The people in ① and ② must return to Dept. _____ of the court on (date): _____ at (time): _____ a.m. p.m. to review (specify issues): _____

To the person in ②

The court has granted the orders checked below. Item ⑨ is also an order. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

6 **Personal Conduct Orders**

- a. The person in ② must not do the following things to the protected people in ① and ③:
- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements.
- Contact, either directly or indirectly, by any means, including, but not limited to, by telephone, mail, e-mail, or other electronic means.
- Take any action, directly or through others, to obtain the addresses or locations of any protected persons. (If this item is not checked, the court has found good cause not to make this order.)
- b. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.
- c. Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

7 **Stay-Away Order**

- a. The person in ② must stay at least (specify): 100 yards away from (check all that apply):
- The person in ① School of person in ①
- Home of person in ① The persons in ③
- The job or workplace of person in ① The child(ren)'s school or child care
- Vehicle of person in ① Other (specify): _____
- b. Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

8 **Move-Out Order**

The person in ② must move out immediately from (address): _____

9 **No Guns or Other Firearms or Ammunition**

- a. The person in ② cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

This is a Court Order.



- 9 b. The person in 2 must:
- Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within his or her immediate possession or control. Do so within 24 hours of being served with this order.
 - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, sold, or stored. (Form DV-800, Proof of Firearms Turned In, Sold, or Stored, may be used for the receipt.) Bring a court filed copy to the hearing.
- c. The court has received information that the person in 2 owns or possesses a firearm.
- d. The court has made the necessary findings and applies the firearm relinquishment exemption under Family Code section 6389(h). Under California law, the person in 2 is not required to relinquish this firearm (specify make, model, and serial number of firearm): _____
The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the person in 2 may be subject to federal prosecution for possessing or controlling a firearm.

10 Record Unlawful Communications

The person in 1 has the right to record communications made by the person in 2 that violate the judge's orders.

11 Care of Animals

The person in 1 is given the sole possession, care, and control of the animals listed below. The person in 2 must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____

12 Child Custody and Visitation

Child custody and visitation are ordered on the attached Form DV-140, Child Custody and Visitation Order or (specify other form): _____

13 Child Support

Child support is ordered on the attached Form FL-342, Child Support Information and Order Attachment or (specify other form): _____

14 Property Control

Only the person in 1 can use, control, and possess the following property: _____

15 Debt Payment

The person in 2 must make these payments until this order ends:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Check here if more payments are ordered. List them on an attached sheet of paper and write "DV-130, Debt Payments" as a title.

16 Property Restraint

The person in 1 person in 2 must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, the person must notify the other of any new or big expenses and explain them to the court. (The person in 2 cannot contact the person in 1 if the court has made a "No-Contact" order.)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.



17 **Spousal Support**

Spousal support is ordered on the attached Form FL-343, *Spousal, Partner, or Family Support Order Attachment* or (specify other form): _____

18 **Rights to Mobile Device and Wireless Phone Account**

a. **Property Control of Mobile Device and Wireless Phone Account**

Only the person in (1) can use, control, and possess the following property:

Mobile device (describe) _____ and account (phone number): _____

Mobile device (describe) _____ and account (phone number): _____

Check here if you need more space. Attach a sheet of paper and write "DV-130 Rights to Mobile Device and Wireless Phone Account" as a title.

b. **Debt Payment**

The person in (2) must make these payments until this order ends:

Pay to (wireless service provider): _____ Amount: \$ _____ Due date: _____

c. **Transfer of Wireless Phone Account**

The court has made an order transferring one or more wireless service accounts from the person in (2) to the person in (1). These orders are contained in a separate order (Form DV-900).

19 **Insurance**

The person in (1) the person in (2) is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their child(ren), if any, for whom support may be ordered, or both.

20 **Lawyer's Fees and Costs**

The person in (2) must pay the following lawyer's fees and costs:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

21 **Payments for Costs and Services**

The person in (2) must pay the following:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Check here if more payments are ordered. List them on an attached sheet of paper and write "DV-130, Payments for Costs and Services" as a title.

22 **Batterer Intervention Program**

The person in (2) must go to and pay for a 52-week batterer intervention program and show written proof of completion to the court. This program must be approved by the probation department under Penal Code § 1203.097. The person in (2) must enroll by (date): _____ or if no date is listed, must enroll within 30 days after the order is made. The person in (2) must complete, file and serve Form 805, Proof of Enrollment for Batterer Intervention Program.

23 **Other Orders**

Other orders (specify): _____

24 **No Fee to Serve (Notify) Restrained Person**

If the sheriff or marshal serves this order, he or she will do it for free.

This is a Court Order.



Case Number:

FDV-18-813693

25 Service

- a. The people in ① and ② were at the hearing or agreed in writing to this order. No other proof of service is needed.
- b. The person in ① was at the hearing on the request for original orders. The person in ② was not present.
 - (1) Proof of service of Form DV-109 and Form DV-110 (if issued) was presented to the court. The judge's orders in this form are the same as in Form DV-110 except for the end date. The person in ② must be served. This order can be served by mail.
 - (2) Proof of service of Form DV-109 and Form DV-110 (if issued) was presented to the court. The judge's orders in this form are different from the orders in Form DV-110, or Form DV-110 was not issued. The person in ② must be personally "served" (given) a copy of this order.
- c. Proof of service of Form FL-300 to modify the orders in Form DV-130 was presented to the court.
 - (1) The people in ① and ② were at the hearing or agreed in writing to this order. No other proof of service is needed.
 - (2) The people in ① ② was not at the hearing and must be personally "served" (given) a copy of this amended order.

26 Criminal Protective Order

- a. Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____
- b. Other Criminal Protective Order in effect (specify): _____
Case Number: _____ County: _____ Expiration Date: _____
(List other orders on an attached sheet of paper. Write "DV-130, Other Criminal Protective Orders" as a title.)
- c. No information has been provided to the judge about a criminal protective order.

27 Attached pages are orders.

- Number of pages attached to this seven-page form: -1-
- All of the attached pages are part of this order.
- Attachments include (check all that apply):
 - DV-140 DV-145 DV-150 FL-342 FL-343 DV-900
 - Other (specify): Attachment One (1) - stipulation for 2-year Restraining

Date: _____

JUL -9 2018

[Handwritten Signature]

Judge (or Judicial Officer)
Hon. Roger Chan

Certificate of Compliance With VAWA

This restraining (protective) order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

This is a Court Order.



Warnings and Notices to the Restrained Person in 2**If you do not obey this order, you can be arrested and charged with a crime.**

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

You cannot have guns, firearms, and/or ammunition.

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. Unless the court grants an exemption, you must sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect. Even if exempt under California law, you may be subject to federal prosecution for possessing or controlling a firearm.

Instructions for Law Enforcement**Start Date and End Date of Orders**

The orders *start* on the earlier of the following dates:

- The hearing date in item (5) (a) on page 2, or
- The date next to the judge's signature on this page.

The orders *end* on the expiration date in item (4) on page 1. If no date is listed, they end three years from the hearing date.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

Notice/Proof of Service

Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Fam. Code, § 6383.)

Consider the restrained person "served" (notified) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer. (Fam. Code, § 6383; Pen. Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the Domestic Violence Restraining Order System (DVROS). (Fam. Code, § 6381(b)-(c).)

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

This is a Court Order.

Case Number:

FDV-18-813693

Child Custody and Visitation

The custody and visitation orders are on Form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.

Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, in the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Restraining Order After Hearing (Order of Protection)* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order

SHORT TITLE: Owens v. Marraccini	CASE NUMBER: FDV-18-813693
-------------------------------------	-------------------------------

ATTACHMENT (Number): One (1)

(This Attachment may be used with any Judicial Council form.)

The parties agree that a Two (2) year Restraining Order After Hearing shall be granted protecting Ms. Laura Owens and restraining Mr. Michael Marraccini.

By signing below, the parties acknowledge that each has read and discussed the terms of this restraining order with his or her respective counsel. Each party understands and accepts the terms of this agreement. Each party warrants that each freely and voluntarily executed this agreement. This agreement may be signed in counterparts. Each counterpart shall be deemed part of the original document. This agreement may also be signed by email and such email signatures shall be valid as originals.

So Agreed.

Dated: 7/6/18

Laura Owens
Laura Owens, Protected Party

Dated: 7/6/2018

Elisha Jussen-Cooke
Elisha Jussen-Cooke, Attorney for
Laura Owens

Dated: _____

Michael Marraccini, Restrained Party

Dated: _____

Randy Sue Pollock, Attorney for
Michael Marraccini

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page _____ of _____
(Add pages as required)

SHORT TITLE: Owens v. Marraccini	CASE NUMBER: FDV-18-813693
-------------------------------------	-------------------------------

ATTACHMENT (Number): One (1)

(This Attachment may be used with any Judicial Council form.)

The parties agree that a Two (2) year Restraining Order After Hearing shall be granted protecting Ms. Laura Owens and restraining Mr. Michael Marraccini.

By signing below, the parties acknowledge that each has read and discussed the terms of this restraining order with his or her respective counsel. Each party understands and accepts the terms of this agreement. Each party warrants that each freely and voluntarily executed this agreement. This agreement may be signed in counterparts. Each counterpart shall be deemed part of the original document. This agreement may also be signed by email and such email signatures shall be valid as originals.

So Agreed.

Dated: _____

Laura Owens, Protected Party

Dated: _____

Elisha Jussen-Cooke, Attorney for
Laura OwensDated: 7/8/2018_____
Michael Marraccini
Michael Marraccini, Restrained PartyDated: 7/8/2018_____
Randy Sue Pollock
Randy Sue Pollock, Attorney for
Michael Marraccini

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page _____ of _____

(Add pages as required)

ATTORNEY: STATE BAR NO.: 291039 NAME: Audrey T. Courson FIRM NAME: LAW OFFICES OF AUDREY T. COURSON STREET ADDRESS: 100 Pine Street, Suite 1250 CITY: San Francisco TELEPHONE NO.: (415) 745-3681 E-MAIL ADDRESS: audrey@coursonlaw.com ATTORNEY FOR (name): Laura Owens	FOR COURT USE ONLY F I L E D Superior Court of California County of San Francisco JUN 13 2018 CLERK OF THE COURT BY: <i>P. C. Bellini</i> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	
PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/CLAIMANT:	
NOTICE OF LIMITED SCOPE REPRESENTATION <input type="checkbox"/> AMENDED	CASE NUMBER: FDV-18-813693

1. Attorney (name): Audrey T. Courson and party (name): Laura Owens have an agreement that attorney will provide limited scope representation to the party.
2. The attorney will represent the party as follows:
 - At the hearing on (date): **July 10 and 17, 2018** and for any continuance of that hearing
 - Until resolution of the issues checked on this form by trial or settlement
 - Other (specify duration of representation):

Submitting to the court an order after hearing or judgment is not within the scope of the attorney's representation.
3. Attorney will serve as "attorney of record" for the party only for the following issues in the case:
 - a. Child custody and visitation (parenting time): (1) Establish (2) Enforce (3) Modify (specify):
 - b. Child support: (1) Establish (2) Enforce (3) Modify (describe in detail):
 - c. Spousal or domestic partner support: (1) Establish (2) Enforce (3) Modify (describe in detail):
 - d. Restraining order: (1) Establish (2) Enforce (3) Modify (describe in detail):
 - e. Division of property (describe in detail):

PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/CLAIMANT:	CASE NUMBER: FDV-18-813693
---	-------------------------------

3. f. Pension issues (describe in detail):

g. Contempt (describe in detail):

h. Other (describe in detail):

i. See attachment 3i.

4. By signing this form, the party agrees to sign *Substitution of Attorney—Civil* (form MC-050) when the representation is completed.

5. The attorney named above is "attorney of record" and available for service of documents only for those issues specifically checked on pages 1 and 2. For all other matters, the party must be served directly. The party's name, address, and phone number are listed below for that purpose.

Name: Laura Owens
 Address (for the purpose of service):
 3330 Pierce Street, #305
 San Francisco, CA 94123

Phone:

Fax Number:

This notice accurately sets forth all current matters on which the attorney has agreed to serve as "attorney of record" for the party in this case. The information provided in this document is not intended to set forth all of the terms and conditions of the agreement between the party and the attorney for limited scope representation.

Date: June 11, 2018


 Laura Owens
 (TYPE OR PRINT NAME)

▶ 

 (SIGNATURE OF PARTY)

Date: June 11, 2018

 Audrey T. Courson
 (TYPE OR PRINT NAME)

▶ 

 (SIGNATURE OF ATTORNEY)

PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/CLAIMANT:	CASE NUMBER: FDV-18-813693
---	-------------------------------

PROOF OF SERVICE: **PERSONAL SERVICE** **MAIL** **OVERNIGHT DELIVERY** **ELECTRONIC SERVICE**

1. At the time of service, I was at least 18 years of age and **not a party to this legal action** (not applicable to electronic service).
2. I served a copy of *Notice of Limited Scope Representation* (form FL-950) as follows:

a. **Personal service.** The document listed above was given to

- (1) Name of person served:
 Address where served:
 Date served:
 Time served:

- (2) Name of person served:
 Address where served:
 Date served:
 Time served:

b. **Mail.** I placed a copy of the form listed above in the U.S. mail, in a sealed envelope with postage fully prepaid. The envelope was addressed and mailed as indicated below. I live or work in the county where the form was mailed.

- (1) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):

- (2) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):

c. **Overnight delivery.** I placed a copy of the form listed above in a sealed envelope, with Express Mail postage fully prepaid, and deposited it in a post office mailbox, subpost office, substation, mail chute, or other like facility maintained by the U.S. Postal Service for receipt of Express Mail. The envelope was addressed and mailed as indicated below. I live or work in the county where the form was deposited for overnight delivery.

- (1) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):

- (2) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):

d. **Electronic service.** I electronically served the document listed above as described in the attached proof of electronic service *Proof of Electronic Service* (form POS-050) may be used for this purpose).

3. Server's information

- a. Name: Elisha Jussen-Cooke
- b. Home or work address: 3543 18th Street, #5, San Francisco, CA 94110
- c. Telephone number: (415) 864-1790

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

Date: June 12, 2018

Elisha Jussen-Cooke
 (TYPE OR PRINT NAME)


 (SIGNATURE OF PERSON SERVING NOTICE)

F I L E D

Superior Court of California
County of San Francisco

JUN 13 2018

CLERK OF THE COURT

BY: *Rain C. Robles*
Deputy Clerk

1 Elisha Jussen-Cooke (SBN 283446)
2 COOPERATIVE RESTRAINING ORDER CLINIC
3 3543 18th Street, #5
4 San Francisco, CA 94110
5 Tel: (415) 864-1790
6 Fax: (415) 241-9491

7 Audrey T. Courson (SBN 291039)
8 LAW OFFICES OF AUDREY T. COURSON
9 100 Pine Street, Suite 1250
10 San Francisco, CA 94111
11 Tel: (415) 745-3681

12 Attorneys for Petitioner,
13 LAURA OWENS

14 STATE OF CALIFORNIA SUPERIOR COURT
15 CITY AND COUNTY OF SAN FRANCISCO

16 LAURA OWENS,
17 Petitioner,
18 vs.
19 MICHAEL MARRACCINI,
20 Respondent

Case No.: FDV-18-813693

ASSOCIATION OF COUNSEL

21
22 ELISHA JUSSEN-COOKE, being the attorney of record for Petitioner LAURA OWENS
23 (hereafter "Petitioner"), hereby associates AUDREY T. COURSON, attorney at law, as co-
24 counsel for Petitioner. The office address, telephone, and email address for said associated

25 //
26 //
27 //
28 //

1 counsel are: 100 Pine Street, Suite 1250, San Francisco, CA 94111; (415) 745-3681;
2 audrey@coursonlaw.com.

3 COOPERATIVE RESTRAINING ORDER
4 CLINIC

5 Dated: June 11, 2018


6 Elisha Jussen-Cooke, Esq.

7
8 AUDREY T. COURSON, Esq. hereby accepts the above association.

9
10
11 Dated: 05 / 29 / 2018


12 Audrey T. Courson, Esq.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **PROOF OF SERVICE**

2 I declare that I am employed in the County of San Francisco, California. I am over the age of
3 eighteen (18) years and not a party to the within cause. My business address is Cooperative
4 Restraining Order Clinic, 3543 18th Street, #5, San Francisco, CA 94110.

5 On June 12, 2018, I served a copy of the document described as:

6 **ASSOCIATION OF COUNSEL**

7 on the person named below by placing a true copy thereof addressed as follows, and served the
8 documents in the manner indicated below:

9 Randy Pollock
10 Law Offices of Randy Sue Pollock
11 286 Santa Clara Avenue
12 Oakland, CA 94610
13 rsp@rspollocklaw.com

14 **BY MAIL:** I deposited a sealed envelope in the United States mail, in San Francisco,
15 California, with first class postage fully prepaid.

16 **BY ELECTRONIC SERVICE:** I caused a copy of such document(s) to be electronically
17 transmitted via email. The sending email address is elisha@roclinic.org, and the email address
18 to which the documents were transmitted is listed above. I did not receive, within a reasonable
19 time after the transmission, any electronic message or other indication that the transmission was
20 unsuccessful.

21 **BY FAX:** I caused a copy of such document(s) to be transmitted via facsimile machine.
22 The number of the sending machine is 415-241-9491, and the number of the fax machine to
23 which the documents were transmitted is listed above. The transmission was reported as
24 complete and without error, and that the transmission report was properly issued by the sending
25 machine. A copy of the transmission report is attached hereto.

26 I declare under penalty of perjury that the foregoing is true and correct and that this declaration
27 was executed on June 12, 2018 at San Francisco, California.

28 
Elisha Jussen-Cooke, Esq.

FILED
San Francisco County Superior Court
MAY 29 2018
CLERK OF THE COURT
BY: Judith A...
Deputy Clerk

1 Elisha Jussen-Cooke (SBN 283446)
2 COOPERATIVE RESTRAINING ORDER CLINIC
3 3543 18th Street, #5
4 San Francisco, CA 94110
Tel: (415) 864-1790
Fax: (415) 241-9491

5 Attorney for Petitioner,
6 LAURA OWENS

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **IN AND FOR THE COUNTY OF SAN FRANCISCO**

10
11 LAURA OWENS,
12
13 vs.
14
15 MICHAEL MARRACCINI,
16
17
18
19
20
21
22
23
24
25
26
27
28

Petitioner,

Respondent

) Case No.: FDV-18-813693

**STIPULATION AND ORDER TO
EXTEND DISCOVERY CUT-OFF AND
HEARING DATES**


WHEREAS, the parties, Petitioner LAURA OWENS and Respondent MICHAEL MARRACCINI (collectively referred hereto as "the Parties"), individually and through their respective counsel, hereby agree to a 10-day extension of the deadline for completion of discovery, from Monday, June 11, 2018 to Thursday, June 21, 2018. The Parties further hereby agree to extend the deadline for any hearing concerning discovery by 7 days, from Monday,
//
//
//
//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


June 25, 2018 to Monday July 2, 2018, and agree to shortened time for notice of any such hearing to be no less than 7 court days before the date set for any such hearing.

The foregoing is agreed to by:

Dated: 5/17/18

 SIGNATURE BY FAX
LAURA OWENS,
Petitioner

Dated: 5/24/2018


ELISHA JUSSEN-COOKE,
Attorney for Petitioner

Dated: _____

SEE ATTACHED SIGNATURE BY FAX
MICHAEL MARRACCINI,
Respondent

Dated: _____

SEE ATTACHED SIGNATURE BY FAX
RANDY SUE POLLOCK,
Attorney for Respondent

Pursuant to the Parties' Agreement, and with good cause appearing, the Court hereby approves this Stipulation to Extension of Discovery Cut-Off and Hearing Dates.

IT IS SO ORDERED.

Date: _____

SEE ATTACHED

Judge of the Superior Court of California
County of San Francisco

1 June 25, 2018 to Monday July 2, 2018, and agree to shortened time for notice of any such
2 hearing to be no less than 7 court days before the date set for any such hearing.

3
4 The foregoing is agreed to by:

5
6 Dated: _____

LAURA OWENS,
Petitioner

7
8
9 Dated: _____

ELISHA JUSSEN-COOKE,
Attorney for Petitioner

10
11 Dated: 5/19/2018

Randy Sue Pollock for
MICHAEL MARRACCINI,
Respondent

12
13
14
15 Dated: 5/19/2018

Randy Sue Pollock
RANDY SUE POLLOCK,
Attorney for Respondent

16
17
18 Pursuant to the Parties' Agreement, and with good cause appearing, the Court hereby
19 approves this Stipulation to Extension of Discovery Cut-Off and Hearing Dates.

20
21 IT IS SO ORDERED.
22 MAY 29 2018

23 Date: _____

Rwca
Judge of the Superior Court of California
County of San Francisco
JUDGE ROGER C. CHAN

FILED
Superior Court of California
County of San Francisco

MAY 09 2018

CLERK OF THE COURT
BY: *Patricia C. Peltier*
Deputy Clerk

1 Elisha Jussen-Cooke (SBN 283446)
2 COOPERATIVE RESTRAINING ORDER CLINIC
3 3543 18th Street, #5
4 San Francisco, CA 94110
5 Tel: (415) 864-1790
6 Fax: (415) 241-9491

7 Attorney for Petitioner,
8 LAURA OWENS

STATE OF CALIFORNIA SUPERIOR COURT
CITY AND COUNTY OF SAN FRANCISCO

10 LAURA OWENS,
11 Petitioner,
12 vs.
13
14 MICHAEL MARRACCINI,
15 Respondent
16
17

Case No.: FDV-18-813693

NOTICE OF UNAVAILABILITY OF COUNSEL

18 **TO ALL PARTIES HEREIN AND THEIR ATTORNEY(S) OF RECORD:**
19 PLEASE TAKE NOTICE that **Elisha Jussen-Cooke**, attorney for Petitioner Laura
20 Owens, will be unavailable for all purposes, including, but not limited to, receiving notice of any
21 kind, appearing in court, responding to ex parte applications, or attending depositions, from May
22 25, 2018 through and including June 10, 2018.

23 You are advised to read Tenderloin Housing Clinic v. Sparks (1992) 8 Cal.App.4th 299
24 regarding the availability of sanctions for purposefully scheduling a conflicting proceeding
25 without good cause.

26 Dated: May 8, 2018

Elisha Jussen-Cooke
Elisha Jussen-Cooke
Attorney for Petitioner

1 **PROOF OF SERVICE**

2 I declare that I am employed in the County of San Francisco, California. I am over the age of
3 eighteen (18) years and not a party to the within cause. My business address is Cooperative
4 Restraining Order Clinic, 3543 18th Street, #5, San Francisco, CA 94110.

5 On May 8, 2018, I served a copy of the document described as:

6 **NOTICE OF UNAVAILABILITY OF COUNSEL**

7 on the person named below by placing a true copy thereof addressed as follows, and served the
8 documents in the manner indicated below:

9 Randy Pollock
10 Law Offices of Randy Sue Pollock
11 286 Santa Clara Avenue
12 Oakland, CA 94610
13 rsp@rspollocklaw.com

14 **BY MAIL:** I deposited a sealed envelope in the United States mail, in San Francisco,
15 California, with first class postage fully prepaid.

16 **BY ELECTRONIC SERVICE:** I caused a copy of such document(s) to be electronically
17 transmitted via email. The sending email address is elisha@roclinic.org, and the email address
18 to which the documents were transmitted is listed above. I did not receive, within a reasonable
19 time after the transmission, any electronic message or other indication that the transmission was
20 unsuccessful.

21 **BY FAX:** I caused a copy of such document(s) to be transmitted via facsimile machine.
22 The number of the sending machine is 415-241-9491, and the number of the fax machine to
23 which the documents were transmitted is listed above. The transmission was reported as
24 complete and without error, and that the transmission report was properly issued by the sending
25 machine. A copy of the transmission report is attached hereto.

26 I declare under penalty of perjury that the foregoing is true and correct and that this declaration
27 was executed on May 8, 2018, at San Francisco, California.
28



DV-116**Order on Request to Continue Hearing**

Clerk stamps date here when form is filed.

FILED
San Francisco County Superior Court

APR 25 2018

CLERK OF THE COURT

BY: Sadee R.
Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
SAN FRANCISCO
SAN FRANCISCO SUPERIOR COURT
400 McAllister Street

San Francisco CA 94102

Fill in case number:

Case Number:

FDV-18-813693

Complete items ①, ②, and ③.

① Protected Party:Laura Owens**② Restrained Party:**Michael Marraccini**③ Party Seeking Continuance**I am the Protected Party Restrained Party

Your Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name: _____

Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____ E-Mail Address: _____

*The court will complete the rest of this form.***④ Order on Request for Continuance**a. The hearing in this matter is currently scheduled for (date): April 13, 2018b. The request for a continuance is DENIED for the reasons set forth below on Attachment 4b.The hearing shall be held as currently scheduled above. The *Temporary Restraining Order* (Form DV-110) issued on (date): _____ remains in full force and effect until the hearing date.c. The request for a continuance is GRANTED as set forth below.**⑤ Order Granting Continuance and Notice of New Hearing**The court hearing on the *Request for Domestic Violence Restraining Order* (Form DV-100) is continued to the date, time, and location shown below:**New
Hearing
Date**Date: 7/10 & 7/17/18 Time: 1:45 p.m.
Dept.: 403 Room: 403

Name and address of court, if different from above:

The extended *Temporary Restraining Order* (form DV-110) expires at the end of this hearing.**This is a Court Order.**

Case Number:

FDV-18-813693

6 Reason for the Continuance

a. The continuance is needed because:

- (1) The person in (2) was not served before the current hearing date.
- (2) The parties were referred to child custody mediation or child custody recommending counseling.
- (3) The person in (2) asked for a first continuance of the hearing.
- (4) The person in (3) asked for more time to hire a lawyer or prepare for the hearing or trial.
- (5) Other good cause as stated below on Attachment 6a(5).

At request of Respondent's counsel for a continuance.

b. The court finds good cause and orders a continuance in its discretion.

7 Extension of Temporary Restraining Order

- a. No temporary restraining orders were issued in this case.
- b. By granting the request to continue the hearing, the orders listed in *Temporary Restraining Order* (form DV-110), issued on (date): 1/10/18, remain in effect until the end of the hearing in (5).
- c. The Temporary Restraining Order is MODIFIED. A new *Temporary Restraining Order* (Form DV-110) is issued as of this date. The orders remain in effect until the end of the hearing in (5).
- d. The Temporary Restraining Order is TERMINATED for the reasons stated below on Attachment 7d.

e. Other (specify): _____

Warning and Notice to the Party in 2

If (7) b or c is checked, you must continue to obey the Temporary Restraining Order until it expires at the end of the hearing scheduled in (5).

8 Other Orders (specify): _____

Additional orders are included at the end of this order on Attachment 8.

This is a Court Order.



9 Service of Order

- a. No further service of this order is required because both parties were present at the hearing when the new hearing date was ordered.
- b. The court granted the protected party's request to continue the hearing date. A copy of this order must be served on the restrained party at least ___ days before the hearing in (5).
 - (1) All other documents requesting domestic violence restraining orders as shown in Form DV-109, *Notice of Court Hearing* (at item (5)) must also be personally served on the restrained party.
 - (2) The *Temporary Restraining Order* (Form DV-110) has been modified and must be personally served on the restrained party.
 - (3) A copy of the *Temporary Restraining Order* must NOT be served because the order was terminated in 7d.
- c. The court granted the restrained party's request to continue the hearing date. A copy of this order must be served on the protected party at least ___ days before the hearing in (5). A copy of the *Temporary Restraining Order* (Form DV-110) must be served if it was modified by the court in item (7).
- d. All documents must be personally served unless otherwise specified below.

e. Other (specify):

No further service of this order is required because responding party requested and received a continuance of the hearing.

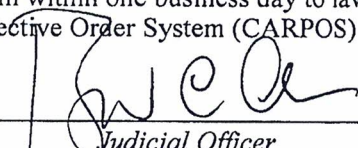
10 No Fee to Serve

If the sheriff or marshal serves this order, he or she will do it for free.

11 CLETS Entry

If the hearing is continued, the court or its designee will transmit this form within one business day to law enforcement personnel for entry into the California Restraining and Protective Order System (CARPOS) via the California Law Enforcement Telecommunications System (CLETS).

Date: April 25, 2018



 Judicial Officer
 Hon. Roger Chan



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate I certify that this *Order On Request to Continue Hearing (Temporary Restraining Order)*(CLETS-TRO) is a true and correct copy of the original on file in the court.

[seal]

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

PARTY WITHOUT ATTORNEY OR ATTORNEY: STATE BAR NO.: NAME: Elisha Jussen-Cooke, SBN 283446 FIRM NAME: Cooperative Restraining Order Clinic STREET ADDRESS: 3543 18th Street, #5 CITY: San Francisco STATE: CA ZIP CODE: 94110 TELEPHONE NO.: 415-864-1790 FAX NO.: 415-241-9491 E-MAIL ADDRESS: elisha@roclinic.org ATTORNEY FOR (name): Laura Owens	FOR COURT USE ONLY FILED San Francisco County Superior Court APR 25 2018 CLERK OF THE COURT BY: <u>Jade R.</u> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	CASE NUMBER: FDV-18-813693
PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/PARTY:	
REQUEST FOR ORDER <input checked="" type="checkbox"/> CHANGE <input type="checkbox"/> TEMPORARY EMERGENCY ORDERS <input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Spousal or Partner Support <input type="checkbox"/> Child Support <input type="checkbox"/> Domestic Violence Order <input type="checkbox"/> Attorney's Fees and Costs <input type="checkbox"/> Property Control <input checked="" type="checkbox"/> Other (specify):	

NOTICE OF HEARING

1. TO (name(s)): Laura Owens
 Petitioner Respondent Other Parent/Party Other (specify):

2. A COURT HEARING WILL BE HELD AS FOLLOWS:

a. Date: 7/10/18 and 7/17/18 Time: 1:45 p.m.	<input checked="" type="checkbox"/> Dept.: 403	<input checked="" type="checkbox"/> Room.: 403
b. Address of court <input checked="" type="checkbox"/> same as noted above <input type="checkbox"/> other (specify):		

3. **WARNING to the person served with the Request for Order:** The court may make the requested orders without you if you do not file a *Responsive Declaration to Request for Order* (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form FL-320-INFO for more information.)

(Forms FL-300-INFO and DV-400-INFO provide information about completing this form.)

AMENDED

COURT ORDER
(FOR COURT USE ONLY)

It is ordered that:

4. Time for service until the hearing is shortened. Service must be on or before (date):
5. A *Responsive Declaration to Request for Order* (form FL-320) must be served on or before (date):
6. The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location):
7. The orders in *Temporary Emergency (Ex Parte) Orders* (form FL-305) apply to this proceeding and must be personally served with all documents filed with this *Request for Order*.
8. Other (specify):

The Court finds good cause to grant Respondent's request for a continuance. Witnesses may not appear by phone unless there is a stipulation of the parties. TRO reissued. Discovery re-opened.

Date: **APR 25 2018**

Rw COH
 JUDICIAL OFFICER

MINI MINUTES FOR APR-09-2018 01:30 PM FO

(403) 4/9/2018

Judge Roger Chan

Clerk: Sadie Li

Reporter: not reported

Baliff: Deputy Jaime

Petitioner present with Tara Berta. Randy Pollock present for the Respondent who is not present. After review of the pleadings, the Court finds good cause to order the following: Ex Parte request for orders are hereby granted for continuance, witness appearing by phone denied unless stipulation filed, motion to reopen discovery granted.. Matter to be set on 7/10/18 & 7/17/18 at 1:45pm in Dept. 403. Matter not reported.

ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: 64493
 NAME: RANDY SUE POLLOCK
 FIRM NAME: LAW OFFICES OF RANDY SUE POLLOCK
 STREET ADDRESS: 286 SANTA CLARA AVENUE
 CITY: OAKLAND STATE: CA ZIP CODE: 94610
 TELEPHONE NO.: 510-763-9967 FAX NO.: 510-380-6551
 E-MAIL ADDRESS: rsp@rspollocklaw.com
 ATTORNEY FOR (name): MICHAEL MARRACCINI

FOR COURT USE ONLY
RECEIVED
 APR -6 2018
FILED
 San Francisco County Superior Court
 APR -9 2018
 CLERK OF THE COURT
 BY: Jade M.
 Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
 STREET ADDRESS: 400 McALLISTER
 MAILING ADDRESS:
 CITY AND ZIP CODE: SAN FRANCISCO, 94102
 BRANCH NAME:

PETITIONER: LAURA OWENS
 RESPONDENT: MICHAEL MARRACCINI
 OTHER PARENT/PARTY:

TEMPORARY EMERGENCY (EX PARTE) ORDERS
 Child Custody Visitation (Parenting Time) Property Control
 Other (specify): CHANGE TRIAL DATE

CASE NUMBER:
 FDV-18-813693

1. TO (name(s)): LAURA OWENS
 Petitioner Respondent Other Parent/Party Other (specify):

A court hearing will be held on the Request for Order (form FL-300) served with this order, as follows:

a. Date: 4/9/18 Time: 1:30 Dept.: 403 Room:
 b. Address of court same as noted above other (specify):

2. Findings: Temporary emergency (ex parte) orders are needed to: (a) help prevent an immediate loss or irreparable harm to a party or to children in the case, (b) help prevent immediate loss or damage to property subject to disposition in the case, or (c) set or change procedures for a hearing or trial.

COURT ORDERS: The following temporary emergency orders expire on the date and time of the hearing scheduled in (1), unless extended by court order:

3. CHILD CUSTODY

a. Child's name	Date of Birth	Temporary physical custody, care, and control to:		
		Petitioner	Respondent	Other Party/Parent
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Continued on Attachment 3(a)
 b. Visitation (Parenting Time) The temporary orders for physical custody, care, and control of the minor children in (3) are subject to the other party's or parties' rights of visitation (parenting time) as follows (specify):

See Attachment 3(b)

THIS IS A COURT ORDER.

PETITIONER: OWENS RESPONDENT: MARRACINI OTHER PARENT/PARTY:	CASE NUMBER: FDV-1F-813693
---	--------------------------------------

3. CHILD CUSTODY (continued)

c. Travel restrictions

- (1) The party or parties with temporary physical custody, care, and control of minor children **must not remove the minor children from the state of California unless the court allows it after a noticed hearing.**
- (2) Petitioner Respondent Other Parent/Party must not remove their minor children (specify):
 - (a) from the state of California.
 - (b) from the following counties (specify):
 - (c) other (specify):

d. Child abduction prevention orders are attached (see form FL-341(B)).

- e. (1) **Jurisdiction:** This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code, commencing with section 3400).
- (2) **Notice and opportunity to be heard:** The responding party was given notice and an opportunity to be heard as provided by the laws of the State of California.
- (3) **Country of habitual residence:** The country of habitual residence of the child or children is (specify):
 - The United States of America Other (specify):
- (4) **If you violate this order, you may be subject to civil or criminal penalties, or both.**

4. PROPERTY CONTROL

a. Petitioner Respondent Other Parent/Party is given exclusive temporary use, possession, and control of the following property that the parties own or are buying lease or rent

b. Petitioner Respondent Other Parent/Party is ordered to make the following payments on the liens and encumbrances coming due while the order is in effect:

Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:
Pay to:	For:	Amount: \$	Due date:

5. All other existing orders, not in conflict with these temporary emergency orders, remain in full force and effect.

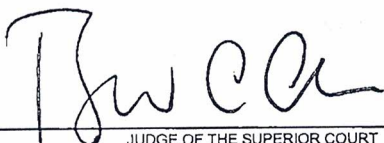
6. OTHER ORDERS (specify): Additional orders are listed in Attachment 6.

THE COURT FINDS GOOD CAUSE TO GRANT RESPONDENT'S REQUEST FOR A CONTINUANCE.

WITNESSES MAY NOT APPEAR BY PHONE UNLESS THERE IS A STIPULATION BY THE PARTIES.

TRW REISSUED.

Date: 4/9/10


 JUDGE OF THE SUPERIOR COURT
 JUDGE ROGER C. CHAN

THIS IS A COURT ORDER.

PLAINTIFF/PETITIONER: LAURA OWENS DEFENDANT/RESPONDENT: MICHAEL MARRACCINI	CASE NUMBER: FDV-18-813693
---	-------------------------------

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)
Declaration of Counsel

I, Randy Sue Pollock, declare and state as follows:

1. I am an attorney licensed to practice in the all courts in this state.
2. I am counsel for Respondent Michael Marraccini in this matter.
3. Respondent was originally timely served Petitioner's DV-109, DV 110, DV 100, DV 101, and attachments.
4. A court order granting a temporary restraining order was granted in part on January 10, 2018. A hearing was set for January 26, 2018.
5. Both parties and witnesses for Respondent appeared on that date, but the Court did not have time to hear the matter.
6. Because of conflicts with declarant's schedule on Fridays and the schedules of witnesses, the trial was set for April 13th at 1:30.
7. The Court specifically ordered that declarations of the witnesses [Joan O'Neill and Karen Ilmberger for Petitioner] and Colin Scanlon and Stephanie Marraccini] would be filed on March 29, 2018. These declarations would constitute the witnesses declarations.
8. On March 29, 2018, declarant received a 33page declaration signed by Petitioner which consisted of a 16 page declaration and the submission of six exhibits of text messages and photos. In addition to the anticipated declarations of witnesses O'Neill and Ilmberger there was an additional declaration by Petitioner's mother, Jan Owens.
9. The new declaration submitted by Petitioner alleges new allegations of abuse that had not been in her original Petition.
10. Declarant called counsel for Petitioner and stated that she would need additional time to respond to this new petition. While counsel for Petitioner was willing to extend the date for Respondent to file a supplemental declaration until the week of April 2nd, declarant advised her that she needed to continue the trial date.
11. Declarant was prepared to defend the original allegations with the original two named witnesses but at this time, declarant is unable to prepare to defend this new petition and the lengthy declarations by Petitioner's newest witness as well as the other two witnesses.
12. Declarant has advised counsel for Petitioner that she begins a four week federal criminal tax evasion trial

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

Date: 4/5/2018

Randy Sue Pollock
(TYPE OR PRINT NAME)

Randy Sue Pollock
(SIGNATURE OF DECLARANT)

- Attorney for Plaintiff Petitioner Defendant
 Respondent Other (Specify):

CONTINUED DECLARATION BY COUNSEL FOR RESPONDENT

on May 4, 2018. The trial is proceeding four days a week from 9am to 5pm. Declarant must spend all of her time preparing to cross-examination of government witnesses and direct examination of defense witnesses. Next week, declarant's client's brother, a key witness, is flying in from China and declarant must prepare questions for her client and the brother. The discovery in this case is tens of thousands of documents.

13. Declarant has filing deadlines for next week that take priority over her other cases.

14. Counsel for Petitioner attempted to find a date that this matter could be continued to, however the parties could not agree on a date. Declarant is available in June, July and August.

15. Under California Family Code Section 245, either party may request a continuance of the hearing, which the court shall grant on a showing of good cause.

16. Declarant needs additional time to respond to Petitioner's new petition. It is impossible for her to do so with her pending federal trial in which her client is facing over five (5) years in federal prison.

17. Declarant owes Mr. Marraccini effective assistance of counsel. To force declarant to defend these new allegations without sufficient time to prepare will result in ineffective assistance of counsel.

18. Respondent is prepared to agree to the temporary restraining order to remain in effect.

19. If this Court is not inclined to grant this continuance, then declarant will move to withdraw and refer Respondent to another counsel which will also presumably need a continuance.

I declare under penalty of perjury that the above is true and correct to the best of my knowledge.
Executed on April 5, 2018 in Oakland, CA.

Randy Sue Bellor

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 64493 NAME: RANDY SUE POLLOCK FIRM NAME: LAW OFFICES OF RANDY SUE POLLOCK STREET ADDRESS: 286 SANTA CLARA AVENUE CITY: OAKLAND STATE: CA ZIP CODE: 94610 TELEPHONE NO.: 510-763-9967 FAX NO.: 510-380-6551 E-MAIL ADDRESS: rsp@rspollocklaw.com ATTORNEY FOR (name): MICHAEL MARRACCINI	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, 946102 BRANCH NAME:	CASE NUMBER: FDV-18-813693
Plaintiff/Petitioner: ALIRA OWENS Defendant/Respondent: MICHAEL MARRACCINI	JUDICIAL OFFICER: JUDGE CHAN
<p style="text-align: center;">PROOF OF SERVICE—CIVIL</p> Check method of service (only one): <input type="checkbox"/> By Personal Service <input type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax	DEPARTMENT: 403

*Do not use this form to show service of a summons and complaint or for electronic service.
See USE OF THIS FORM on page 3.*

1. At the time of service I was over 18 years of age and not a party to this action.
2. My residence or business address is:
286 SANTA CLARA AVENUE
3. The fax number from which I served the documents is (complete if service was by fax):
4. On (date): April 5, 2018 I served the following documents (specify):
TEMPORARY EMERGENCY ORDER

 The documents are listed in the Attachment to Proof of Service—Civil (Documents Served) (form POS-040(D)).
5. I served the documents on the person or persons below, as follows:
 - a. Name of person served: ELISHA JUSSEN-COOKE
 - b. (Complete if service was by personal service, mail, overnight delivery, or messenger service.)
Business or residential address where person was served:
 - c. (Complete if service was by fax.)
Fax number where person was served:
415-241-9491

 The names, addresses, and other applicable information about persons served is on the Attachment to Proof of Service—Civil (Persons Served) (form POS-040(P)).
6. The documents were served by the following means (specify):
 - a. **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

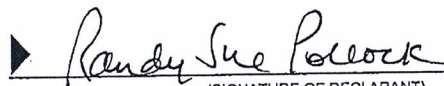
CASE NAME: OWENS VS. MARRACCINI	CASE NUMBER:
------------------------------------	--------------

6. b. **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (*specify one*):
- (1) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (2) placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (*city and state*):
- c. **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d. **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (*A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.*)
- e. **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

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

Date: APRIL 5, 2018

RANDY SUE POLLOCK
(TYPE OR PRINT NAME OF DECLARANT)


(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

DECLARATION OF MESSENGER

- By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (*date*):

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

Date:

(NAME OF DECLARANT)


(SIGNATURE OF DECLARANT)

PARTY WITHOUT ATTORNEY OR ATTORNEY STATE BAR NUMBER: 64493

NAME: RANDY SUE POLLOCK
 FIRM NAME: LAW OFFICES OF RANDY SUE POLLOCK
 STREET ADDRESS: 286 SANTA CLARA AVENUE
 CITY: OAKLAND STATE: CA ZIP CODE: 94610
 TELEPHONE NO.: 510-763-9967 FAX NO.: 510-380-6551
 E-MAIL ADDRESS: rsp@rspollocklaw.com
 ATTORNEY FOR (name): MICHAEL MARRACCINI

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
 STREET ADDRESS: 400 McAllister Street
 MAILING ADDRESS:
 CITY AND ZIP CODE: San Francisco 94102
 BRANCH NAME:

PETITIONER: LAURA OWENS
 RESPONDENT: MICHAEL MARRACCINI
 OTHER PARENT/PARTY:

REQUEST FOR ORDER CHANGE TEMPORARY EMERGENCY ORDERS

Child Custody Visitation (Parenting Time) Spousal or Partner Support
 Child Support Domestic Violence Order Attorney's Fees and Costs
 Property Control Other (specify):

FOR COURT USE ONLY

RECEIVED
FILED
 APR 9 2018
 San Francisco County Superior Court
 CLERK OF THE COURT
 BY: Sandra M.
 Deputy Clerk

CASE NUMBER:
 FDV-18-813693

NOTICE OF HEARING

1. TO (name(s)): LAURA OWENS
 Petitioner Respondent Other Parent/Party Other (specify):

2. A COURT HEARING WILL BE HELD AS FOLLOWS:

a. Date: 7/10/18 & 7/17/18 Time: 1:45 Dept.: 403 Room.:
 b. Address of court same as noted above other (specify):

3. **WARNING to the person served with the Request for Order:** The court may make the requested orders without you if you do not file a *Responsive Declaration to Request for Order* (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form FL-320-INFO for more information.)
 (Forms FL-300-INFO and DV-400-INFO provide information about completing this form.)

COURT ORDER (FOR COURT USE ONLY)

It is ordered that:

- 4. Time for service until the hearing is shortened. Service must be on or before (date):
- 5. A *Responsive Declaration to Request for Order* (form FL-320) must be served on or before (date):
- 6. The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location):
- 7. The orders in *Temporary Emergency (Ex Parte) Orders* (form FL-305) apply to this proceeding and must be personally served with all documents filed with this *Request for Order*.
- 8. Other (specify):

THE COURT FINDS GOOD CAUSE TO GRANT RESPONDENT'S REQUEST FOR A CONTINUANCE. WITNESSES MAY NOT APPEAR BY PHONE UNLESS THERE IS A SUPPLICATION OF THE PARTIES. TRO REISSUED

Date: 4/9/18

[Signature]
 JUDICIAL OFFICER
 JUDGE ROGER C. CHAN Page 1 of 4

PETITIONER: <u>OWENS</u> RESPONDENT: <u>MARACCINI</u> OTHER PARENT/PARTY:	CASE NUMBER: <u>FDV 16-813693</u>
---	--------------------------------------

REQUEST FOR ORDER

Note: Place a mark in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration* (form MC-031) for this purpose.)

1. **RESTRAINING ORDER INFORMATION**

One or more domestic violence restraining/protective orders are now in effect between (specify):

Petitioner Respondent Other Parent/Party (Attach a copy of the orders if you have one.)

The orders are from the following court or courts (specify county and state):

- a. Criminal: County/state (specify): Case No. (if known):
- b. Family: County/state (specify): Case No. (if known):
- c. Juvenile: County/state (specify): Case No. (if known):
- d. Other: County/state (specify): Case No. (if known):

2. **CHILD CUSTODY**

I request temporary emergency orders

VISITATION (PARENTING TIME)

a. I request that the court make orders about the following children (specify):

<u>Child's Name</u>	<u>Date of Birth</u>	<input type="checkbox"/> Legal Custody to (person who decides: health, education, etc):	<input type="checkbox"/> Physical Custody to (person with whom child lives):
---------------------	----------------------	---	--

b. The orders I request for child custody visitation (parenting time) are:

Attachment 2a.

(1) Specified in the attached forms:

- Form FL-305
 Form FL-311
 Form FL-312
 Form FL-341(C)
 Form FL-341(D)
 Form FL-341(E)
 Other (specify):

(2) As follows (specify):

Attachment 2b.

c. The orders that I request are in the best interest of the children because (specify):

Attachment 2c.

d. This is a change from the current order for child custody visitation (parenting time).

(1) The order for legal or physical custody was filed on (date):

. The court ordered (specify):

(2) The visitation (parenting time) order was filed on (date):

. The court ordered (specify):

Attachment 2d.

PETITIONER: <u>OWENS</u> RESPONDENT: <u>MARRACCIO</u> OTHER PARENT/PARTY:	CASE NUMBER: <u>FDV 18-813693</u>
---	--------------------------------------

3. CHILD SUPPORT

(Note: An earnings assignment may be issued. See *Income Withholding for Support* (form FL-195))

a. I request that the court order child support as follows:

Child's name and age

I request support for each child Monthly amount (\$) requested
based on the child support guideline. (if not by guideline)

Attachment 3a.

b. I want to change a current court order for child support filed on (date):

The court ordered child support as follows (specify):

c. I have completed and filed with this *Request for Order* a current *Income and Expense Declaration* (form FL-150) or I filed a current *Financial Statement (Simplified)* (form FL-155) because I meet the requirements to file form FL-155.

d. The court should make or change the support orders because (specify):

Attachment 3d.

4. SPOUSAL OR DOMESTIC PARTNER SUPPORT

(Note: An *Earnings Assignment Order For Spousal or Partner Support* (form FL-435) may be issued.)

a. Amount requested (monthly): \$

b. I want the court to change end the current support order filed on (date):

The court ordered \$ _____ per month for support.

c. This request is to modify (change) spousal or partner support after entry of a judgment.

I have completed and attached *Spousal or Partner Support Declaration Attachment* (form FL-157) or a declaration that addresses the same factors covered in form FL-157.

d. I have completed and filed a current *Income and Expense Declaration* (form FL-150) in support of my request.

e. The court should make, change, or end the support orders because (specify):

Attachment 4e.

5. PROPERTY CONTROL

I request temporary emergency orders

a. The petitioner respondent other parent/party be given exclusive temporary use, possession, and control of the following property that we own or are buying lease or rent (specify):

b. The petitioner respondent other parent/party be ordered to make the following payments on debts and liens coming due while the order is in effect:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

c. This is a change from the current order for property control filed on (date):

d. Specify in Attachment 5d the reasons why the court should make or change the property control orders.

PETITIONER: OWENS RESPONDENT: MARRACCINI OTHER PARENT/PARTY:	CASE NUMBER: FDV 18-813693
--	-------------------------------

6. ATTORNEY'S FEES AND COSTS
 I request attorney's fees and costs, which total (specify amount): \$. I filed the following to support my request:
- a. A current *Income and Expense Declaration* (form FL-150).
 - b. A *Request for Attorney's Fees and Costs Attachment* (form FL-319) or a declaration that addresses the factors covered in that form.
 - c. A *Supporting Declaration for Attorney's Fees and Costs Attachment* (form FL-158) or a declaration that addresses the factors covered in that form.

7. DOMESTIC VIOLENCE ORDER

- Do not use this form to ask for domestic violence restraining orders! Read form DV-505-INFO, *How Do I Ask for a Temporary Restraining Order*, for forms and information you need to ask for domestic violence restraining orders.
- Read form DV-400-INFO, *How to Change or End a Domestic Violence Restraining Order* for more information.

- a. The *Restraining Order After Hearing* (form DV-130) was filed on (date):
- b. I request that the court change end the personal conduct, stay-away, move-out orders, or other protective orders made in *Restraining Order After Hearing* (form DV-130). (If you want to change the orders, complete 7c.)
- c. I request that the court make the following changes to the restraining orders (specify): Attachment 7c.
- d. I want the court to change or end the orders because (specify): Attachment 7d.

8. OTHER ORDERS REQUESTED (specify): Attachment 8.
 TO CONTINUE TRIAL DATE

9. TIME FOR SERVICE / TIME UNTIL HEARING I urgently need:
- a. To serve the *Request for Order* no less than (number): court days before the hearing.
 - b. The hearing date and service of the the *Request for Order* to be sooner.
 - c. I need the order because (specify): Attachment 9c.

10. FACTS TO SUPPORT the orders I request are listed below. The facts that I write in support and attach to this request cannot be longer than 10 pages, unless the court gives me permission. Attachment 10.

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: 4/5/2016
 Randy Sue Pollock
 (TYPE OR PRINT NAME)

Randy Sue Pollock
 (SIGNATURE OF APPLICANT)



Requests for Accommodations
 Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

For your protection and privacy, please press the Clear This Form button after you have printed the form.

PLAINTIFF/PETITIONER: LAURA OWENS
 DEFENDANT/RESPONDENT: MICHAEL MARRACCINI

CASE NUMBER:
 FDV-18-813693

DECLARATION

(This form must be attached to another form or court paper before it can be filed in court.)

Declaration of Counsel

I, Randy Sue Pollock, declare and state as follows:

1. I am an attorney licensed to practice in the all courts in this state.
2. I am counsel for Respondent Michael Marraccini in this matter.
3. Respondent was originally timely served Petitioner's DV-109, DV 110, DV 100, DV 101, and attachments.
4. A court order granting a temporary restraining order was granted in part on January 10, 2018. A hearing was set for January 26, 2018.
5. Both parties and witnesses for Respondent appeared on that date, but the Court did not have time to hear the matter.
6. Because of conflicts with declarant's schedule on Fridays and the schedules of witnesses, the trial was set for April 13th at 1:30.
7. The Court specifically ordered that declarations of the witnesses [Joan O'Neill and Karen Ilmberger for Petitioner] and Colin Scanlon and Stephanie Marraccini] would be filed on March 29, 2018. These declarations would constitute the witnesses declarations.
8. On March 29, 2018, declarant received a 33page declaration signed by Petitioner which consisted of a 16 page declaration and the submission of six exhibits of text messages and photos. In addition to the anticipated declarations of witnesses O'Neill and Ilmberger there was an additional declaration by Petitioner's mother, Jan Owens.
9. The new declaration submitted by Petitioner alleges new allegations of abuse that had not been in her original Petition.
10. Declarant called counsel for Petitioner and stated that she would need additional time to respond to this new petition. While counsel for Petitioner was willing to extend the date for Respondent to file a supplemental declaration until the week of April 2nd, declarant advised her that she needed to continue the trial date.
11. Declarant was prepared to defend the original allegations with the original two named witnesses but at this time, declarant is unable to prepare to defend this new petition and the lengthy declarations by Petitioner's newest witness as well as the other two witnesses.
12. Declarant has advised counsel for Petitioner that she begins a four week federal criminal tax evasion trial

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

Date: 4/5/2018

Randy Sue Pollock
 (TYPE OR PRINT NAME)

Randy Sue Pollock
 (SIGNATURE OF DECLARANT)

- Attorney for Plaintiff Petitioner Defendant
 Respondent Other (Specify):

CONTINUED DECLARATION BY COUNSEL FOR RESPONDENT

on May 4, 2018. The trial is proceeding four days a week from 9am to 5pm. Declarant must spend all of her time preparing to cross-examination of government witnesses and direct examination of defense witnesses. Next week, declarant's client's brother, a key witness, is flying in from China and declarant must prepare questions for her client and the brother. The discovery in this case is tens of thousands of documents.

13. Declarant has filing deadlines for next week that take priority over her other cases.

14. Counsel for Petitioner attempted to find a date that this matter could be continued to, however the parties could not agree on a date. Declarant is available in June, July and August.

15. Under California Family Code Section 245, either party may request a continuance of the hearing, which the court shall grant on a showing of good cause.

16. Declarant needs additional time to respond to Petitioner's new petition. It is impossible for her to do so with her pending federal trial in which her client is facing over five (5) years in federal prison.

17. Declarant owes Mr. Marraccini effective assistance of counsel. To force declarant to defend these new allegations without sufficient time to prepare will result in ineffective assistance of counsel.

18. Respondent is prepared to agree to the temporary restraining order to remain in effect.

19. If this Court is not inclined to grant this continuance, then declarant will move to withdraw and refer Respondent to another counsel which will also presumably need a continuance.

I declare under penalty of perjury that the above is true and correct to the best of my knowledge.
Executed on April 5, 2018 in Oakland, CA.

Randy Sue Bellor

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 64493 NAME: RANDY SUE POLLOCK FIRM NAME: LAW OFFICES OF RANDY SUE POLLOCK STREET ADDRESS: 286 SANTA CLARA AVENUE CITY: OAKLAND STATE: CA ZIP CODE: 94610 TELEPHONE NO.: 510-763-9967 FAX NO.: 510-380-6551 E-MAIL ADDRESS: rsp@rspollocklaw.com ATTORNEY FOR (name): MICHAEL MARRACCINI	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, 946102 BRANCH NAME:	CASE NUMBER: FDV-18-813693
Plaintiff/Petitioner: AIRA OWENS Defendant/Respondent: MICHAEL MARRACCINI	JUDICIAL OFFICER: JUDGE CHAN
<p style="text-align: center;">PROOF OF SERVICE—CIVIL</p> Check method of service (only one): <input type="checkbox"/> By Personal Service <input type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax	DEPARTMENT: 403

*Do not use this form to show service of a summons and complaint or for electronic service.
See USE OF THIS FORM on page 3.*

1. At the time of service I was over 18 years of age and not a party to this action.
2. My residence or business address is:
286 SANTA CLARA AVENUE
3. The fax number from which I served the documents is (complete if service was by fax):
4. On (date): April 5, 2018 I served the following documents (specify):
NOTICE OF HEARING

 The documents are listed in the Attachment to Proof of Service—Civil (Documents Served) (form POS-040(D)).
5. I served the documents on the person or persons below, as follows:
 - a. Name of person served: ELISHA JUSSEN-COOKE
 - b. (Complete if service was by personal service, mail, overnight delivery, or messenger service.)
Business or residential address where person was served:
 - c. (Complete if service was by fax.)
Fax number where person was served:
415-241-9491

 The names, addresses, and other applicable information about persons served is on the Attachment to Proof of Service—Civil (Persons Served) (form POS-040(P)).
6. The documents were served by the following means (specify):
 - a. **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

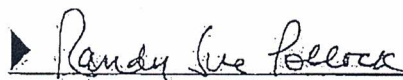
CASE NAME: OWENS VS. MARRACCINI	CASE NUMBER:
------------------------------------	--------------

6. b. By United States mail. I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in Item 5 and *(specify one)*:
- (1) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (2) placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at *(city and state)*:
- c. By overnight delivery. I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d. By messenger service. I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service: *(A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.)*
- e. By fax transmission. Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in Item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

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

Date: APRIL 5, 2018

RANDY SUE POLLOCK
(TYPE OR PRINT NAME OF DECLARANT)


(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

DECLARATION OF MESSENGER

- By personal service. I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office, between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on *(date)*:

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

Date:

(NAME OF DECLARANT)


(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 283446 NAME: Elisha Jussen-Cooke FIRM NAME: Cooperative Restraining Order Clinic STREET ADDRESS: 3543 18th Street, #5 CITY: San Francisco TELEPHONE NO.: 415-864-1790 E-MAIL ADDRESS: elisha@roclinic.org ATTORNEY FOR (name): Laura Owens	FOR COURT USE ONLY FILED Superior Court of California County of San Francisco APR 09 2018 CLERK OF THE COURT BY: <u>Pai C. Bellis</u> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	
PLAINTIFF/PETITIONER: Laura Owens	CASE NUMBER: FDV-18-813693
DEFENDANT/RESPONDENT: Michael Marraccini	JUDICIAL OFFICER: Hon. Roger Chan
PROOF OF ELECTRONIC SERVICE	DEPARTMENT: 403

1. I am at least 18 years old.
 - a. My residence or business address is (specify): 3543 18th Street, #5 San Francisco, CA 94102
 - b. My electronic service address is (specify): tara@roclinic.org
2. I electronically served the following documents (exact titles): Responsive Declaration to Request for Order (for Ex Parte set for April 9, 2018 at 1:30 p.m.)

The documents served are listed in an attachment. (Form POS-050(D)/EFS-050(D) may be used for this purpose.)

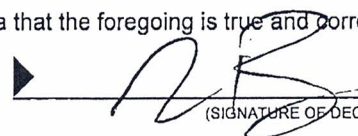
3. I electronically served the documents listed in 2 as follows:
 - a. Name of person served: Randy Sue Pollock
 On behalf of (name or names of parties represented, if person served is an attorney): Michael Marricini
 - b. Electronic service address of person served : rsp@rspollocklaw.com
 - c. On (date): 4/8/18

The documents listed in item 2 were served electronically on the persons and in the manner described in an attachment. (Form POS-050(P)/EFS-050(P) may be used for this purpose.)

Date: 4/8/18

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

T. Berta
 (TYPE OR PRINT NAME OF DECLARANT)


 (SIGNATURE OF DECLARANT)

PARTY WITHOUT ATTORNEY OR ATTORNEY: STATE BAR NO.: NAME: Tara Berta SBN 177541, Elisha Jussen-Cooke SBN 283446 FIRM NAME: Cooperative Restraining Order Clinic STREET ADDRESS: 3543 18th Street, Box #5 CITY: San Francisco STATE: CA ZIP CODE: 94110 TELEPHONE NO.: 415-864-1790 FAX NO.: 415-241-9491 E-MAIL ADDRESS: elisha@roclinic.org ATTORNEY FOR (name): PETITIONER, LAURA OWENS	FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> Superior Court of California County of San Francisco APR 09 2018 CLERK OF THE COURT BY: <u>P. C. Rollie</u> Deputy Clerk						
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:							
PETITIONER: Laura Owens RESPONDENT: Michael Marraccine OTHER PARENT/PARTY:							
RESPONSIVE DECLARATION TO REQUEST FOR ORDER	CASE NUMBER: FDV-18-813693						
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%; border-bottom: 1px solid black;">HEARING DATE:</td> <td style="width:33%; border-bottom: 1px solid black;">TIME:</td> <td style="width:33%; border-bottom: 1px solid black;">DEPARTMENT OR ROOM:</td> </tr> <tr> <td>April 13th, 2018</td> <td>1:30 p.m.</td> <td>403</td> </tr> </table>	HEARING DATE:	TIME:	DEPARTMENT OR ROOM:	April 13 th , 2018	1:30 p.m.	403	
HEARING DATE:	TIME:	DEPARTMENT OR ROOM:					
April 13 th , 2018	1:30 p.m.	403					

Read Information Sheet: Responsive Declaration to Request for Order (form FL-320-INFO) for more information about this form.

1. RESTRAINING ORDER INFORMATION
 - a. No domestic violence restraining/protective orders are now in effect between the parties in this case.
 - b. I agree that one or more domestic violence restraining/ protective orders are now in effect between the parties in this case.

2. CHILD CUSTODY
 VISITATION (PARENTING TIME)
 - a. I consent to the order requested for child custody (legal and physical custody).
 - b. I consent to the order requested for visitation (parenting time).
 - c. I do not consent to the order requested for child custody visitation (parenting time)
 but I consent to the following order:

3. CHILD SUPPORT
 - a. I have completed and filed a current *Income and Expense Declaration* (form FL-150) or, if eligible, a current *Financial Statement (Simplified)* (form FL-155) to support my responsive declaration.
 - b. I consent to the order requested.
 - c. I consent to guideline support.
 - d. I do not consent to the order requested but I consent to the following order:

4. SPOUSAL OR DOMESTIC PARTNER SUPPORT
 - a. I have completed and filed a current *Income and Expense Declaration* (form FL-150) to support my responsive declaration.
 - b. I consent to the order requested.
 - c. I do not consent to the order requested but I consent to the following order:

PETITIONER: Laura Owens RESPONDENT: Michael Marraccine OTHER PARENT/PARTY:	CASE NUMBER: FDV-18-813693
--	-----------------------------------

5. PROPERTY CONTROL

- a. I consent to the order requested.
- b. I do not consent to the order requested but I consent to the following order:

6. ATTORNEY'S FEES AND COSTS

- a. I have completed and filed a current *Income and Expense Declaration* (form FL-150) to support my responsive declaration.
- b. I have completed and filed with this form a *Supporting Declaration for Attorney's Fees and Costs Attachment* (form FL-158) or a declaration that addresses the factors covered in that form.
- c. I consent to the order requested.
- d. I do not consent to the order requested but I consent to the following order:

7. DOMESTIC VIOLENCE ORDER

- a. I consent to the order requested.
- b. I do not consent to the order requested but I consent to the following order:

8. OTHER ORDERS REQUESTED

- a. I consent to the order requested.
- b. I do not consent to the order requested but I consent to the following order:

9. TIME FOR SERVICE / TIME UNTIL HEARING

- a. I consent to the order requested.
- b. I do not consent to the order requested but I consent to the following order:

10. FACTS TO SUPPORT my responsive declaration are listed below. The facts that I write and attach to this form cannot be longer than 10 pages, unless the court gives me permission. Attachment 10.

Please see attached Declaration.

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: 4-8-18

Tara Berta
(TYPE OR PRINT NAME)


(SIGNATURE OF DECLARANT)

PETITIONER/PLAINTIFF: Laura Owens RESPONDENT/DEFENDANT: Michael Marraccini	CASE NUMBER: FDV-18-813693
---	-------------------------------

Declaration of counsel in objection to request to set new hearing date


I, Tara M. Berta, declare:

1. I am an attorney licensed to practice law in the State of California.
2. I am employed by the Cooperative Restraining Order Clinic ("CROC"), which agency is representing Ms. Laura Owens with her request for a restraining order against Mr. Michael Marraccini. The lead attorney representing Ms. Owens from CROC is Elisha Jussen-Cooke.
3. On January 26, 2018, this court set a hearing date for Ms. Owens's request for a restraining order. On that day, the court ordered witness declarations to be filed and served by March 29, 2018. On March 29, 2018, on behalf of Petitioner, CROC filed and served a Supplemental Declaration of Laura Owens and declarations of Joan O'Neill, Karen Ilmberger, and Jan Owens, all of whom are to be called as witnesses for Ms. Laura Owens.
4. The witnesses for Petitioner are prepared to appear in person or by phone on April 13, 2018.
5. Ms. Laura Owens does not want to continue the hearing. She is anxious to have this matter resolved as soon as possible, and she and her witnesses have planned their schedules in anticipation of the hearing proceeding on April 13.
6. If the court does grant a continuance of the hearing set for April 13, 2018, Petitioner requests that the Court order
 - (a) The matter be set on as early a date as possible;
 - (b) The new hearing date accommodate the parties' and witnesses' schedules;
 - (c) If any of Petitioner's witnesses are not able to appear in person on that date, they be allowed to appear by phone; and
 - (d) Discovery be reopened.

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

4-8-18

Dated:



Tara M. Berta
Attorney for Petitioner



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO

Document Scanning Lead Sheet

Apr-06-2018 11:35 am

Case Number: FDV-18-813693

Filing Date: Apr-06-2018 11:35

Filed by: LORINA TAUALA

Image: 06285602

DECLARATION

LAURA OWENS VS. MICHAEL MARRACCINI

001F06285602

Instructions:

Please place this sheet on top of the document to be scanned.

1 RANDY SUE POLLOCK
Attorney at Law (CSBN 64493)
2 286 Santa Clara Avenue
Oakland, CA 94610
3 Telephone: (510) 763-9967
Facsimile: (510) 380-6551
4 rsp@rspollocklaw.com

5 Attorney for Respondent
MICHAEL MARRACCINI

FILED
Superior Court of California
County of San Francisco

APR - 6 2018

CLERK OF THE COURT
BY: Loriana Janku
Deputy Clerk

8 SUPERIOR COURT OF STATE OF CALIFORNIA
9 COUNTY OF SAN FRANCISCO
10 UNIFIED FAMILY COURT
11 -000-

12 LAURA OWENS,
13 Petitioner,
14 vs.

COURT NO. FDV-18-813693

**DECLARATION OF COUNSEL
IN OPPOSITION TO TELEPHONIC
APPEARANCE OF WITNESS
JOAN O'NEILL**

15 MICHAEL MARRACCINI,
16 Respondent.

Hearing Date: April 13, 2018
Hearing Time: 1:30 p.m.
Department: 403

17 _____ /
18 I, Randy Sue Pollock, declare and state as follows:

- 19
- 20 1. I am counsel for Respondent Michael Marraccini in the above matter;
 - 21 2. On April 3, 2018, I received both verbal and fax notice of an application and
22 declaration for a telephonic appearance for Petitioner's witness Joan O'Neill;
 - 23 3. While Ms. O'Neill's declaration was e-mailed to declarant on March 29th, for
24 some reason, she did not receive a copy until today, April 5th;
 - 25 4. Counsel is moving to continue this trial date. Should that request be granted
26 then Ms. O'Neill's request may be moot;
 - 27
 - 28

1 5. Alternatively, counsel does not know this witness and believes that while San
2 Francisco Local Rule of Court 11(D)(4)(a)(3) permits a telephonic examination, the
3 outcome of this trial is so serious to Respondent, that all witnesses should be in court
4 and subject to confrontation in person.

5
6 I declare under penalty of perjury that the above is true and correct to the best of my
7 knowledge. Executed this 5th day of April 2018 in Oakland, CA.

8
9 
10 RANDY SUE POLLOCK

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 64493 NAME: RANDY SUE POLLOCK FIRM NAME: LAW OFFICES OF RANDY SUE POLLOCK STREET ADDRESS: 286 SANTA CLARA AVENUE CITY: OAKLAND STATE: CA ZIP CODE: 94610 TELEPHONE NO.: 510-763-9967 FAX NO.: 510-380-6551 E-MAIL ADDRESS: rsp@rspollocklaw.com ATTORNEY FOR (name): MICHAEL MARRACCINI	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McALLISTER STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, 946102 BRANCH NAME:	CASE NUMBER: FDV-18-813693
Plaintiff/Petitioner: LAURA OWENS Defendant/Respondent: MICHAEL MARRACCINI	JUDICIAL OFFICER: JUDGE CHAN
<p style="text-align: center;">PROOF OF SERVICE—CIVIL</p> Check method of service (only one): <input type="checkbox"/> By Personal Service <input type="checkbox"/> By Mail <input type="checkbox"/> By Overnight Delivery <input type="checkbox"/> By Messenger Service <input type="checkbox"/> By Fax	DEPARTMENT: 403

**Do not use this form to show service of a summons and complaint or for electronic service.
See USE OF THIS FORM on page 3.**

1. At the time of service I was over 18 years of age and not a party to this action.
2. My residence or business address is:
286 SANTA CLARA AVENUE
3. The fax number from which I served the documents is (complete if service was by fax):
4. On (date): April 5, 2018 I served the following documents (specify):
DECLARATION OF COUNSEL IN OPPOSITION TO TELEPHONIC APPEARANCE OF WITNESS JOAN O'NEILL

 The documents are listed in the Attachment to Proof of Service—Civil (Documents Served) (form POS-040(D)).
5. I served the documents on the person or persons below, as follows:
 - a. Name of person served: ELISHA JUSSEN-COOKE
 - b. (Complete if service was by personal service, mail, overnight delivery, or messenger service.)
Business or residential address where person was served:
 - c. (Complete if service was by fax.)
Fax number where person was served:
415-241-9491

 The names, addresses, and other applicable information about persons served is on the Attachment to Proof of Service—Civil (Persons Served) (form POS-040(P)).
6. The documents were served by the following means (specify):
 - a. **By personal service.** I personally delivered the documents to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

CASE NAME: OWENS VS. MARRACCINI	CASE NUMBER:
------------------------------------	--------------

6. b. **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (*specify one*):
- (1) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (2) placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (*city and state*):
- c. **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d. **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (*A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.*)
- e. **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

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

Date: APRIL 5, 2018

RANDY SUE POLLOCK
(TYPE OR PRINT NAME OF DECLARANT)


(SIGNATURE OF DECLARANT)

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

DECLARATION OF MESSENGER

- By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and six in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (*date*):

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

Date:

(NAME OF DECLARANT)

 _____
(SIGNATURE OF DECLARANT)

PARTY WITHOUT ATTORNEY OR ATTORNEY: STATE BAR NUMBER: 64493
 NAME: Randy Sue Pollock
 FIRM NAME: Law Offices of Randy Sue Pollock
 STREET ADDRESS: 256 Santa Clara Ave
 CITY: Oakland STATE: CA ZIP CODE: 94610
 TELEPHONE NO.: 510 7639967 FAX NO.: 510 3806551
 E-MAIL ADDRESS: rsp@rspollacklaw.com
 ATTORNEY FOR (name): Michael MARRACCINI

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO
 STREET ADDRESS: 400 McAllister St
 MAILING ADDRESS:
 CITY AND ZIP CODE: San Francisco 94102
 BRANCH NAME:

PETITIONER: Laura OWENS
 RESPONDENT: Michael MARRACCINI
 OTHER PARENT/PARTY:

DECLARATION REGARDING NOTICE AND SERVICE OF REQUEST FOR TEMPORARY EMERGENCY (EX PARTE) ORDERS

FOR COURT USE ONLY
 FILED
 Superior Court of California
 County of San Francisco
 APR - 6 2018
 CLERK OF THE COURT
 BY: Lorian Faulstich
 Deputy Clerk

CASE NUMBER:
 FDV 18-813693

NOTICE: Do not use this form to ask for domestic violence restraining orders. Before completing this form, read your court's local procedures for requesting temporary emergency orders and obtaining the information needed to complete item 2 of this form. Courts may grant temporary emergency orders with or without an emergency hearing. Find local rules at courts.ca.gov/3027.htm.

1. I am (specify) attorney for petitioner respondent other parent/party
 not a party in the case (name and title/relationship to party):
2. I did did not give notice that
 there will be an emergency court hearing on a request for temporary emergency (ex parte) orders.
 papers will be submitted to the court asking a judicial officer to grant temporary emergency orders without a hearing on the date, time, and location indicated below:

a. Date: 4/9/2018 Time: 1:30 Dept.: 403 Room:
 b. Address of court: same as noted above other (specify):

3. NOTICE (If you gave notice, complete item 3a. If you did not give notice complete item 3b or 3c.)
 a. I gave notice as described in items (1) through (5):
 (1) I gave notice to (select all that apply)
 petitioner petitioner's attorney
 respondent respondent's attorney
 other parent/party other parent's/party's attorney
 child's attorney Other (specify):
 (2) I gave notice
 personally on (date): 4/5/2018 at (location): , California; at a.m.
 by telephone on (date): telephone no.: at p.m.
 by voicemail on (date): voicemail no.: at a.m.
 by fax on (date): 4/5/2018 fax no.: 415-241-9491 at 6 p.m.
 (3) I gave notice (select one):
 by 10 a.m. the court day before this emergency hearing.
 after 10 a.m. the court day before this emergency hearing because of the following exceptional circumstances (specify):

PETITIONER: <u>Law</u>	CASE NUMBER:
RESPONDENT:	
OTHER PARENT/PARTY:	

3. a. (4) I notified the person in 3a(1) that the following temporary emergency orders are being requested (specify):
*Notice of Hearing, Notice of Emergency Order, Temporary Emergency Order
 Declaration In Opposition TO Telephonic Testimony*

(5) The person in 3a(1) responded as follows: Attachment 3a(5)

(6) I do do not believe that the person in 3a(1) will oppose the request for temporary emergency orders.

b. Request for waiver of notice. I did not give notice about the request for temporary emergency orders. I ask that the court waive notice to the other party to help prevent an immediate (identify the exceptional circumstances)

- (1) danger or irreparable harm to myself (or my client) or to the children in the case.
- (2) risk that the children in the case will be removed from the state of California.
- (3) loss or damage to property subject to disposition in the case.
- (4) Other exceptional circumstances (specify):

Facts in support of the request to waive notice (specify): Attachment 3b.

c. Unable to provide notice. I did not give notice about the request for temporary emergency orders. I used my best efforts to tell the opposing party when and where this hearing would take place but was unable to do so. The efforts I made to inform the other person were (specify below): Attachment 3c.

4. SERVICE OF FORMS

a. An unfiled copy of Request for Order (form FL-300) for temporary emergency orders, Temporary Emergency (Ex Parte) Orders (form FL-305), and related documents were served on

- petitioner petitioner's attorney other parent/party other parent/party's attorney
- respondent respondent's attorney child's attorney
- Other (specify):

b. Method of service:

- Personal service on (date): _____ at (location): _____, California; at a.m. p.m.
- Fax on (date): _____ fax no.: 415-2419491 at a.m. p.m.
- Overnight mail or other overnight carrier

c. Documents were not served on the opposing party due to the exceptional circumstances specified in 3b, above 3c, above Attachment 4c.

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

Date: 4/6/2015

Randy Sue Block

(TYPE OR PRINT NAME)

Randy Sue Block

(SIGNATURE)



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

Document Scanning Lead Sheet

Apr-06-2018 8:51 am

Case Number: FDV-18-813693

Filing Date: Apr-06-2018 8:50

Filed by: BRIE REDDICK

Image: 06284953

GENERIC FAMILY LAW FILING (NO FEE)

LAURA OWENS VS. MICHAEL MARRACCINI

001F06284953

Instructions:

Please place this sheet on top of the document to be scanned.

F I L E D
Superior Court of California
County of San Francisco

APR 06 2018

CLERK OF THE COURT

BY: Prin C. Bellini
Deputy Clerk

1 Elisha Jussen-Cooke, SNB 283446
2 COOPERATIVE RESTRAINING ORDER CLINIC
3 3543 18th Street, #5
4 San Francisco, CA 94110
5 Tel: (415) 864-1790
6 Fax: (415) 241-9491
7 slambright@baylegal.org

8 Attorney for Petitioner
9 LAURA OWENS

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 CITY AND COUNTY OF SAN FRANCISCO

12 LAURA OWENS,

13 Petitioner,

14 v.

15 MICHAEL MARRACCINI,

16 Respondent.

) Case No.: FDV-18-813693

) PETITIONER'S MOTION IN LIMINE AND
) REQUEST TO STRIKE

) Date: April 13, 2018
) Time: 1:30 a.m.
) Dept.: 403

17 **INTRODUCTION**

18 Petitioner, LAURA OWENS, through counsel, respectfully submits this motion in limine
19 to exclude from evidence at trial those portions of the following pleadings that are inadmissible:
20 *Respondent's Response to Request for Domestic Violence Restraining Order* filed January 22,
21 2018; *Declaration of Witness Stephanie Marraccini in Support of Respondent* filed March 28,
22 2018; and *Declaration of Witness Colin Scanlon in Support of Respondent* filed March 28, 2018.
23 These declarations contain allegations that are inadmissible character evidence (Evid. Code
24 1101), irrelevant (Evid. Code § 350), more prejudicial than probative (Evid. Code § 352), based
25 on hearsay (Evid. Code §§ 1200 *et. seq.*), lack foundation (Evid. Code § 403), or are
26 speculative/not based on personal knowledge (Evid. Code §§ 702 and 800).
27
28

1 As set forth below, the inadmissible portions of these declarations are denoted in
2 quotations. Where only a portion of the complete quoted text is inadmissible, the inadmissible
3 portion is denoted in strike-through text. Petitioner's objections follow in bold type.

4
5 **STATEMENT OF FACTS**

6 On January 9, 2018, Petitioner (then a self-represented litigant) filed a Request for
7 Domestic Violence Restraining Order.

8 On January 22, 2018, Respondent filed a Response to Request for Domestic Violence
9 Restraining Order (hereinafter "Respondent's Response").

10 On March 28, 2018, Respondent filed a Declaration of Witness Stephanie Marraccini in
11 Support of Respondent (hereinafter "Stephanie Marraccini's Declaration") and a Declaration of
12 Witness Colin Scanlon in Support of Respondent (hereinafter "Colin Scanlon's Declaration").

13 On March 29, 2018, Petitioner filed a Supplemental Declaration, a Declaration of
14 Elizabeth "Jan" Owens in Support of Laura Owen's Request for Restraining Order, a Declaration
15 of Karen Ilmberger in Support of Laura Owen's Request for Restraining Order, and a
16 Declaration of Joan O'Neill in Support of Laura Owen's Request for Restraining Order.

17
18 **OBJECTIONS TO RESPONDENT'S RESPONSE TO REQUEST FOR DOMESTIC**
19 **VIOLENCE RESTRAINING ORDER**

20 Petitioner hereby objects to those portions of Respondent's Response set forth below.
21 Based on any or all of said objections, Petitioner respectfully requests that the Court exclude
22 from evidence the inadmissible portions of Respondent's Declaration, including any and all
23 Attachments thereto.

24 1. Page 5, Item 25, paragraph 1: "The allegations she has made are total fabrication
25 from a young woman who has threatened suicide multiple times, been hospitalized for
26 depression and been on anxiety/depression medications."

27 ***Objection: Evidence Code § 350- lacks relevance.***

1 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
2 **the likelihood that admission will create a substantial danger of undue prejudice.**

3 **Objection: Evidence Code § 1200- hearsay.**

4 **Objection: Evidence Code §1101- inadmissible character evidence.**

5 4. Page 5, Item 25, paragraph 3: “Since before we dated, Petitioner has taken
6 multiple medications to help with depression and anxiety. The texts in all of the attachments
7 confirm this. Towards the end of our relationship, Petitioner told me she would take horse
8 tranquilizers to calm her down.”

9 **Objection: Evidence Code § 350- lacks relevance.**

10 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
11 **the likelihood that admission will create a substantial danger of undue prejudice.**

12 **Objection: Evidence Code § 403- lacks foundation as to Respondent’s qualifications**
13 **to render the opinion that Petitioner has taken multiple medications for treatment of**
14 **depression and anxiety.**

15 **Objection: Evidence Code §§ 702 and 800- this testimony is speculative and lacks**
16 **personal knowledge.**

17 **Objection: Evidence Code §1101- inadmissible character evidence.**

18 5. Attachment 1: Texts between Petitioner’s Mother and Respondent. The entirety of
19 Respondent’s Attachment 1 is inadmissible and should be stricken based on the following
20 objections:

21 **Objection: Evidence Code § 350- lacks relevance.**

22 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
23 **the likelihood that admission will create a substantial danger of undue prejudice.**

24 **Objection: Evidence Code § 1200- hearsay.**

25 **Objection: Evidence Code § 1400- lacks proper authentication.**

26 6. Attachment 2: Texts between Petitioner’s Father and Respondent. The entirety of
27 Respondent’s Attachment 2 is inadmissible and should be stricken based on the following
28 objections:

1 **Objection: Evidence Code § 350- lacks relevance.**

2 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
3 **the likelihood that admission will create a substantial danger of undue prejudice.**

4 **Objection: Evidence Code § 1200- hearsay.**

5 **Objection: Evidence Code § 1400- lacks proper authentication.**

6 7. Attachment 3: Texts between Petitioner and Respondent's Sister. The entirety of
7 Respondent's Attachment 3 is inadmissible and should be stricken based on the following
8 objections:

9 **Objection: Evidence Code § 350- lacks relevance.**

10 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
11 **the likelihood that admission will create a substantial danger of undue prejudice.**

12 **Objection: Evidence Code § 1200- hearsay.**

13 **Objection: Evidence Code § 1400- lacks proper authentication.**

14
15 **OBJECTIONS TO THE DECLARATION OF WITNESS STEPHANIE MARRACCINI**

16 Petitioner hereby objects to those portions of Stephanie Marraccini's Declaration set forth
17 below. Based on any or all of said objections, Petitioner respectfully requests that the Court
18 exclude from evidence the inadmissible portions of Stephanie Marraccini's Declaration.

19 8. Page 2, lines 3-4: "I advised Ms. Owens in my text messages that she should not
20 push my brother and instead should back off and enjoy the relationship."

21 **Objection: Evidence Code § 350- lacks relevance.**

22 **Objection: Evidence Code § 1200- hearsay.**

23 9. Page 2, lines 9-10: "I witnessed her manic behavior over dinner once when she
24 yelled at him and then took an Ambien pill to calm down."

25 **Objection: Evidence Code § 350- lacks relevance.**

26 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
27 **the likelihood that admission will create a substantial danger of undue prejudice.**

1 **Objection: Evidence Code § 403- lacks foundation as to Stephanie Marraccini's**
2 **qualifications to render the opinion that Petitioner exhibited "manic" behavior.**

3 **Objection: Evidence Code §§ 702 and 800- this testimony is speculative and lacks**
4 **personal knowledge.**

5 10. Page 2, lines 21-22: "Laura was very upset about Michael dating another girl."

6 **Objection: Evidence Code § 702- this testimony is speculative.**

7 11. Page 2, lines 23-24: "Instead we told her we wanted her to leave us alone and that
8 she needed help."

9 **Objection: Evidence Code § 350- lacks relevance.**

10 **Objection: Evidence Code § 1200- hearsay.**

11 12. Page 2, line 24: "After that encounter, my brother filed a police report with the
12 San Francisco Police Department."

13 **Objection: Evidence Code § 702- this testimony is speculative and lacks personal**
14 **knowledge.**

15 13. Page 2, lines 25-28 – page 3, lines 1-3: "In November 2016, Michael called me
16 distraught at how Laura lied to him about getting an abortion and that he needed someone to
17 come over to Laura's as he needed a witness. I asked my boyfriend, Colin Scanlon to walk over
18 to listen as Laura had called her father to come to her apartment. Colin heard Laura admit to
19 lying about the abortion. She justified her behavior by saying she didn't want to lose Michael.
20 Laura's father, Ron Owens told Michael that he needed to end the relationship. Mr. Owens told
21 Michael that Laura makes up stories in her head and then believes them. Colin witnessed this
22 meeting and heard this conversation."

23 **Objection: Evidence Code § 350- lacks relevance.**

24 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
25 **the likelihood that admission will create a substantial danger of undue prejudice.**

26 **Objection: Evidence Code § 702- this testimony is speculative and lacks personal**
27 **knowledge.**

28 **Objection: Evidence Code §1101- inadmissible character evidence.**

1 **Objection: Evidence Code § 1200- hearsay.**

2
3 **OBJECTIONS TO THE DECLARATION OF WITNESS COLIN SCANLON**

4 14. Page 1, lines 24-27: "I specifically remember being called by Michael to come to
5 Laura's apartment in December 2016 for a meeting with Laura and her father to discuss Laura's
6 desire to continue the relationship with Michael. Laura had been claiming that she was pregnant
7 and had been threatening Mike with not having an abortion if he ceased dating her. Additionally,
8 Laura had been indicating to Mike that she was contemplating suicide at the thought of their
9 relationship ending."

10 **Objection: Evidence Code § 350- lacks relevance.**

11 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
12 **the likelihood that admission will create a substantial danger of undue prejudice.**

13 **Objection: Evidence Code § 702- this testimony is speculative and lacks personal**
14 **knowledge.**

15 **Objection: Evidence Code § 1200- hearsay.**

16 15. Page 2, lines 3-6: "During the meeting, which her father Ron Owens steered, Mr.
17 Owens told Michael that his daughter had a tendency to exaggerate or even flat out make things
18 up. Laura was complaining of depression and suicidal thoughts at the fear of her relationship
19 with Michael ending and was very distraught."

20 **Objection: Evidence Code § 1200- hearsay.**

21 16. Page 2, lines 12-15: "Mr. Owens was very thankful as he, Michael and myself left
22 the apartment. Mr. Owens advised Michael in the elevator on the way out of the building that he
23 appreciated Michael agreeing to not end the relationship outright and see how it goes, and then
24 advised him to get out in a few weeks when his daughter had a chance to calm down and get a
25 handle on her depression."

26 **Objection: Evidence Code § 350- lacks relevance.**

27 **Objection: Evidence Code § 352- any probative value is substantially outweighed by**
28 **the likelihood that admission will create a substantial danger of undue prejudice.**

1 **Objection: Evidence Code § 1200- hearsay.**

2

3 Based on the foregoing, Petitioner respectfully requests that the Court exclude from
4 evidence those portions of Respondent's Response to Request for Domestic Violence
5 Restraining Order, the Declaration of Witness Stephanie Marraccini in Support of Respondent,
6 and the Declaration of Witness Colin Scanlon in Support of Respondent, to which Petitioner has
7 interposed objections.

8

9 DATED: April 5, 2018



10 ELISHA JUSSEN-COOKE
11 Attorney for Petitioner Laura Owens

<p>Name (and SBN if attorney): Elisha Jussen-Cooke (SBN 283446) Address: Cooperative Restraining Order Clinic, 3543 18th Street, #5 City, State, Zip Code: San Francisco, CA 94110 Telephone Number: (415) 864-1790</p> <p>Attorney For: Petitioner Laura Owens</p> <hr/> <p>Superior Court of California County of San Francisco 400 McAllister Street San Francisco, CA 94102</p> <hr/> <p>Petitioner: Laura Owens</p> <p>Respondent: Michael Marraccini</p>	<p>For court use only</p> <p>FILED San Francisco County Superior Court</p> <p>APR - 4 2018</p> <p>CLERK OF THE COURT</p> <p>By: <u>Jade R.</u> Deputy Clerk</p>
<p>Other Parent:</p> <p>Hearing Date: April 13, 2018 Time: 1:30 p.m. Dept: 403</p>	<p>Case #: FDV-18-813693</p>

ORDER RE TELEPHONIC APPEARANCE

Petitioner's Respondent's Other Parent's request to appear by telephone at the hearing scheduled for April 13, 2018 at 1:30 p.m. is hereby GRANTED DENIED.

The Court will call the party appearing by telephone collect between 9:00am and 12:00pm (noon) on the date of the hearing. If the Court is unable to contact the party seeking to appear by telephone due to non-operation of the telephone, inability of the telephone to accept a collect call, or for any other reason, the Court will proceed with the hearing as if the party failed to appear. The party appearing by telephone shall have copies of all paperwork available for reference during the hearing.

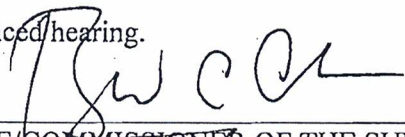
Notification of this order shall be completed on all parties, including the other parent, by the following individual or entity designated:

- The moving party
- The Court
- Other _____

The notification shall be done by any reasonable means, including by telephone, fax or mail.

This Order applies only to the above-referenced hearing.

Dated: 4/4/18


JUDGE/COMMISSIONER OF THE SUPERIOR COURT
JUDGE ROGER C. CHAN

Name: Elisha Jussen-Cooke (SBN 283446) Address: Cooperative Restraining Order Clinic, 3543 18th St., #5 City, State, Zip Code: San Francisco, CA 94110 Telephone Number: (415) 864-1790		For court use only FILED Superior Court of California County of San Francisco APR 13 2018 CLERK OF THE COURT BY: <u>Damon Carter</u> Deputy Clerk
Superior Court of California County of San Francisco 400 McAllister Street San Francisco, CA 94102 Petitioner: Laura Owens Respondent: Michael Marraccini		
Other Parent: Application and Declaration for Telephonic Appearance Hearing Date: April 13, 2018 Time: 1:30 p.m. Dept: 403		Case #: FDV-18-813693

APPLICATION AND DECLARATION FOR TELEPHONIC APPEARANCE

- I am the Petitioner Respondent Other Part in this case. I am requesting that the Court allow me to appear by telephone to testify regarding my case. I am requesting that the Court allow witness Joan O'Neill to appear by telephone to testify regarding my case.
- I request that the Court allow me to appear by phone at the above court hearing at the following telephone number: Joan O'Neill: (415) 812-9395. This number accepts collect calls, and I will be available at this number between 10:00 a.m. and 12:00 p.m. on the day of the hearing.

3. I need to appear by telephone for the following reasons: (Check all that apply)

- I am not a California resident. I reside in the state of _____.
- I work outside of the state of California. I work in _____.
- I live outside of the nine bay area counties (Alameda, Contra Costa, Marin, Napa, San Mateo, San Francisco, Santa Clara, Solano, Sonoma). I live in _____ county.
- I am incarcerated at _____ jail/prison and will be incarcerated at the time of the court hearing.
- Other Extraordinary Circumstances:

Witness Joan O'Neill will be traveling outside state of California for work on

April 13, 2018 and cannot appear in person at hearing.

4. I agree to be responsible for the costs and arrangements of this telephonic appearance if it is ordered by the Court.
5. If my request to appear by telephone is granted, the court may notify me at the following telephone number: (415) 864-1790- Cooperative Restraining Order Clinic. This number accepts collect calls and messages.

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

DATE: April 3, 2018

Elisha Jussen-Cooke
Print Name


Signature

Name: Elisha Jussen-Cooke (SBN 283446) Address: Cooperative Restraining Order Clinic, 3543 18th St., #5 City, State, Zip Code: San Francisco, CA 94110 Telephone Number: (415) 864-1790	For court use only <div style="text-align: center;"> FILED Superior Court of California County of San Francisco APR - 3 2018 CLERK OF THE COURT BY: <i>Damon [Signature]</i> Deputy Clerk </div> Case #: FDV-18-813693
Superior Court of California County of San Francisco 400 McAllister Street San Francisco, CA 94102	
Petitioner: Laura Owens Respondent: Michael Marraccini Other Parent:	
Declaration Regarding Notice of Application for Telephonic Appearance Hearing Date: April 13, 2018 Time: 1:30 p.m. Dept: 403	

I, the undersigned, declare:

1. I gave notice of the ex parte Application for Telephonic Appearance:

- a. TO:
- Petitioner
 - Respondent
 - Other Parent: _____
 - Other: _____
 - Petitioner's Attorney
 - Respondent's Attorney

b. HOW AND WHEN:

- By a telephone call at 1:58 _____ a.m. p.m. on April 3, 2018 (date).
- By personally informing at _____ a.m. p.m. on _____ (date).
- By giving copy of the Application and Declaration for Telephonic Appearance by:
 - Personal delivery at _____ a.m. p.m. on _____ (date).
 - Overnight mail/other overnight carrier, sent at _____ a.m. p.m. on _____ (date).

Fax transmission at 2:45 a.m. p.m. on
April 3, 2018 (date).

OTHER:

By emailing notice to Respondent's Attorney at Rsp@rspollocklaw.com at

2: 25 p.m. on April 3, 2018.

2. At the time of the notice I informed him/her that the application for ex-parte orders contained requests for the following orders: Request to appear by a phone at my court hearing or mediation appointment.
3. I have received the following response: Respondent's Attorney indicated that she may wish to object to telephonic appearance of witness Joan O'Neill.

I declare under penalty of perjury that the foregoing is true and correct.

Date: April 3, 2018

Elisha Jussen-Cooke

Print Name



Signature

4113 403

POS-050/EFS-050

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 283446 NAME: Elisha Jussen-Cooke FIRM NAME: Cooperative Restraining Order Clinic STREET ADDRESS: 3543 18th Street, #5 CITY: San Francisco STATE: CA ZIP CODE: 94110 TELEPHONE NO.: 415-864-1790 FAX NO.: 415-241-9491 E-MAIL ADDRESS: elisha@roclinic.org ATTORNEY FOR (name): Laura Owens	FOR COURT USE ONLY FILED San Francisco County Superior Court MAR 29 2018 CLERK OF THE COURT BY: <u>[Signature]</u> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	
PLAINTIFF/PETITIONER: Laura Owens	CASE NUMBER: FDV-18-813693
DEFENDANT/RESPONDENT: Michael Marraccini	JUDICIAL OFFICER: Hon. Roger Chan
PROOF OF ELECTRONIC SERVICE	DEPARTMENT: 403

1. I am at least 18 years old.
 - a. My residence or business address is (specify): 3543 18th Street, #5
San Francisco, CA 94102
 - b. My electronic service address is (specify): tara@roclinic.org

2. I electronically served the following documents (exact titles): Notice of Limited Scope Representation, Declaration of Laura Owens, Declaration of Joan O'Neill, Declaration of Karen Ilmberger, Declaration of Elizabeth Owens

The documents served are listed in an attachment. (Form POS-050(D)/EFS-050(D) may be used for this purpose.)

3. I electronically served the documents listed in 2 as follows:
 - a. Name of person served: Randy Sue Pollock
On behalf of (name or names of parties represented, if person served is an attorney): Michael Marraccini
 - b. Electronic service address of person served : rsp@rspollocklaw.com
 - c. On (date): 3/29/18

The documents listed in item 2 were served electronically on the persons and in the manner described in an attachment. (Form POS-050(P)/EFS-050(P) may be used for this purpose.)

Date: 3/29/18

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

T. Berta
(TYPE OR PRINT NAME OF DECLARANT)

[Signature]
(SIGNATURE OF DECLARANT)

4113403

ATTORNEY: NAME: Elisha Jussen-Cooke FIRM NAME: Cooperative Restraining Order Clinic STREET ADDRESS: 3543 18th Street, #5 CITY: San Francisco TELEPHONE NO.: 415-864-1790 E-MAIL ADDRESS: elisha@roclinic.org ATTORNEY FOR (name): Laura Owens	STATE BAR NO.: 283446 STATE: CA ZIP CODE: 94110 FAX NO.:	FOR COURT USE ONLY FILED San Francisco County Superior Court MAR 29 2018 CLERK OF THE COURT BY: <i>[Signature]</i> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:		
PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/CLAIMANT:		
NOTICE OF LIMITED SCOPE REPRESENTATION <input type="checkbox"/> AMENDED		CASE NUMBER: FDV-18-813693

- Attorney (name): Elisha Jussen-Cooke and party (name): Laura Owens have an agreement that attorney will provide limited scope representation to the party.
- The attorney will represent the party as follows:
 - At the hearing on (date): 4/13/18 and for any continuance of that hearing
 - Until resolution of the issues checked on this form by trial or settlement
 - Other (specify duration of representation):
 - Submitting to the court an order after hearing or judgment is not within the scope of the attorney's representation.
- Attorney will serve as "attorney of record" for the party only for the following issues in the case:
 - Child custody and visitation (parenting time): (1) Establish (2) Enforce (3) Modify (specify):
 - Child support: (1) Establish (2) Enforce (3) Modify (describe in detail):
 - Spousal or domestic partner support: (1) Establish (2) Enforce (3) Modify (describe in detail):
 - Restraining order: (1) Establish (2) Enforce (3) Modify (describe in detail):
 - Division of property (describe in detail):

PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/CLAIMANT:	CASE NUMBER: FDV-18-813693
---	-------------------------------

3. f. Pension issues (describe in detail):

g. Contempt (describe in detail):

h. Other (describe in detail):

i. See attachment 3i.

4. By signing this form, the party agrees to sign *Substitution of Attorney—Civil* (form MC-050) when the representation is completed.

5. The attorney named above is "attorney of record" and available for service of documents only for those issues specifically checked on pages 1 and 2. For all other matters, the party must be served directly. The party's name, address, and phone number are listed below for that purpose.

Name: Laura Owens
 Address (for the purpose of service):
 3330 Pierce Street, #305
 San Francisco, CA 94123

Phone:

Fax Number:


This notice accurately sets forth all current matters on which the attorney has agreed to serve as "attorney of record" for the party in this case. The information provided in this document is not intended to set forth all of the terms and conditions of the agreement between the party and the attorney for limited scope representation.

Date: 3/28/2018

Laura Owens
 (TYPE OR PRINT NAME)

Date: 3/28/2018

Elisha Jussen-Cooke
 (TYPE OR PRINT NAME)

▶ 
 (SIGNATURE OF PARTY)

▶ 
 (SIGNATURE OF ATTORNEY)

PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/CLAIMANT:	CASE NUMBER: FDV-18-813693
---	-------------------------------

PROOF OF SERVICE: PERSONAL SERVICE MAIL OVERNIGHT DELIVERY ELECTRONIC SERVICE

1. At the time of service, I was at least 18 years of age and not a party to this legal action (not applicable to electronic service).

2. I served a copy of *Notice of Limited Scope Representation* (form FL-950) as follows:

a. **Personal service.** The document listed above was given to

(1) Name of person served:
Address where served:

Date served:
Time served:

(2) Name of person served:
Address where served:

Date served:
Time served:

b. **Mail.** I placed a copy of the form listed above in the U.S. mail, in a sealed envelope with postage fully prepaid. The envelope was addressed and mailed as indicated below. I live or work in the county where the form was mailed.

(1) Name of person served:
Address where served:
Date of mailing:
Place of mailing (*city and state*):

(2) Name of person served:
Address where served:
Date of mailing:
Place of mailing (*city and state*):

c. **Overnight delivery.** I placed a copy of the form listed above in a sealed envelope, with Express Mail postage fully prepaid, and deposited it in a post office mailbox, subpost office, substation, mail chute, or other like facility maintained by the U.S. Postal Service for receipt of Express Mail. The envelope was addressed and mailed as indicated below. I live or work in the county where the form was deposited for overnight delivery.

(1) Name of person served:
Address where served:
Date of mailing:
Place of mailing (*city and state*):

(2) Name of person served:
Address where served:
Date of mailing:
Place of mailing (*city and state*):

d. **Electronic service.** I electronically served the document listed above as described in the attached proof of electronic service (*Proof of Electronic Service* (**form POS-050**) may be used for this purpose).

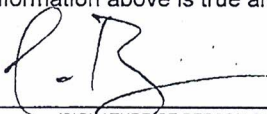
3. Server's information

- a. Name: Tara Berta
- b. Home or work address: 3543 18th Street, #5
San Francisco, CA 94110
- c. Telephone number: 415-864-1790

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

Date: 3-29-18

T. Berta
(TYPE OR PRINT NAME)


(SIGNATURE OF PERSON SERVING NOTICE)

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Elisha Jussen-Cooke (SBN 283446) Cooperative Restraining Order Clinic 3543 18th Street, #5 San Francisco, CA 94110</p> <p>TELEPHONE NO.: 415-864-1790 FAX NO. (Optional): 415-241-9491 E-MAIL ADDRESS (Optional): elisha@roclinic.org ATTORNEY FOR (Name):</p>	<p>FOR COURT USE ONLY</p> <p>FILED San Francisco County Superior Court</p> <p>MAR 29 2018 CLERK OF THE COURT BY: <u>[Signature]</u> Deputy Clerk</p>
<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: CITY AND ZIP CODE: San Francisco, CA 94101 BRANCH NAME:</p>	<p>CASE NUMBER: FDV-18-813693</p>
<p>PLAINTIFF/PETITIONER: Laura Owens DEFENDANT/RESPONDENT: Michael Marraccini</p>	
<p style="text-align: center;">DECLARATION</p>	

Please see attached Declaration of Laura Owens in support of her request for a restraining order against Michael Marraccini.

Hearing date set for April 13, 2018, at 1:30 p.m., in Department 403.

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

Date: 3/28/2018

Laura Owens
 (TYPE OR PRINT NAME)

[Signature]
 (SIGNATURE OF DECLARANT)

- Attorney for Plaintiff Petitioner Defendant
 Respondent Other (Specify):

1 Declaration of Laura Owens

2 I, Laura Owens, declare as follows:

3 1. I make all of the statements herein of my own personal knowledge, except as to those
4 matters stated on information and belief, and as to those matters, I believe them to be true, and if called
5 as a witness, could and would testify competently thereto.

6 HISTORY OF RELATIONSHIP

7 2. Mr. Marraccini and I were romantically involved from March 2016 until late Fall 2017.
8 Contrary to what he alleges in his declaration filed on January 22, 2018, we did not stop dating in March
9 2017.

10 3. I met Mr. Marraccini in March 2016 through The League, a dating app for professionals
11 that matches people together based on their LinkedIn and Facebook profiles. His profile said that he was
12 in "Real Estate Development" and that he went to California Polytechnic Institute. (See Exhibit 1,
13 screenshots of Mr. Marraccini's profile from The League taken April 26, 2016 and May 10, 2017). He
14 asked me out to dinner and I accepted.

15 4. Initially, Mr. Marraccini was very charming. In the early months of our relationship, we
16 saw each other often and seemed to have a lot in common. Mr. Marraccini showed interest in my career
17 (I am the CEO of Quartet Farms, a company that buys and sells show horses). He talked about his own
18 career ambitions and said he was a real estate developer and that he had his real estate license. He also
19 frequently talked about his many job offers at big developments firms. I wanted to be with someone who
20 was career oriented like I am and thought we were a good match. We talked about my love for animals
21 and animal welfare, which he also claimed to care deeply about. He also often talked about his alleged
22 relationships with celebrities. He liked that my father Ronn Owens is a famous local talk show host and
23 was excited at the prospect of meeting celebrities.

24 5. In or around late May or early June 2016, I was asleep when I was suddenly struck in the
25 face by Mr. Marraccini. I don't know exactly how he hit me; I think either his elbow or fist hit me near
26 my eye. I can't say for sure, but I believe he may have been asleep and involuntarily hit me somehow.
27 I had a black eye for a day or two after this. (One of his friends told me that one of his ex-girlfriends
28 also woke up with a black eye because Mr. Marraccini "accidentally" hit her while he was asleep).

1 Declaration of Laura Owens

2 6. In June 2016, Mr. Marraccini and I were out for a walk. While we were walking along
3 the water, he grabbed me by my jacket and pushed me towards the water, acting like he was going to
4 throw me in. (I had previously told Mr. Marraccini that I don't know how to swim). Later during the
5 walk, we were passing by a shrub when Mr. Marraccini used one of his hands to shove me into it. He
6 did these things as "jokes," but they felt somewhat aggressive.

7 7. In June 2016, I found out that I was pregnant and felt very conflicted about whether to
8 have the baby or terminate the pregnancy. I was diagnosed with polycystic ovary syndrome in 2010 or
9 2011, which can cause infertility. I was afraid I might never be able to get pregnant again, but also did
10 not necessarily feel ready to have a baby. I told Mr. Marraccini about the pregnancy and shared my
11 feelings about terminating versus having the baby. Initially he was supportive about giving me some
12 time to think about the decision, but said he thought it would be best if I had an abortion.

13 8. A day or two after I told him, Mr. Marraccini called me while on a trip with his friends
14 and said that he decided an abortion was the best option for us. When he came back from his trip, he
15 told me that if I had the baby, he would never want to meet the baby or be part of his or her life and that
16 he would hate me for going through with the pregnancy. He said that if I had the abortion, it would
17 prove to him that I was the type of girl he wanted to be with and would show him how much I valued
18 our relationship. He said he wanted a future together and could see us having kids down the road, but
19 that he wasn't ready to be a father yet. He promised to be there and support me after the abortion.

20 9. One night in late June 2016, Mr. Marraccini and I had dinner with my parents and were
21 discussing my pregnancy (they knew I was pregnant already). Even though I had not made up my mind
22 yet, Mr. Marraccini told my parents that "we" decided to do the responsible thing and have an abortion.

23 10. Mr. Marraccini pressured to make an appointment at Planned Parenthood for the abortion.
24 When I didn't do it fast enough, he scheduled it for me. Because I wanted to be with him and thought
25 we could have a future together, and since I didn't want to bring a child into the world without a father,
26 I decided to go through with the abortion. In July 2016, I terminated my pregnancy.

27 11. In the days following my abortion, I felt sad and started to feel immense guilt. I felt
28 selfish for choosing my relationship with Mr. Marraccini over the baby. I grieved for the child that

1 Declaration of Laura Owens

2 would never be and started to feel depressed. On several occasions, when I tried to talk with Mr.
3 Marraccini about how I felt, he got angry and lost control of his temper. He'd scream at me, and his face
4 would turn bright red. He'd ball his hands into fists and pump them at his side while pacing around.
5 I was afraid of this side of him, which I hadn't seen before.

6 12. About one week after the abortion, Mr. Marraccini got mad when I told him I felt guilty
7 about the abortion. He screamed at me. He said I needed to get over it and that he didn't want to stay
8 with me for long if I couldn't. I felt betrayed since he promised to be there for me throughout the healing
9 process. When I told him this, his response was, "I would have said anything to get you to abort."

10 13. Between July and November 2016, things between Mr. Marraccini and I were rocky. I
11 continued to struggle with feelings of sadness due to the abortion. I would frequently try to talk to him
12 about this, but whenever I brought it up, he just got mad and yelled at me. He'd say that I should be over
13 it. He'd tell me that he wanted someone more cheery, like his ex-girlfriends were. He would regularly
14 demean me. For example, he constantly told me I was "worthless" and "ugly" and said that nobody
15 would want to be with me because of my depression. He criticized my performance and said that he was
16 "just stating the facts" by telling me I was bad at my job. He started calling me "crazy" and telling me
17 that I was mentally ill. He'd tell me that I was bipolar and needed to be medicated. I had never been
18 depressed before having an abortion.

19 14. It was also during this time- between July and November 2016- that I was spending a lot
20 of money on Mr. Marraccini. In the beginning of our relationship, he would pick up the check when we
21 went out for dinner or we would split it. After a month or so, he stopped doing this and would allow the
22 bill to sit on the table until I paid it. By late Summer 2016, it became implied that I would pay for
23 everything. Then, starting in or around October 2016, Mr. Marraccini wanted to go out to fancy dinners
24 several times a week, which I paid for. In November 2016, he started calling me his "sugar momma."
25 In 2017, after he lost his job, he started asking me to pay for his rent (which I did on a couple of
26 occasions). He also asked me to take him on multiple vacations and buy him a \$10,000 watch, which
27 I did. I felt like he was taking advantage of me, but I loved him, so I did what I could to make him
28 happy.

1 Declaration of Laura Owens

2 15. I really wanted our relationship to work, but I felt like Mr. Marraccini did not like me and
3 didn't want to be with me. When I would ask him if he wanted to break up, he said that he did not and
4 would tell me he really cared about me and thought we could work through our issues. This happened
5 multiple times throughout our relationship. I felt like he wanted to continue dating me for the money
6 and connections that my father's local fame provided, but that he didn't care about me.

7 16. In November 2016, Mr. Marraccini and I went to a Tony Robbins conference (which he
8 asked me to pay for). He said the conference would help our relationship by helping me to get over the
9 abortion. He was struggling at work and told me this conference would help give him more direction
10 to find out what he really wanted to do, which he said would make him a better partner. During the
11 conference, Mr. Marraccini emotionally and verbally abused me, often in front of other people. For
12 example, journaling and sharing within a group was an important part of the of conference. Every time
13 I shared with the group what I had written, Mr. Marraccini laughed at me, made fun of me, and put me
14 down in front of everyone else. I was in tears throughout the conference because of his beratement.
15 Once when I was crying, one of the people who worked for the Tony Robbins Corporation approached
16 me and asked if I was okay. They told me they had overheard Mr. Marraccini putting me down and
17 asked if I wanted to break up with him publicly on stage. I felt ashamed and said no.

18 17. After the conference, in late November or early December 2016, Mr. Marraccini and I
19 took a break. He told me that it was unnatural for me not to be over the abortion and that he didn't want
20 to be with someone who was depressed. He told me he would only be with me if I was medicated.

21 18. During this time, I sought treatment for the depression that Mr. Marraccini insisted I
22 suffered from. A couple of weeks later, he asked me to dinner at my favorite restaurant, and we started
23 seeing each other again.

24 19. On December 9, 2016, I felt suicidal and reached out to my parents for help. I was
25 overwhelmed and felt bad about the abortion and Mr. Marraccini's hatred towards me. My parents
26 contacted Mr. Marraccini and pleaded with him to be supportive and intervene. I did not want to talk
27 with him and ignored his calls for several hours. My parents called the police and had them come check
28 on me. The police took me to the ER, where I was given IV fluids. I spoke with a psychologist and was

1 Declaration of Laura Owens

2 released later that night after I had calmed down and no longer felt like I was a risk to myself. (Contrary
3 to Mr. Marraccini's allegation in his declaration, I was never treated in an "inpatient facility.") My
4 psychiatrist adjusted my medication after this.

5 20. On December 30, 2016, Mr. Marraccini and I flew to Iceland. We had been planning this
6 trip since early November and decided on Iceland since Mr. Marraccini wanted to go there. He said the
7 trip would help our relationship. He told me everything he wanted to do in Iceland, and I planned and
8 paid for it. (The trip cost at least \$15,000, and I emptied my childhood savings account to pay for it).

9 21. During the flight from San Francisco to Reykjavik, Iceland, Mr. Marraccini berated me
10 nonstop for hours. He criticized me for nearly everything I said or did. If I turned my head to look at
11 him when he said something, he'd criticize me for turning too quickly, telling me that my reflexes were
12 "unnaturally fast" and that there was something wrong with me. He criticized my career and told me
13 I was bad at my job and was worthless. He told me I was "ugly" and that nobody else would ever want
14 to date me. When I would try to kiss him and cheer him up, he'd tell me I was "gross" and a bad kisser.
15 He said I was bad in bed. Then he said he wanted to have a threesome since sex with me was so boring.
16 He suggested a threesome with my sister or with a black man. He said it would turn him on to watch
17 someone else have sex with me. I told him no and that I felt uncomfortable. He seemed to enjoy putting
18 me down. His criticisms went on for hours, and I cried on and off throughout the entire flight.

19 22. About 6 hours into the flight, Mr. Marraccini went to the bathroom. I stayed in my seat
20 and was crying. A passenger in the row in front of me slipped me a note (a true and correct photocopy
21 of which is attached hereto as Exhibit 2, which said:

22 Dear Girlfriend,

23 I know the Lord had me over hear your conversation to let you know
24 you are a very beautiful young woman that should have a man that makes
25 you cry w/ wonderful laughter not bullying you. You are being verbally
26 abused, and he will never love you like you deserve. I'm very concerned
27 about you & I'm praying for you. Run from him & get help & protection.
28 He doesn't care what you think or say or do. He is a very sick man &

1 Declaration of Laura Owens

2 will make you sick if you stay with him. Please take this to heart & get
3 help fast.

4 Karen @

5 flouer@aol.com

6 23. I was shocked when I read the note. For the first time, I started to realize that Mr.
7 Marraccini was emotionally abusive, which is not something I wanted to acknowledge. After reading
8 it, I quickly put the note in my backpack to make sure he didn't see it. I was scared that he would lose
9 his temper and make a scene if he found out about it. I also did not want him to know who gave it me
10 in fear that he would lash out at her. For the rest of the flight, I tried to avoid talking to him since I
11 didn't want him to get mad.

12 PHYSICAL ABUSE

13 24. In the middle of the first or second night of our Iceland trip, I was sound asleep when Mr.
14 Marraccini woke me up by screaming at me. He was in a rage, the likes of which I had never before
15 seen. He was furious at me for sending a photo of us in Iceland to a friend of mine via Snapchat (which
16 got back to him via another friend). I didn't think I had done anything wrong and couldn't understand
17 why he was so mad, but he just kept screaming at me. He said he didn't want people to know he went
18 to Iceland with me since he told everyone he was going alone. He told me he was embarrassed to be
19 seen with me (throughout the trip he didn't want me in any of his social media posts or photos). Then
20 he told me that if I went along with what he wanted and was "good" on the trip, that maybe he would
21 post photos of us together and tell people he was with me. He insulted me and put me down, repeatedly
22 calling me a "fucking psychopath" and "crazy." As he was screaming at me, I pulled out the note from
23 the Wow Airlines passenger. I told him he treated me so badly that even a total stranger was concerned
24 for my wellbeing, but he didn't seem to care and just brushed it off. I had never seen him so enraged
25 and was afraid he would snap and hurt me. I felt like he wasn't even treating me like a human being.
26 I cried myself to sleep that night.

27 25. When I woke up the next day, on or around January 1, 2017, Mr. Marraccini was in a
28 totally different mood. He said he wanted to have a good trip and start things off differently. He started

1 Declaration of Laura Owens

2 to kiss me. While we were making out, he used both of his hands to shove me into the headboard,
3 causing my head to slam into it. (He had never been rough with me like this before.) Then he started
4 to have sex with me. As he was having sex with me, he put his right hand around my neck and strangled
5 me. I was having trouble breathing and started gasping for air. When I did this, he asked me if I liked
6 it. It was hard to talk, but I managed to say "no." He strangled me until he climaxed. Then he got off
7 of me. I felt shocked and deeply confused. My neck and throat were sore. I remember lying in bed and
8 staring at the wall for a long time trying to wrap my head around what he had just done to me. Mr.
9 Marraccini just went back to sleep.

10 26. Later that day, Mr. Marraccini wanted to have sex again. I wanted him to be affectionate
11 and loving towards me and didn't think he would hurt me again since it had never happened before.
12 While we were having sex, he told me to pick a number. I said "40." Then he used his open hand to
13 slap my butt really hard. I said "ouch!" and told him that hurt. Then he slapped my butt again. I told
14 him to stop, but he kept going. He slapped me 40 times in a row and counted down from 40 each time
15 he did this. He told me that the harder he hit me, the more it turned him on. After we finished having
16 sex, my butt was stinging and was bright red. I felt ashamed that I had allowed somebody to do that to
17 me. The next day, we talked about him slapping me. I told him I didn't like it and that he hurt me.

18 27. Throughout the rest of the trip, Mr. Marraccini wanted to have sex daily. Every time we
19 had sex, he strangled me and hit my butt with his bare hand repeatedly. This happened between 12 and
20 15 times. My butt was bruised and sore from him hitting me. I asked him to stop slapping me every
21 time, but he just laughed. Given his temper, and since he is so much bigger than me, I felt like there was
22 little I could do to fight back. There was also part of me that deeply wanted to be with Mr. Marraccini
23 and wanted him to be attracted to me and affectionate, so I tried to put up with it. When he continued
24 to strangle me during sex, I told him he was hurting me and asked him why he did it. He said he wanted
25 to be in complete control since it turned him on. He told me, "I own you." I told him I didn't like it and
26 wasn't okay with it and asked him to stop. He apologized and promised not to strangle or slap me again.

27 28. Throughout our trip, Mr. Marraccini continued to put me down and did things that felt
28 like they were intended to hurt and manipulate me. For example, I am an animal lover (especially

1 Declaration of Laura Owens

2 horses, which I ride for a living), and Mr. Marraccini has known this since we started dating. When we
3 first got together, he also claimed to love animals. During our trip, he ordered horse while we were out
4 to dinner. I was appalled and had the waiter cancel the order. On another occasion, he got mad and
5 made fun of me because I refused to eat whale or puffin. He said I was boring and that if I didn't eat
6 whale or puffin, he didn't want to be with me since it "proved" I wasn't open to trying new things.

7 29. We came back from Iceland on or around January 9, 2017.

8 30. On January 10, 2017, Mr. Marraccini lost his job. Things got worse after this. He told
9 me he was depressed and lost all motivation. He was constantly angry. I felt like he resented me
10 because I have a successful career that I'm passionate about. It also seemed like he wanted to isolate
11 me from my family. He said things like, "Your mom doesn't love you. You need to realize that."

12 31. I had hoped the abuse would stop once we came home, but it didn't. Mr. Marraccini
13 became even *more* aggressive after he lost his job. Every time we had sex, he strangled me. This
14 happened 4-5 times per week and at least 100 times total. He also frequently smacked my bare butt with
15 his open hand, sometimes more than 50 times in a row. Sometimes he would tell me to take an Ambien
16 (a sleeping pill, which I had been recently prescribed) before sex so that it would be easier for him to
17 have his way with me. Sex with Mr. Marraccini felt like abuse, not loving and intimate. I often cried
18 while he had sex with me. After he would finish having sex with me, I would tell him that he hurt me
19 and ask him to stop strangling me. Sometimes he apologized and said that he "just lost control." He'd
20 swear he was going to work on himself and promised to stop. Other times, he'd brush it off and act like
21 I enjoyed it (even though I repeatedly told him I did not). On numerous occasions, he told me the control
22 was a turn-on for him and that he needed it since sex with me was "too boring" or "too vanilla."

23 32. In mid-February 2017, while we were having sex, Mr. Marraccini was on top of
24 me. He put his left hand on my arm to hold me down. He squeezed so hard that I had a bruise
25 for several days, which I took photos of a day or two later. (*See Exhibit 3*, photos of my bruised
26 arm taken on February 18, 2017). Then he used his right hand to strangle me. I could barely
27 breathe. When I started gasping for air, he shoved two fingers down my throat, which caused
28 me to gag. When I did this, he said, "Good girl. Good girl." I felt panicked and didn't

1 Declaration of Laura Owens

2 understand what he was doing. I was crying. I kept thinking that I didn't want to do anything
3 to upset him as he did this, since I didn't want to push him over the edge. After he stopped
4 having sex with me, I asked him why he put his fingers down my throat and told him I didn't like
5 it. He brushed it off and ignored me.

6 33. On another occasion in February 2017, Mr. Marraccini strangled me during sex
7 so hard that it left red marks on my neck. I sent pictures of the marks to my sister, but did not
8 save these photos because I was afraid he would find them (I deleted many pictures and texts for
9 this reason). There were two other occasions when I had marks on my neck where he strangled
10 me (I cannot remember exactly when it was, but believe it was in May and July 2017).

11 34. Sometime in February 2017, I noticed tiny red spots around my eyes after Mr.
12 Marraccini strangled me (which I now know is called petechial hemorrhage). This became
13 common, and I took photos on a couple of occasions. (See Exhibit 4, photo of redness around
14 right eye and cheek taken in March 2017 and Exhibit 5, photo of redness around my eyes and
15 cheeks taken in May 2017). Sometimes my eyes were also bloodshot, and I had dark circles
16 around my eye sockets. At one point, my mom confronted me about the red spots and asked how
17 I got them. I told her Mr. Marraccini was strangling me during sex and that I believed the tiny
18 spots were a result of the strangulation.

19 35. On or around Valentine's Day weekend in February 2017, we took a trip to Napa
20 Valley. I had recently gotten a dog from a shelter who had been attacked and had a shaved head
21 and stitches. The whole time, Mr. Marraccini complained about how ugly the dog was. He said
22 he wanted to "punt" the dog. He told me I was cruel for keeping the dog alive because it was
23 old and blind and ugly and that I should have let it die in the shelter. At one point, the dog had
24 an accident in the hotel room. Mr. Marraccini got mad at me and screamed at me for having a
25 dog that wasn't potty trained. During this trip, Mr. Marraccini strangled me during sex several
26 times.

27 36. Sometime in February 2017, Mr. Marraccini asked me to take (and pay for) a trip to
28 Dubai with him. He said it was a good time because he wasn't employed. He told me the trip would

1 Declaration of Laura Owens

2 be good for us and would help restore our relationship. He hadn't told me that he loved me yet, but said
3 he had a "feeling" he would be ready to say it in Dubai (he often said he was "almost" ready to say "I
4 love you."). I wanted good things for us and for him to be happy, so I agreed. He berated and verbally
5 abused me throughout the Dubai trip in March 2017. He took me to a watch store and asked me to buy
6 him a \$10,000 watch and be his "sugar mamma." When we had sex, he strangled and/or slapped me
7 every time. I felt abused and taken advantage of and withdrew from him emotionally during this trip.

8 37. In or around late March 2017, I was with Mr. Marraccini at my house when he started
9 having sex with me on the couch. He was on top of me. He grabbed a pillow and put it over my face.
10 He held it down with his right hand and was thrusting it into my face. I was wriggling under him and
11 trying to get him off of me. I tried to scream, but could barely make a sound with the pillow smothering
12 my face. It was hard to breathe, and I remember thinking to myself, "Is he going to kill me?" I felt like
13 he was treating me like a cadaver and that I was just a body he was abusing and having sex with. When
14 he climaxed, he told me this was the best sex we've ever had. He told me he liked controlling my access
15 to air and that he wanted to control every aspect of my life. I felt completely demoralized.

16 38. Sometime in March 2017, I sought treatment for anxiety related to Mr. Marraccini's
17 abuse of me. I was unable to sleep and was having nightmares and night sweats.

18 39. In May 2017, Mr. Marraccini, his mother and his sister went into my apartment without
19 my permission while I was not home. I had given Mr. Marraccini a key while I was traveling in April
20 2017 and believe he made a copy without my permission. I found out about his going there with his
21 mother and sister when his mom mentioned to me that Mr. Marraccini had taken them into my house.

22 40. On or around June 9, 2017, Mr. Marraccini and I were in Carmel when he tried to lock
23 me in a sauna at a spa. Also during this trip, while we were walking together at dusk, he used one hand
24 to push me off of the sidewalk and into a bush. I caught myself before falling. When I asked him why
25 he pushed me, he just laughed and said he was having fun.

26 41. In or around June 2017, Mr. Marraccini was having sex with me. He stopped having sex
27 with me and then demanded I give him oral sex. He grabbed my head and thrust his penis into my
28 mouth. He held the back of my head so I couldn't move it and thrust his penis so far down my throat

1 Declaration of Laura Owens

2 that I threw up (this happened several times during our relationship).

3 42. In or around June 2017, Mr. Marraccini suffocated me with a pillow again during sex.
4 We were on the couch. I could barely breathe. I tried to scream, but nothing came out. I thought he was
5 going to kill me. I remember feeling responsible for what he was doing to me and so sad that things had
6 gotten to this point. I had gone from being a confident, independent woman and now I was being
7 suffocated. I remember thinking it didn't matter if he killed me since I had lost all self-respect anyway.
8 At some point I lost consciousness completely. When I came to, I was on the bed with the pillow over
9 me. His hand was pressing the pillow into my face, and my head was shoved against the wall sideways.
10 This was the most violent he had ever been towards me. Then he grabbed me and turned me around so
11 that I was on my stomach. I couldn't even lift my head up since I was so weak. Then he told me, "Get
12 on your knees." I was in a total daze. I did what he said since I was afraid of what he would do if I
13 didn't. He ejaculated in my mouth. I have never been so demeaned in my entire life. I didn't say a word
14 to him after this. I felt completely broken as a human being and hated myself for being with someone
15 who did this to me. I went to the bathroom. When I came back, Mr. Marraccini was asleep. In
16 November 2017, I brought this incident up to Mr. Marraccini after we had broken up. I asked him what
17 type of man needs to suffocate and strangle a woman in order to get himself off. He told me that it was
18 *my* fault because I "brought that out" in him.

19 43. I withdrew from the relationship after this. I was afraid of him and started spending less
20 time with him. I traveled a lot from July to October 2017 and had hoped that by pulling back, there
21 would be a natural end to our relationship. When I tried to talk with him about us not seeing each other
22 anymore, he'd tell me that he would work on being better.

23 STALKING

24 44. By October 2017, I was only spending time with Mr. Marraccini sporadically and was
25 deliberately trying to see less of him. I began canceling our plans since I didn't want to be around him.
26 When I did this, he started showing up at places within a two-block radius of my apartment that he
27 *knows* I frequent. He also started coming to my house unannounced even when I told him not to or was
28 ignoring his calls or texts.

1 Declaration of Laura Owens

2 45. In October or November 2017, my insomnia worsened. I was waking up in the middle
3 of the night in a sweat from nightmares about him trying to strangle and kill me. I was (and continue
4 to be) constantly afraid of seeing him. When traditional antidepressants stopped working, my doctor
5 prescribed Ketamine therapy, which was administered directly by my doctor to treat my PTSD and
6 depression (and not prescribed as a "horse tranquilizer," contrary to Mr. Marraccini's allegation in his
7 declaration).

8 46. One Wednesday night in October 2017, I was with my family at Maybeck's restaurant--
9 less than two blocks away from my apartment. My family and I regularly have dinner at Maybeck's on
10 Wednesdays, which Mr. Marraccini knew (he had come to Wednesday dinner at Maybeck's a couple
11 of times and had criticized the restaurant and said it was terrible). Mr. Marraccini and his sister walked
12 into Maybeck's and sat down three tables over. He stared at us. This made me very uncomfortable.

13 47. Sometime in November 2017, Mr. Marraccini asked if he could come over. I told him
14 no. It was late, and I was in bed already. Five to ten minutes later, he showed up at my house and
15 knocked at my front door. I stayed in bed and ignored him. He banged on the door and yelled my name
16 and said he knew I was home because he could hear the TV. I was worried my neighbors would get
17 upset with the loud banging and yelling, so I opened the door. I asked him why he came since I told him
18 not to. He said he was "in the neighborhood." Then he started trying to have sex with me. I was too
19 afraid of him to stop him. While we were having sex, he asked me, "How does it make you feel to know
20 I'm sleeping with a tall blond girl. She's the complete opposite of you, physically." I told him I didn't
21 care. Then he said, "Doesn't that make you jealous? I like to see you jealous. It's a turn-on." Then he
22 held me down using his left hand and strangled me. This was the last time we had sex.

23 48. I tried to avoid engaging with Mr. Marraccini and hoped he would just leave me alone.
24 He continued to contact me and asked to see me. I was polite and cordial to him since I was afraid of
25 what he would do to me if I wasn't.

26 49. On or around November 28, 2017, Mr. Marraccini sent me a text message saying that he
27 saw me and my family at Mamanoko. (See Exhibit 6, text messages between me and Mr. Marraccini
28 dated 11/28/2017). I sent him a text message to ask him where he was at the restaurant. (*Id.*) He

1 Declaration of Laura Owens

2 responded, "I was at the bar in the corner. I saw you all when you were walking out and we were just
3 being served. What did you think of it?" It made me very uneasy that he "happened" to be at the same
4 restaurant I was at (which was within 2 blocks of my apartment), and that he saw me there and said
5 nothing at the time.

6 50. I was afraid to walk down my street alone because I felt like he was stalking me. Starting
7 in December 2017, I had my parents or friends pick me up or drop me off at my front door or would take
8 Uber or Lyft everywhere, even to go a couple of blocks. Even though he does not live in my
9 neighborhood and had told me he was moving to Sacramento, I saw him at least 10 times within a
10 2-block radius of my apartment between December 2017 and the end of January 2018.

11 51. In December 2017, I posted on Instagram that I was going to dinner at Mamanoko. An
12 hour or so later, Mr. Marraccini showed up at there while I was having dinner with my mother. He
13 walked inside and came directly to our table. He was with a tall, blond woman, whom he introduced
14 as "Callie." He lingered at the table for a minute or so before sitting down at the table next to us,
15 although there were plenty of open tables elsewhere. This made my mother and me so uncomfortable
16 that we left.

17 52. After meeting Callie, I started thinking about how terrible I would feel if Mr. Marraccini
18 hurt her and I did nothing to warn her of his capacity for violence. I wished I had known how abusive
19 Mr. Marraccini was before I fell for him, and I considered telling her about my experiences.

20 53. The next day, Mr. Marraccini contacted me and asked to make me dinner. I said no. He
21 got upset that I turned him down and we got into an argument. I confronted him about his lies and the
22 physical abuse: He did not deny choking or smothering me with a pillow.

23 54. One Thursday in mid- or late December 2017, my parents were crossing the street to meet
24 me at Amici's in the Marina – a restaurant that I regularly go to with them and had been to several times
25 with Mr. Marraccini. He tried to stop my parents as they were walking, but they didn't engage with him.
26 While we were eating, he walked by the restaurant window three times and stared at us.

27 55. A few days after this, I was at Amici's again. Mr. Marraccini walked by the restaurant
28 and peered inside the restaurant as he passed. He made eye contact with me. About 10 minutes later,

1 Declaration of Laura Owens

2 he walked by and stared at me a second time.

3 56. I have been going to Barry's Bootcamp (a gym) around the corner from my house daily
4 since before we started dating. Throughout our relationship, he made fun of me for going. Then, in
5 December 2017, Mr. Marraccini joined that gym, even though he does not live in the neighborhood.

6 57. On January 5, 2018, I was at Mamanoko with my friend Joan O'Neill. We were sitting
7 by the window having dinner when I saw Mr. Marraccini walking towards the restaurant with a blond
8 woman. They stopped directly in front of our table outside the restaurant window and Mr. Marraccini
9 stared at us. I was afraid to look at him and tried to avoid eye contact. They walked away, but he came
10 back a few minutes later by himself and stood directly outside the window by our table. He stared inside
11 at us and tried to get our attention. We ignored him. A minute or so later, he entered the restaurant and
12 stood at the hostess stand, which was directly in front of me. He stared at me. I was so uncomfortable
13 and afraid that I looked down to avoid eye contact with him. Then he walked towards the back of the
14 restaurant and continued to stare at us for another 10 minutes or so. I felt like he was trying to intimidate
15 me. I was too afraid to leave the restaurant while he was there, in case he tried to follow me home.

16 58. On January 6, 2018, I decided to contact Callie Supsinskas via Facebook Messenger (the
17 woman Mr. Marraccini had introduced me to). (See Exhibit 7, Facebook Messenger message sent
18 January 6, 2018). I sent her a message telling her that "I would have given anything for someone to
19 reach out to me before I got deeply involved with him." (*Id.*) I told her about the red flags that I should
20 have paid closer attention to, such as Mr. Marraccini's lies about his career and prior romantic
21 endeavors. (*Id.*) I wrote that "he became physically abusive about six months into our relationship and
22 I simply don't want someone else to be hurt by him." (*Id.*) I told her about and attached a picture of the
23 note from the Wow Airlines passenger. (*Id.*) I also wrote, "Regardless of if you do anything with the
24 information I shared with you, I would beg you not to share it with Mike or bring up my name as he truly
25 scares me at this point." (*Id.*)

26 59. On January 7, 2018, I had dinner with my parents at Mamanoko. As we finished they
27 asked, "Don't you want us to take you home in case you see Mike?" I said no since they were parked
28 in a different direction and it would take me less time to just walk home. As I was walking home, I saw

1 Declaration of Laura Owens

2 Mr. Marraccini and his sister. They were less than 1½ blocks away from my house. They were standing
3 by the sidewalk staring at me. I was looking down at my phone and tried to pretend like I didn't see
4 them. Mr. Marraccini yelled at me, "Are you kidding me?!" Then his sister called me a psychopath.
5 They screamed at me for sending the Facebook Message to Ms. Supsinskas. When I pulled my phone
6 out to call my parents, his sister said, "Don't you DARE get your phone." They were standing in front
7 of me, which prevented me from walking past them. A couple was coming out of a nearby restaurant.
8 As they were walking past, I told Mr. Marraccini to stay away from me and that I was going to seek a
9 restraining order. I was terrified and hysterical. I called my parents to tell them what had happened.
10 Then I asked my friend Joan to come over since I was afraid Mr. Marraccini and his sister would come
11 to my house.

12 60. In the middle of the night, around 1:00 a.m., I got a call from the San Francisco Police
13 Department. They told me that Mr. Marraccini had emailed them a copy of the message I had sent to
14 Ms. Supsinskas and asked if I knew why. I said no and told them that he and his sister had accosted me
15 on the street. They questioned me about the domestic violence I alleged in the message and asked if they
16 could come and take a report. When the police arrived, I explained the circumstances surrounding the
17 message I sent to Ms. Supsinskas and the history of physical abuse and the stalking.

18 61. The next day, I was afraid to leave my house. I didn't know what to do, so I contacted
19 the Sherriff and asked for help figuring out how to get a restraining order. I also spoke with someone
20 from the District Attorney's Office that day. They asked if I wanted to file criminal charges, but I said
21 no.

22 62. On January 9, 2018, I filed a Request for a Domestic Violence Restraining Order. On
23 January 10, the Court granted me a Temporary Restraining Order.

24 63. Since then, Mr. Marraccini has violated the Temporary Restraining Order and has
25 continued to show up at places he knows I frequent within a block or two of my apartment.

26 64. For example, on January 28, 2016, Mr. Marraccini posted on Instagram that he
27 was at Delarosa, which is across the street from my house.

28 65. He also went to Barry's Bootcamp (less than 300 yards from my house) on at least

1 Declaration of Laura Owens

2 two separate occasions since the TRO has been in place.

3 66. Also, or around March 22, 2018, I was heading to dinner with my mother at
4 Mamanoko again. We parked on the street and were walking towards the restaurant. I saw Mr.
5 Marraccini standing out front of Mamanoko looking up and down the street. We turned around
6 and walked away.

7 **WHY I WANT A RESTRAINING ORDER**

8 67. I genuinely think that Mr. Marraccini wants to kill me. Given that he has strangled and
9 choked me, I know that he is capable of inflicting lethal violence. There is a deep hatred that he exudes
10 towards me, and I am afraid for my life. He has said to me in the past that if I ended up dead, he knew
11 he would be blamed. His hair-trigger temper horrifies me. I am afraid that if I encounter him alone, he
12 will lose control and harm me. I do not want to live in constant fear of him and hope that a restraining
13 order will send a message to Mr. Marraccini to stay away from me. I want to move on with my life.

14 [ORIGINAL SIGNATURE ON JUDICIAL COUNCIL FORM]
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

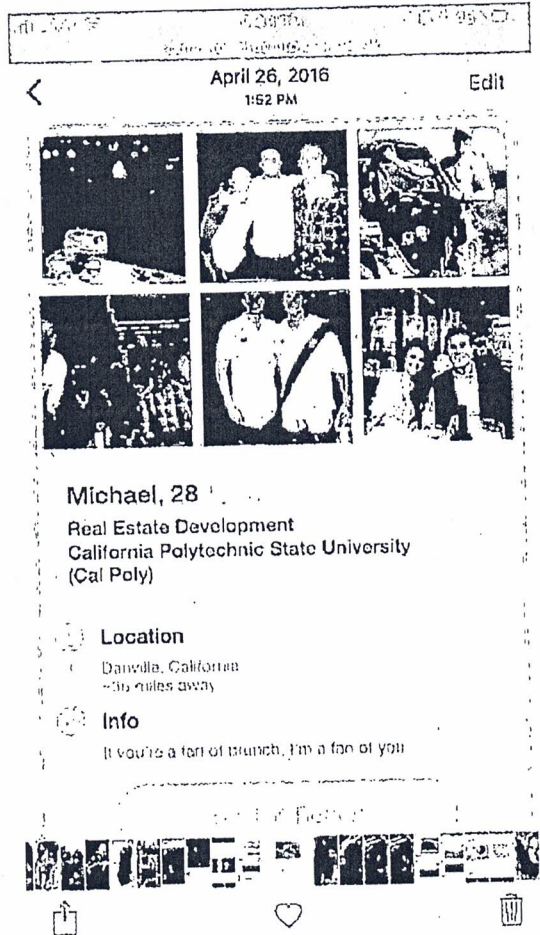


Exhibit 1, screenshots of Mr. Marraccini's profile from
The League taken April 26, 2016 and May 10, 2017
Page 1 of 2

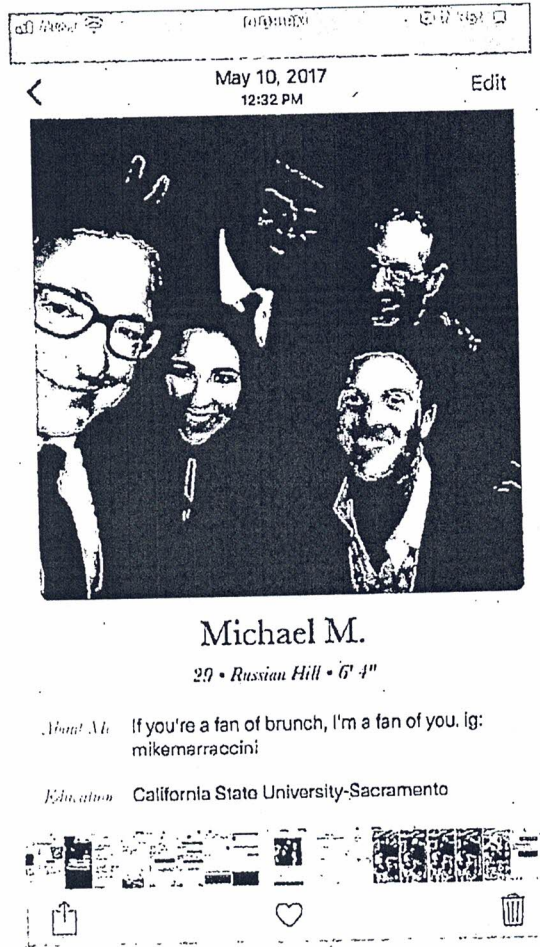


EXHIBIT 2

Dear Girl Friend
I know all the
melodious words of
conversation and
you know you are
my beauty
when
a new vision
of of our life
not beautiful



I'm very
concerned about you +
I'm praying for you. Run
from him + get help +
protection. He doesn't
care what you think or
say or do. He is a very
sick man + will make you
sick if you stay +
with him. Please take
to heart + get help

Ranen @

flouen @

EXHIBIT 3

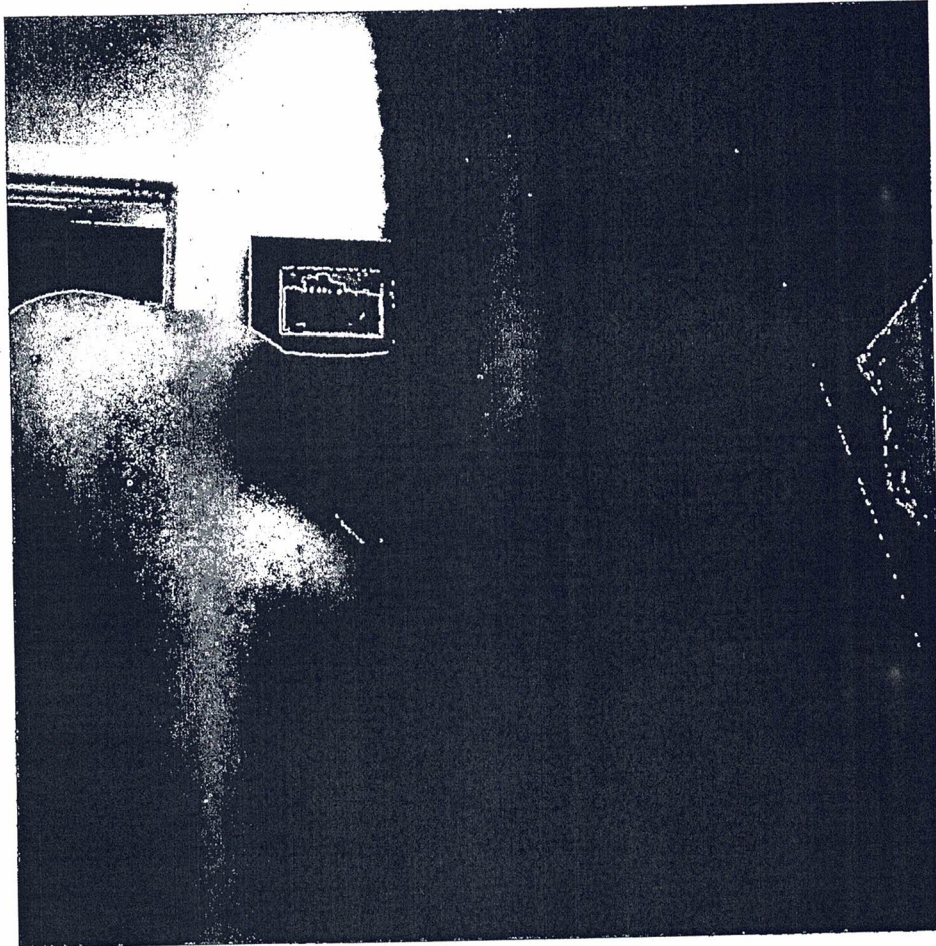


Exhibit 3, photos of Laura Owens's bruised arm.
Photos taken by Laura Owens on February 18, 2017.
Page 1 of 2

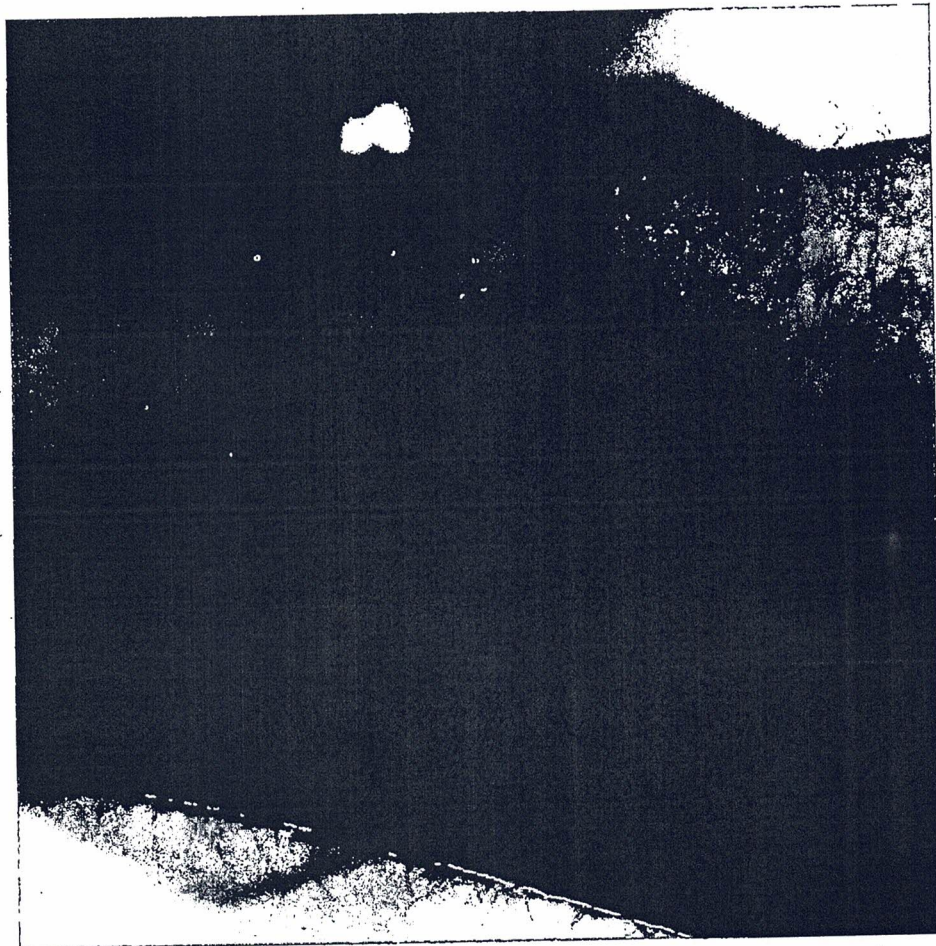


Exhibit 3, photos of Laura Owens's bruised arm.
Photos taken by Laura Owens on February 18, 2017.
Page 2 of 2

EXHIBIT 4



Exhibit 4 - photo of redness around Laura Owens's right eye and cheek. Photo taken in March 2017.

EXHIBIT 5

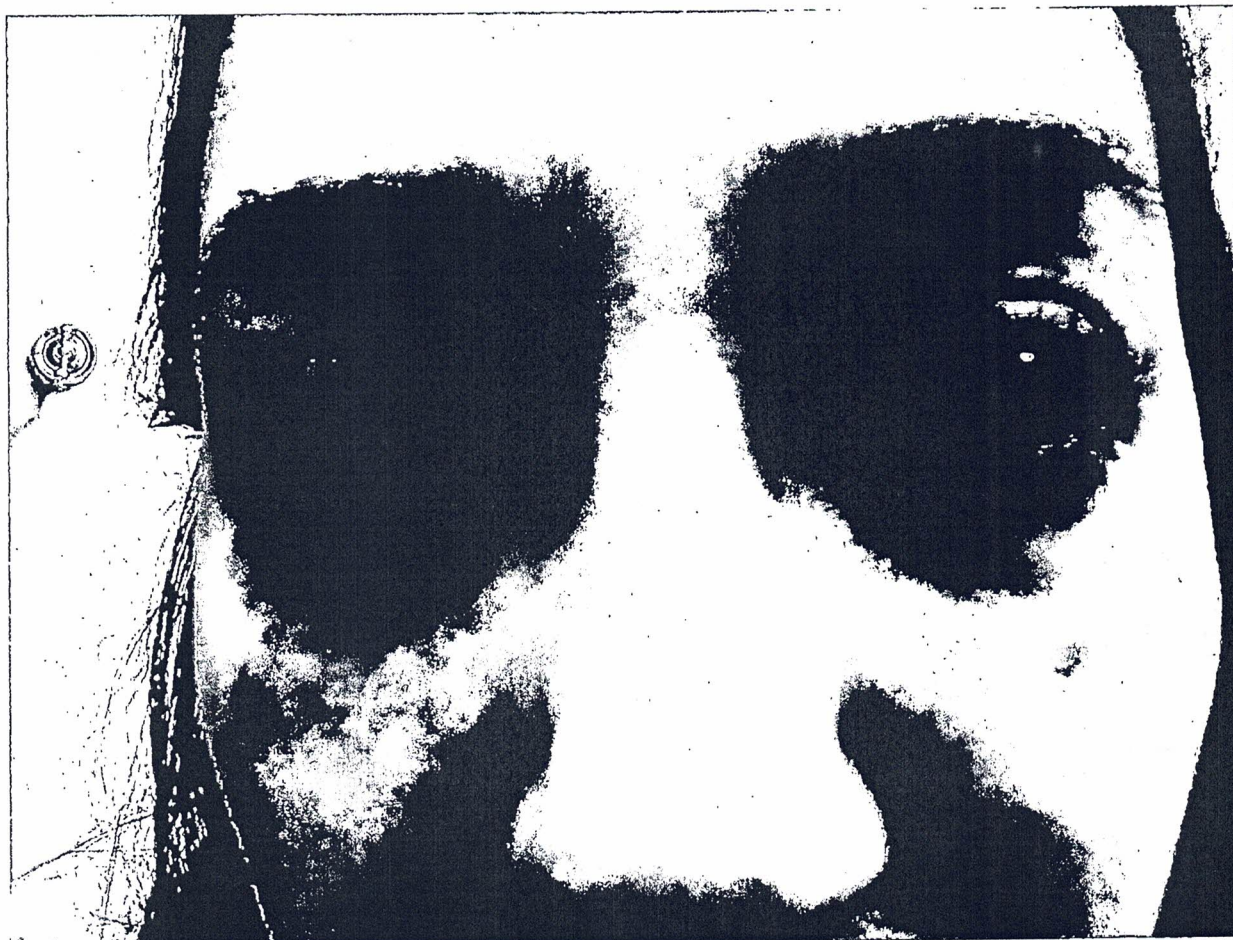


Exhibit 5, photo of redness around Laura Owens's eyes and cheeks. Photo taken in May 2017.

EXHIBIT 6



Mike



In your building or another?

Tue, Nov 28, 6:37 AM

Saw you and your fam at that mama sushi spot last night. Did you like it?

Yeah! We're we're you?

I was at the bar in the corner. I saw you all when you were walking out and we were just being served. What did you think of it?

I loved it.

What about you?

It's not as good as sushi ran, but i liked it better than anything else in the marina.

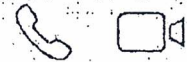
Since you all didn't look around, we will never know. That's the second time in like 3 months that I've seen you all, but you walk right past



iMessage



EXHIBIT 7



Callie Supsinskas

5 mutual friends including Chris Reid and Adam Shane

Lives in San Francisco, California

You added Callie on January 6, 2018

JAN 6, 4:01 PM

Hi Callie

Ever since I saw you with Mike, I have really struggled a lot with whether or not to reach out to you. I have no idea what your relationship status is with him, but I saw him with you last night while I was having dinner at Mamanoko with a friend and figured you were probably still seeing him. Not one part of me is sure if I'm doing the right thing by sending you this, but I would have given anything for someone to reach out to me before I got deeply involved with him. I'm sure he has told you horror stories about me just like he shared with me about his exes.



Aa





He came on like prince charming and I was crazy about him, but over time I started to realize he wasn't the guy I thought he was. He told my family elaborate stories about his life, like how he had dated one of the female stars from 'Modern Family', but "didn't remember which one", that he had dated Aaron Rodgers' sister (who I Googled and does not exist), and how he had been the VP at "multiple Fortune 500 companies" (I'm attaching the radio tryout tape of him saying that - go to 2:30). He also told me when we started to date that he loved dogs more than anything, but when I rescued a physically impaired senior dog from Muttville, he told me he thought my dog was 'gross and ugly', refused to touch him, and repeatedly said he wanted to 'punt' him every time he came to his feet. I definitely shouldn't have stayed after all of this, but I couldn't come to terms with the fact that this was truly him.



Aa





However, his words aren't what compelled me to write to you. It was this: he became physically abusive about six months into our relationship and I simply don't want someone else to be hurt by him. When he and I were on a plane to Iceland and he got up to use the restroom, the lady in the seat in front of me slipped me a note on a napkin about the way he was treating me and it truly stunned me. I'm attaching it. At first, I thought it was bizarre of her to give it, but it turned out to be life changing for me. It opened up my eyes to his bullying, manipulation, and outright cruelty, and her warning to me is exactly what I wanted to pass on to you. You certainly don't have to do anything with this information, but I wish I had taken her words to heart earlier because things definitely didn't improve as time went on. I reached out to her a couple of months ago after we broke up and she said that the way he acted towards me on the plane has



Aa





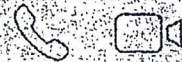
towards me on the plane has haunted her since she saw it. And it was way worse behind the scenes.

Regardless of if you do anything with the information I shared with you, I would beg you to not share it with Mike or bring up my name as he truly scares me at this point. I pray that he has not been abusive with you and never is. If someone sent this to me when we were first starting to date, I would definitely think they were nuts — but a few months into it, I would have wished I'd taken their advice to heart. I know you don't know me at all, but I hope that the attachments can be proof to you that I'm not coming up with this. I never, ever want to speak to or see the man again, let alone get back with him, so getting back with him is most certainly not my intention. I just want to try to help someone else from getting hurt. If you want to talk with me, I'm happy to grab coffee and chat. Regardless, I wish you all the best!

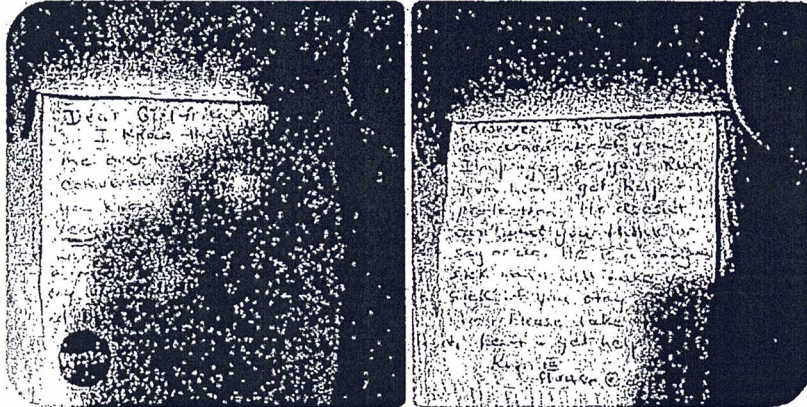


Aa





Laura



<https://drive.google.com/file/d/0B2Kwz87vIYxRIVYN2Z0QXV4UXB0MzFXLW05aWV3cDN4RkN3/view?usp=sharing> (this is a link to the show - go to 2:30)

MikeLauraSample.mp3

drive.google.com

Callie Supsinskas accepted your request.

JAN 7, 9:15 AM

Hi Laura,

Thanks for your email and thank you for sharing your experience with me. I'll definitely take this into consideration and appreciate you reaching out.



Aa





Callie Supsinskas accepted your request.

JAN 7, 9:15 AM

Hi Laura,

Thanks for your email and thank you for sharing your experience with me. I'll definitely take this into consideration and appreciate you reaching out.

Wish you well,
Callie



JAN 7, 9:37 AM

Sure feel free to reach out to me at (415) 810-0604 if you have any questions. There were two other things I wanted to add. First of all, the physical abuse got to the point where in the last month in our relationship, he tried to suffocate me with a pillow on three occasions (and almost succeeded the second time). It completely traumatized me. Finally, I spent more than

 Home (8)Callie Supsinskas >
MessengerWish you well,
Callie

JAN 7, 9:37 AM

Sure, feel free to reach out to me at (415) 810-0604 if you have any questions. There were two other things I wanted to add. First of all, the physical abuse got to the point where in the last month in our relationship, he tried to suffocate me with a pillow on three occasions (and almost succeeded the second time). It completely traumatized me. Finally, I spent more than \$30,000 on him in 2017 after he lost his job between paying his rent, 'sponsoring' his family (which they asked me to do after his stepfather passed away), taking him out to eat every night, and taking him on trips. He never picked up a check after the initial period we were dating. Definitely my fault for allowing him to manipulate me this way, but I hope he doesn't do this to you. I'm sure this is way more info than you



Aa



< Home (8)

Callie Supsinkas >
Messenger

wanted, but I truly felt the need to protect someone else from what I went through. My family knew about the physical abuse and always got a creepy, phony vibe from him. My dad says he's sure he's gonna end up being the star of a Dateline episode at some point in his lifetime. Okay - that's all! I wish you nothing but the best.

JAN 7, 8:12 PM

I really wish you hadn't told him as I just ran into him and his sister on the street and they went absolutely ballistic on me. I'll stay out of this - everything I said to you is true and the fact that he is denying everything when I have so much evidence on him is insane. I've never reached out to anyone my ex was dating and truly was trying to do what I thought was the right thing to do, but I guess it wasn't. I'm getting a restraining order against him first thing in the morning. Best of luck to you and again, I'm sorry to have bothered

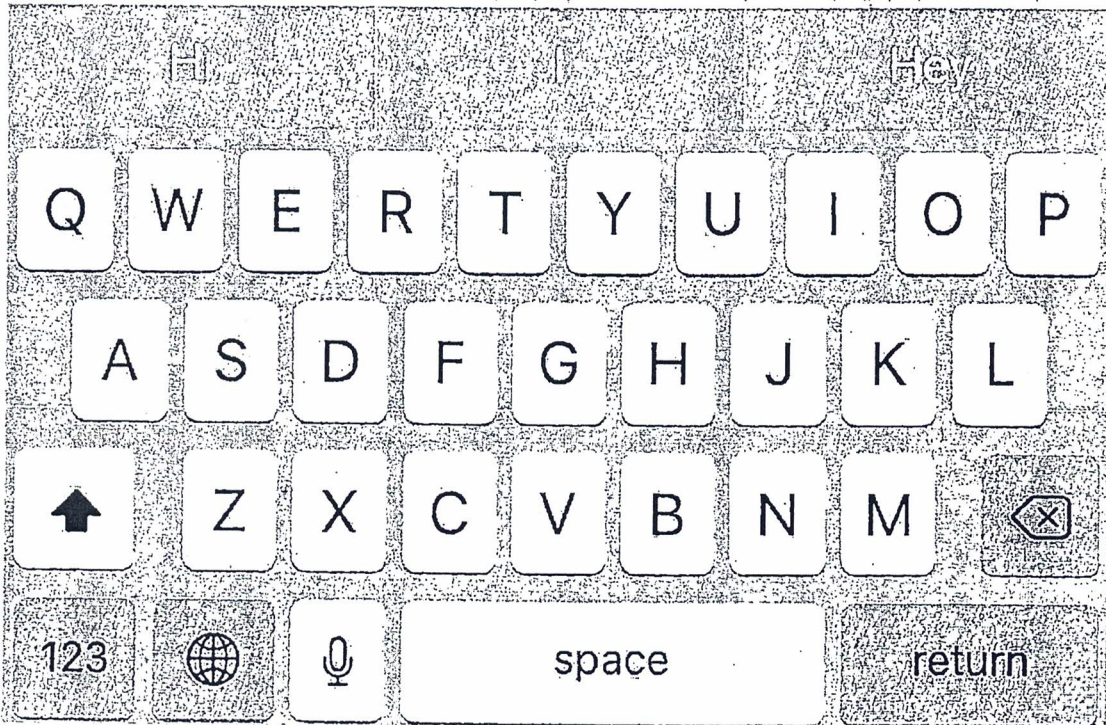


Aa





everything I said to you is true and the fact that he is denying everything when I have so much evidence on him is insane. I've never reached out to anyone my ex was dating and truly was trying to do what I thought was the right thing to do, but I guess it wasn't. I'm getting a restraining order against him first thing in the morning. Best of luck to you and again, I'm sorry to have intervened. I clearly didn't do the right thing, but my heart was definitely in the right place.



1 Elisha Jussen-Cooke (SBN 283446)
2 COOPERATIVE RESTRAINING ORDER CLINIC
3 3543 18TH Street, #5
4 San Francisco, CA 94110
5 Tel: (415) 864-1790
6 Fax: (415) 241-9491

7 Attorneys for Petitioner
8 LAURA OWENS

FILED
San Francisco County Superior Court

MAR 29 2018

CLERK OF THE COURT

BY: [Signature]
Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 CITY AND COUNTY OF SAN FRANCISCO

11 LAURA OWENS ,

12 Petitioner,

13 vs.

14 MICHAEL MARRACCINI ,

15 Respondent.

) DECLARATION OF JOAN O'NEILL IN
) SUPPORT OF LAURA OWENS'S
) REQUEST FOR RESTRAINING ORDER

) Case No. FDV-18-813693

) Hearing Date: April 13, 2018

) Hearing Time: 1:30 p.m.

) Dept: 403

16
17
18 I, Joan O'Neill, declare as follows:

19 1. I make all of the statements herein of my own personal knowledge, except as to those
20 matters stated on information and belief, and as to those matters, I believe them to be true, and if called
21 as a witness, could and would testify competently thereto.

22 2. I have known Laura Owens for over fourteen years. We met in 2004 and have been close
23 friends ever since.

24 3. I met Mike in or around April 2016, when Laura introduced him to me.

25 4. After Laura and Mike started dating, I saw less and less of Laura. When I would ask
26 Laura to hang out with me, she'd tell me she needed to ask Mike first. When I did see her, Mike was
27 almost always there and it seemed like Laura was not herself. When we would hang out, Mike tried to
28 insert himself into the conversation. He constantly cut Laura off when she was talking, and it seemed

1 like he needed to be in control of the conversation at all times. He also always wanted to talk about
2 himself and said things that seemed like complete fabrications. For example, he said he was close
3 friends with celebrities, like Ashton Kutcher, and that his sister had lots of famous friends, too. He
4 claimed to have a number of offers for lucrative and powerful jobs (which never actually seemed to pan
5 out). There was something about the way he told the stories that made them seem like lies.

6 5. Sometime in late 2016, Laura confided in me that she was being what she described as
7 emotionally abused by Mike. She explained that Mike had been telling her that she could cut off ties
8 with her family (specifically her mother).

9 6. In late 2016 or early 2017, Laura confided in me that Mike would scream at her daily and
10 that she was afraid of him. She said Mike repeatedly told her she was worthless and that he and her
11 family all hated her. She said she felt like Mike wanted her to stop communicating with her mother,
12 which made her feel very conflicted since she and her mother are very close.

13 7. In or around January 2017, Laura told me that Mike had been physically abusing her
14 during sex. She told me that Mike had strangled her and tried to smother her with a pillow during sex
15 to the point that she couldn't breathe. She said Mike would say things to her like, "I want to have total
16 control over you." She told me she was scared and didn't know what to do. I was sad to hear this and
17 afraid for her. I encouraged Laura to confront him and tell him how she felt. In the many years I have
18 known Laura, I had never before seen her afraid of anyone.

19 8. In early 2017, Laura called me very upset on a regular basis (1-4 times per week). During
20 these calls, she cried and told me that Mike screamed at her and degraded her. Sometimes she'd tell me
21 that Mike strangled her during sex.

22 9. In Summer 2017, Laura confided in me that she wanted to stop seeing Mike but that she
23 was "legitimately scared" of him retaliating if she did. She told me she thought he was dangerous to her
24 physical and emotional well-being.

25 10. In Fall 2017, Laura stopped dating Mike.

26 11. On January 5, 2018, Laura and I met for dinner at Mamanoko on Chestnut Street in the
27 Marina District of San Francisco, which is in our neighborhood (we live a couple of blocks from each
28 other). We were seated at a high table next to the window that faced the street. Shortly after we

1 received our food, Laura stopped our conversation to tell me that Mike was walking down Chestnut
2 Street. She said that he was with a blond woman and was walking towards the restaurant. Laura's facial
3 expression changed, and she appeared to be scared.

4 12. When Mike walked by the restaurant, Laura focused her attention on me and tried to
5 avoid making eye contact with him. Mike stopped directly in front of our table outside the restaurant
6 window. He started into the window at us. I looked up and briefly made eye contact with him before
7 turning back to Laura. We tried to focus on our conversation and avoided looking outside. When I
8 glanced outside a minute or two later, Mike was no longer there.

9 13. Laura was visibly shaken by this experience. She looked so upset that I thought she was
10 going to vomit. She told me that she was afraid of Mike and felt like he was stalking her. She told me
11 he had been showing up at restaurants he knows she frequents and had even shown up at her house
12 several times unannounced and uninvited after she told him she didn't want to see him.

13 14. After about five minutes had passed, Mike came back and again positioned himself right
14 outside the window by our table (except this time he stood even closer to the window). This time he was
15 alone. I tried to avoid eye contact with him in hopes that he would just go away, but it seemed like he
16 was trying to get my attention. He stared directly at me, which made me feel very uneasy. He lingered
17 outside the window and stared at us for a minute or so. Then he walked away from the window and
18 entered the restaurant.

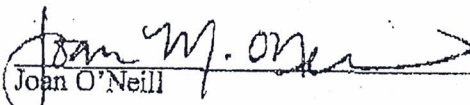
19 15. Laura's facial expression changed and she looked scared. She told me that Mike had
20 come inside the restaurant and was standing at the hostess stand, which was directly in front of her. I
21 told her not to look at him, and she looked down at the table. For a minute or so, Laura tried to avoid
22 looking up. She seemed nervous and uneasy. Then she told me Mike had gone to the back of the
23 restaurant and was still staring at her. It felt very intimidating. Laura seemed really upset and uneasy.
24 She told me that she was fearful and felt unsafe. Neither Laura nor I engaged in conversation with Mike.
25 We also did not make any physical acknowledgment of his presence (wave, eye contact, head nod, etc.).
26 After about ten minutes, Mike finally left the restaurant. Laura was visibly upset throughout the rest of
27 our meal. I walked her home after dinner to make sure she was safe.

28 16. On January 7, 2018, Laura called me crying and upset. She told me Mike and his sister

1 were waiting for her outside of Amici's Restaurant and that they yelled at her in the street. She said she
2 was afraid and didn't know what they would do to try to get at her. She asked me to come over, which
3 I did. When I got there, Laura was crying hysterically. I had never seen her so upset before. She was
4 shaking and said she was afraid to be alone. I stayed with her for several hours to help calm her down
5 and make sure she was safe.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Date: 3/29/2018


Joan O'Neill

VIA FAX

1 Elisha Jussen-Cooke (SBN 283446)
2 COOPERATIVE RESTRAINING ORDER CLINIC
3 3543 18TH Street, #5
4 San Francisco, CA 94110
5 Tel: (415) 864-1790
6 Fax: (415) 241-9491
7
8 Attorneys for Petitioner
9 LAURA OWENS

FILED
San Francisco County Superior Court
MAR 29 2018
CLERK OF THE COURT
BY: [Signature]
Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 CITY AND COUNTY OF SAN FRANCISCO

10
11 LAURA OWENS ,)
12 Petitioner,)
13 vs.)
14 MICHAEL MARRACCINI ,)
15 Respondent.)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

) DECLARATION OF KAREN ILMBERGER
) IN SUPPORT OF LAURA OWENS'S
) REQUEST FOR RESTRAINING ORDER

) Case No. FDV-18-813693
) Hearing Date: April 13, 2018
) Hearing Time: 1:30 p.m.
) Dept: 403

18 I, Karen Ilmberger, declare as follows:

- 19 1. I make all of the statements herein of my own personal knowledge, except as to those
20 matters stated on information and belief, and as to those matters, I believe them to be true, and if called
21 as a witness, could and would testify competently thereto.
- 22 2. I had never before met or seen Ms. Owens until on or around December 30, 2016. On
23 that day, I was flying on Wow Airlines to Reykjavik, Iceland with my fiancée. Ms. Owens and a man
24 I now know to be Mr. Marraccini were seated in the row behind me.
- 25 3. Throughout the flight, I overheard Mr. Marraccini speaking to Ms. Owens in a tone of
26 voice that I would characterize as scary. I can't recall the specifics of what he was saying, but I
27 remember him belittling her. For a long period of time he insulted and demeaned her, making belittling
28 remarks one after the other. Ms. Owens did very little talking; most of what I heard of their

1 communication was Mr. Marraccini just putting her down.

2 4. The entire time Mr. Marraccini berated Ms. Owens, she cried. When this happened, Mr.
3 Marraccini would demand that she stop crying and would berate her even more.

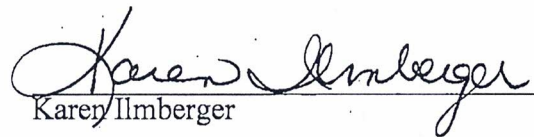
4 5. Even though I cannot remember the specifics of what was said during their conversation,
5 I remember that Mr. Marraccini was emotionally and verbally abusing Ms. Owens for a long time.
6 Based on what he was saying to her, I felt that she was in a frightening situation and she needed to get
7 out. He was so menacing that I felt her life was at stake were she to stay with him.

8 6. Several hours into the flight, I decided to write her a note on a cocktail napkin. In that
9 note I wrote that I overheard their conversation. I told her she was being abused and deserved better.
10 I urged her to get help and wrote that I was concerned about her safety. Because of the types of things
11 Mr. Marraccini was saying and the way he was talking to her, I was too afraid to include my full name
12 or phone number on the note. I was afraid that he would come after me if he found the note, so I wrote
13 on the note an old email address of mine that doesn't contain my last name.

14 7. When Mr. Marraccini got up from his seat and walked towards the bathroom, I slipped
15 the note between the seats to Ms. Owens.

16 8. I did not speak to Ms. Owens or Mr. Marraccini at all during the flight. I heard nothing
17 from or about Ms. Owens until sometime in or around November 2017, when her mother Jan Owens
18 contacted me about the note I wrote. Since then, I have communicated with Ms. Owens' mother a couple
19 of times about the note and what I observed during the flight to Iceland in December 2016.

20
21
22 Date: 3/29/18


Karen Ilmberger

1 Elisha Jussen-Cooke (SBN 283446)
2 COOPERATIVE RESTRAINING ORDER CLINIC
3 3543 18TH Street, #5
4 San Francisco, CA 94110
5 Tel: (415) 864-1790
6 Fax: (415) 241-9491

7 Attorneys for Petitioner
8 LAURA OWENS

FILED
San Francisco County Superior Court

MAR 29 2018

CLERK OF THE COURT
BY: [Signature]
Deputy Clerk

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 CITY AND COUNTY OF SAN FRANCISCO

11 LAURA OWENS ,
12 Petitioner,

13 vs.

14 MICHAEL MARRACCINI ,
15 Respondent.

) DECLARATION OF ELIZABETH "JAN"
) OWENS IN SUPPORT OF LAURA
) OWENS'S REQUEST FOR RESTRAINING
) ORDER

) Case No. FDV-18-813693

) Hearing Date: April 13, 2018

) Hearing Time: 1:30 p.m.

) Dept: 403

16
17
18 I, Elizabeth "Jan" Owens, declare as follows:

19 1. I make all of the statements herein of my own personal knowledge, except as to those
20 matters stated on information and belief, and as to those matters, I believe them to be true, and if called
21 as a witness, could and would testify competently thereto.

22 2. I am the mother of Petitioner Laura Owens.

23 3. The first time I met Respondent Mike Marraccini was in Spring 2016, one or two months
24 after he and Laura started dating. On that occasion, my husband (Laura's father) Ronn Owens and I had
25 dinner with Laura and Mike at The Battery. My first impression of Mike was that he was polite but
26 calculating. I recall that when I asked Mike about his background, he paused before answering. His
27 answers seemed well-crafted but felt like they lacked emotion.

28 4. One morning, in or around late May or early June 2016, Laura came over to our house

1 with a black eye. When I asked her what happened, she started crying and explained that Mike had hit
2 her in the middle of the night while she was sleeping. Laura told me that she thought Mike was asleep
3 when it happened and said it was probably involuntary. She expressed fear about the idea of sharing a
4 bed with Mike because he had hit her so hard, however deliberate or accidental it may have been.

5 5. Beginning in late Spring or early Summer 2016, Mike started joining us for dinner several
6 nights per month. When we'd go out, he wouldn't talk much. He was polite but seemed detached.
7 Early on I noticed that he was never very affectionate towards Laura and he always walked in front of
8 her, which seemed odd to me.

9 6. Starting in Summer 2016, Mike's demeanor changed. When we were out with him and
10 Laura, Mike would rarely participate in the conversation and would just sit there. He acted cold towards
11 us and showed little emotional engagement. Before, he had at least acted politely

12 7. In June 2016, Laura shared with me that she and Mike were having problems. She
13 confided in me that Mike would often put her down and that her self-esteem was really being degraded
14 by Mike.

15 8. Sometime in June 2016, I found out that Laura was pregnant. Shortly after finding out,
16 Ronn and I went to The North Beach Restaurant with Mike and Laura. Mike told us, in a very calm,
17 cool, and collected tone of voice, that he thought Laura was the one for him and that he really saw them
18 having a future together. He told us that he felt like having a child would be irresponsible given how
19 young they he was, and the timing wasn't right. He said that he was going to pay for an abortion and
20 was committed to supporting Laura throughout the process. It seemed like Mike was driving the
21 decision for the both them.

22 9. After she had the abortion, Laura seemed profoundly sad in a way I had never seen
23 before. Every time I saw her after she had been with Mike, she was upset. She cried often and said that
24 she was struggling with feelings of guilt for having had the abortion and that Mike criticized her for this.

25 10. One night in late 2016, Laura called us in the middle of the night, around 3:00 a.m. Ronn
26 and I were sound asleep. Laura was very upset and crying. She told me that she and Mike had gotten
27 into a fight and that he was being "horrible" to her. She said that Mike was in the bathroom and it
28 seemed like she was trying to keep her voice down. I asked her if she wanted me to come over. Then

1 Mike got on the phone and said to me, to the best of my recollection, "I'm very sorry Laura called you
2 in the middle of the night and disturbed you. I have things under control. I'll calm her down. There's
3 no need for you guys to come over here. I'll deal with this." His voice was very cold and unemotional.
4 I was afraid for Laura.

5 11. Sometime in or around November 2016, Laura disclosed that she was seeking treatment
6 for depression related to the abortion. She shared with me that Mike had repeatedly told her that she was
7 sick and needed to be medicated. Laura said that he called her "crazy" and "retarded" all the time and
8 insisted that she be medicated or he would leave her.

9 12. On December 9, 2016, Laura called me and sounded very upset. She told me she felt
10 worthless and that she didn't feel like there was a reason for her to live anymore. She said she felt guilt
11 for aborting the baby based on pressure from Mike under the pretense that he cared about her and wanted
12 to have a future with her. She said something along the lines of "This is it. I just can't do this anymore."
13 Then she hung up the phone. I contacted Mike and told him that I thought Laura was in a vulnerable
14 situation. I told him I didn't know what the status of their relationship was, but asked him to please
15 answer Laura's call if she tried to contact him. Later that day, I found out Laura went to the hospital,
16 so I went there to be with her. The doctors told us that Laura's suicidal feelings may have been triggered
17 by the new antidepressants she had started taking a few weeks prior. They adjusted her medication, and
18 she was released within a couple of hours.

19 13. Laura and Mike went to Iceland in late December 2016. On New Year's Eve 2016, Laura
20 called me and Ronn. She was hysterical. She told me Mike was treating her horribly and was being
21 cruel. She said that he was being so terrible to her that another passenger on the flight had passed her
22 a note telling her to get away from him. At some point during our conversation, Mike took the phone
23 from Laura. He told us that Laura was "just upset" and said, "I've got this under control." He spoke in
24 a cold, totally emotionless tone. I was afraid for Laura and felt like she was in a very bad situation and
25 that it wasn't good for her to stay with someone who treated her badly and upset her like that. Later that
26 day or the following day, Laura sent me a text message with a picture of the note written by the
27 passenger on their flight to Iceland.

28 14. After Laura and Mike came back from Iceland, Laura confided in me that Mike had

1 strangled her while they were having sex. She said that it was really scary. I told Laura she needed to
2 end the relationship. She resisted and said that because Mike promised it wasn't going to happen again,
3 she intended to stay with him and give him a chance to change. She also shared with me that she had
4 started believing the things Mike was constantly telling her- that she was stupid, that she was worthless,
5 and that nobody else was ever going to want to be with her.

6 15. In early 2017, Mike lost his job. When this happened, he started coming out to dinners
7 with our family regularly. We also started taking Mike's mother, his sister, and his sister's boyfriend
8 out for dinners (at Mike's suggestion). I started feeling like he was taking advantage of us.

9 16. Sometime in or around February 2017, Laura called me in the morning to tell me she was
10 sick and needed to go to the hospital. She explained that she had been throwing up constantly
11 throughout the night. She told me she was going to St. Mary's Hospital to get checked out and asked
12 me to pick her up at the hospital when she was done. When I picked her up, I noticed that she had little
13 red dots on the skin under her eyebrows, on her eye lids and below her eyes. She looked very worn out.
14 When I asked her what had happened, all she said was that Mike was "horrible" to her the night before
15 and that she had had a bad night.

16 17. Laura and I are very close and see each other almost daily. While she was with Mike,
17 she seemed very sad and despondent. On at least 5 different occasions, I noticed bruises on her arms
18 and legs. I can't say for sure how many times I saw Laura with tiny red dots under her eyes, but it was
19 at least 5 times. I had never seen marks like that on anybody before.

20 18. In or around Spring 2017, Laura told me that Mike had strangled her again. I told her it
21 needed to stop and that she needed to get out of the relationship. She said that Mike had apologized to
22 her and promised he wouldn't do it again. She expressed hope that he would change and would treat
23 her like he used to before the abuse started. I had thought the Iceland incident was an isolated event until
24 Laura shared this with me. She also told me that her self-esteem was so worn down by Mike's abuse
25 that she believed nobody else would want to be with her.

26 19. On May 12, 2017, Laura was taken to a hospital because she had a seizure while on a
27 horse and fell off. Mike's mother and his sister were at the horse show to watch Laura and went to the
28 hospital with us. They called Mike so he could talk with Laura while she was in the hospital. I was

1 standing next to Laura's hospital bed while she was lying there talking to Mike and could hear
2 everything she said to him about what had happened. The next time I talked to Mike, he told me that
3 he had talked with Laura while she was in the hospital after she fell off the horse (the conversation I
4 witnessed Laura having) and that she was making no sense and was talking crazy. I had heard what
5 Laura had said. She seemed completely lucid and there was nothing crazy or nonsensical about what
6 she had said. It seemed like Mike was deliberately trying to make Laura look crazy and to convince me
7 and everyone else that she was mentally unstable. This was a red flag and made me very uncomfortable
8 and concerned for Laura. Mike did not come to the hospital to see her.

9 20. In June 2017, Mike and Laura were still dating. We treated Mike, his mother, his sister,
10 and his sister's boyfriend to dinner at House of Prime Rib to celebrate Mike's birthday.

11 21. After Mike's birthday, and throughout the summer, I noticed that Laura was spending less
12 time with him. She had expressed to me that she was trying to see less of him in hopes that the
13 relationship would just fizzle and end naturally.

14 22. One Wednesday in October 2017, my husband and I went to dinner with Laura at
15 Maybeck's in the Marina (we often had dinner on Wednesdays at Maybeck's). Mike walked in with his
16 sister Stephanie. They sat at a table close to us, and Mike chose a seat that faced Laura. He stared at
17 Laura while we ate dinner. I thought it was very strange behavior and could see that it made Laura
18 uncomfortable.

19 23. After the incident at Maybeck's, I decided to reach out to the passenger who wrote the
20 note to Laura on the flight to Iceland. Laura and I had talked several times about wanting to thank her
21 for intervening that day since it was an eye-opening experience for Laura. On November 7, 2017, I sent
22 an email to the address listed on the cocktail napkin Laura was given. I explained that I was trying to
23 locate the woman who took the time to write Laura the note and asked if I had the correct email address.
24 The following day, November 8, 2017, I received a response from a woman named Karen Ilmberger,
25 saying "I remember your beautiful daughter." (A true and correct copy of the email is attached hereto
26 as Exhibit I.) I sent Ms. Ilmberger an email that day explaining that Laura was doing much better since
27 she had broken things off with Mike and thanking her for the note. I told her Laura's eyes were really
28 opened to what a bad relationship she was in when she received the note from her on the flight that day.

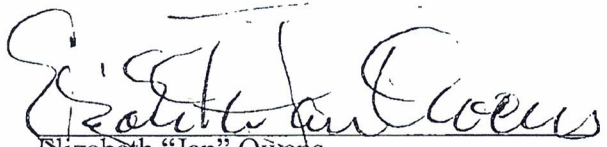
1 24. Sometime on around November 29, 2017, Laura and I were having dinner at Mamanoko
2 in the Marina, which is around the corner from Laura's apartment. Mike walked into the restaurant and
3 made a beeline directly for our table. He was accompanied by a woman, whom he introduced us to as
4 "Callie." He said that he had seen our car parked out front. He lingered at the table, and it seemed like
5 he enjoyed making us uncomfortable. Then he sat down a few feet away from us. He put his hand
6 around the woman he was with and stared intently at Laura. It made both of us so uncomfortable that
7 we left.

8 25. After this, Laura told me she was terrified to be alone. Sometimes when we were
9 together in her neighborhood, she'd ask me to drive her home, even though she lived only a couple of
10 blocks away. She told me she was afraid that Mike was stalking her and she was afraid of what he might
11 do to her.

12 26. On January 7, 2018, Ronn, Laura, and I were having dinner at Amici's Restaurant (about
13 1½ blocks from Laura's apartment). We were seated at a table next to the window facing the street. As
14 we were leaving the restaurant, I asked Laura if she wanted us to drive her home given her fear (and the
15 recent history) of encountering Mike. Since we were parked in the opposite direction of Laura's
16 apartment, she said it would be quicker if she just walked home. About five minutes later, Laura called
17 me. She was crying hysterically and just kept saying, "Mike! Mike! Mike!" She was so upset that she
18 could barely get the words out. When she could finally talk, she told us that Mike and his sister were
19 waiting near the restaurant, standing by a shrub next to the sidewalk. She said that they came at her and
20 screamed at her for having contacted Callie (the woman Mike was with back in November). She told
21 me that she tried to get her phone out to call 911, but that Mike's sister yelled at her, "Don't you DARE
22 get your phone!" There was pure terror in Laura's voice as she tried to tell us what happened. I have
23 never heard her sound so upset and pray that I never do again.

24
25
26
27
28

Date: 3-28-18


Elizabeth "Jan" Owens

From: Karen <flouer@aol.com>

To: Jan <jblackowens@aol.com>

Subject: Re: Looking for WOW Airlines passenger

Date: Wed, Nov 8, 2017 6:25 am

You have the right person. My name is Karen Ilmberger & email is flouer@aol.com. How special it is to get your note this morning. I remember your beautiful daughter. How is she?

Sent from my iPhone

On Nov 7, 2017, at 11:50 PM, Jan <jblackowens@aol.com> wrote:

Hi,

I am trying to locate a woman named Karen Flouer who was a passenger on a WOW Airlines flight from San Francisco to Iceland last December. She sat near my daughter and took the time to write my daughter a very meaningful note on the plane. Is this the correct email address for her?

Regards,
Jan Black Owens

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: NAME: Randy Sue Pollock (CSBN 64493) FIRM NAME: STREET ADDRESS: 286 Santa Clara Avenue CITY: Oakland STATE: CA ZIP CODE: 94610 TELEPHONE NO.: (510)763-9967 FAX NO.: (510)380-6551 E-MAIL ADDRESS: rsp@rspollocklaw.com ATTORNEY FOR (name): Respondent MICHAEL MARRACCINI	FOR COURT USE ONLY <b style="font-size: 2em; letter-spacing: 0.5em;">FILED Superior Court of California County of San Francisco <b style="font-size: 1.5em;">MAR 28 2018 CLERK OF THE COURT BY: <u>Randy Sue Pollock</u> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: 400 McAllister Street CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	CASE NUMBER: FDV-18-813693 JUDICIAL OFFICER: Honorable Roger C. Chan
PLAINTIFF/PETITIONER: LAURA OWENS DEFENDANT/RESPONDENT: MICHAEL MARRACCINI	DEPARTMENT: 403
PROOF OF ELECTRONIC SERVICE	

1. I am at least 18 years old.
 - a. My residence or business address is (specify):
286 Santa Clara Avenue, Oakland, CA 94610
 - b. My electronic service address is (specify):
rsp@rspollocklaw.com

2. I electronically served the following documents (exact titles):

DECLARATION OF WITNESS STEPHANIE MARRACCINI IN SUPPORT OF RESPONDENT

The documents served are listed in an attachment. (Form POS-050(D)/EFS-050(D) may be used for this purpose.)

3. I electronically served the documents listed in 2 as follows:

- a. Name of person served: Tara Berta
On behalf of (name or names of parties represented, if person served is an attorney):
Laura Owens
- b. Electronic service address of person served :
tara@roclinic.org
- c. On (date): March 28, 2018

The documents listed in item 2 were served electronically on the persons and in the manner described in an attachment. (Form POS-050(P)/EFS-050(P) may be used for this purpose.)

Date: March 28, 2018

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

Randy Sue Pollock

(TYPE OR PRINT NAME OF DECLARANT)

Randy Sue Pollock

(SIGNATURE OF DECLARANT)

MAR 28 2018

CLERK OF THE COURT

BY: Prin C. Peltier
Deputy Clerk

1 RANDY SUE POLLOCK
2 Attorney at Law (CSBN 64493)
3 286 Santa Clara Avenue
4 Oakland, CA 94610
5 Telephone: (510) 763-9967
6 Facsimile: (510) 380-6551
7 rsp@rspollocklaw.com

8 Attorney for Respondent
9 MICHAEL MARRACCINI

10 SUPERIOR COURT OF STATE OF CALIFORNIA
11 COUNTY OF SAN FRANCISCO
12 UNIFIED FAMILY COURT

13 -000-

14 LAURA OWENS,
15
16 Petitioner,

17 vs.

18 MICHAEL MARRACCINI,
19
20 Respondent.

COURT NO. FDV-18-813693

DECLARATION OF WITNESS
STEPHANIE MARRACCINI IN
SUPPORT OF RESPONDENT

Trial: April 13, 2018

Time: 1:30 p.m.

Dept: 403

Judge: Honorable Roger C. Chan

21 I, Stephanie Marraccini, declare and state as follows:

22 1. I am the sister of Respondent;

23 2. I am 37 years old and am employed as a Sr. Technical Recruiter. I am a resident of San
24 Francisco and live in the Marina/Cow Hollow District;

25 3. I have known Laura Owens during the time she was dating my brother, from June 2016
26 until the fall of 2017;

27 4. During that time my brother regularly told me about the emotionally turbulent
28 relationship he was in with Ms. Owens;

5. From November 2016 until approximately June 2017, Ms. Owens communicated with
me via text messages. Ms. Owens was upset because she loved my brother and he was not interested in
DECLARATION OF WITNESS STEPHANIE MARRACCINI IN SUPPORT
OF RESPONDENT, OWENS v. MARRACCINI, NO. FDV-18-813693

1 being in a committed relationship with her. She would constantly complain that he would not post pics
2 of them on social media and commit to an exclusive relationship with her.

3 6. I advised Ms. Owens in my text messages that she should not push my brother and
4 instead should back off and just enjoy the relationship and not cause unnecessary drama. Ms. Owens
5 told me about her emotional problems—anxiety and depression-- and acknowledged to me that those
6 were causing problems in the relationship. She also told me that she wanted to post photos on social
7 media which my brother did not want her to do. I would tell her that he hates drama and the best way
8 into his heart is to be supportive, loving and not to complain about his commitment level with
9 concurrent emotional outbursts over him not posting pics of them on social media. I witnessed her
10 manic behavior over dinner once when she yelled at him and then took an Ambien pill to calm down.
11 She apologized the following day and blamed her behavior on medication and her frustration with
12 Michael not committing to being exclusive.

13 7. At no time during their relationship did Ms. Owens ever tell me that Michael had been
14 physically abusive to her.


15 8. When Ms. Owens and my brother were in Iceland, she sent me frequent text messages
16 and photos telling me what a wonderful time they were having. There was never any mention of my
17 brother being physically or emotionally abusive to her. In fact she sent me texts with pictures of them
18 saying they had turned a corner and she was thrilled to be having a wonderful time with him in Iceland.

19 9. On January 8, 2018, I had dinner with my brother at Ace Wasabi located at Steiner and
20 Chestnut. We had just left the restaurant and all of a sudden we saw Ms. Owens walk towards us. She
21 approached us facing North so blocking us from continuing South on Steiner. Laura was very upset
22 about Michael dating another girl. She continued to yell and scream obscenities at him. At no time did
23 either my brother or myself yell at her. Instead we told her we wanted her to leave us alone and that she
24 needed help. After that encounter, my brother filed a report with the San Francisco Police Department.

25 10. In November of 2016, Michael called me distraught at how Laura lied to him about
26 getting an abortion and that he needed someone to come over to Laura's as he needed a witness. I asked
27 my boyfriend, Colin Scanlon to walk over to listen as Laura had called her father to come to her
28 apartment. Colin heard Laura admit to lying about the abortion. She justified her behavior by saying she

1 didn't want to lose Michael. Laura's father, Ron Owens told Michael that he needed to end the
2 relationship. Mr. Owens told Michael that Laura makes up stories in her head and then believes them.
3 Colin witnessed this meeting and heard this conversation.

4 I declare under penalty of perjury under the laws of the State of California that the above is true
5 and correct to the best of my knowledge. Executed this 26th day of March 2018 in San Francisco, CA.

6 
7 _____
8 STEPHANIE MARRACCINI
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: NAME: Randy Sue Pollock (CSBN 64493) FIRM NAME: STREET ADDRESS: 286 Santa Clara Avenue CITY: Oakland STATE: CA ZIP CODE: 94610 TELEPHONE NO.: (510)763-9967 FAX NO.: (510)380-6551 E-MAIL ADDRESS: rsp@rspollocklaw.com ATTORNEY FOR (name): Respondent MICHAEL MARRACCINI	FOR COURT USE ONLY F I L E D Superior Court of California County of San Francisco MAR 28 2018 CLERK OF THE COURT BY: <u>Randy Sue Pollock</u> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: 400 McAllister Street CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	CASE NUMBER: FDV-18-813693
PLAINTIFF/PETITIONER: LAURA OWENS DEFENDANT/RESPONDENT: MICHAEL MARRACCINI	JUDICIAL OFFICER: Honorable Roger C. Chan
PROOF OF ELECTRONIC SERVICE	DEPARTMENT: 403

1. I am at least 18 years old.
 - a. My residence or business address is (specify):
286 Santa Clara Avenue, Oakland, CA 94610
 - b. My electronic service address is (specify):
rsp@rspollocklaw.com

2. I electronically served the following documents (exact titles):
 DECLARATION OF WITNESS COLIN SCANLON IN SUPPORT OF RESPONDENT

The documents served are listed in an attachment. (Form POS-050(D)/EFS-050(D) may be used for this purpose.)

3. I electronically served the documents listed in 2 as follows:
 - a. Name of person served: Tara Berta
 On behalf of (name or names of parties represented, if person served is an attorney):
 Laura Owens
 - b. Electronic service address of person served :
 tara@roclinic.org
 - c. On (date): March 28, 2018

The documents listed in item 2 were served electronically on the persons and in the manner described in an attachment.
 (Form POS-050(P)/EFS-050(P) may be used for this purpose.)

Date: March 28, 2018

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

Randy Sue Pollock
 (TYPE OR PRINT NAME OF DECLARANT)

Randy Sue Pollock
 (SIGNATURE OF DECLARANT)

1 RANDY SUE POLLOCK
Attorney at Law (CSBN 64493)
2 286 Santa Clara Avenue
Oakland, CA 94610
3 Telephone: (510) 763-9967
4 Facsimile: (510) 380-6551
rsp@rspollocklaw.com

5 Attorney for Respondent
6 MICHAEL MARRACCINI

F I L E D
Superior Court of California
County of San Francisco

MAR 28 2018

CLERK OF THE COURT
BY: Pric C. Bellis
Deputy Clerk

7 SUPERIOR COURT OF STATE OF CALIFORNIA
8 COUNTY OF SAN FRANCISCO
9 UNIFIED FAMILY COURT

10 -000-

11 LAURA OWENS,

12 Petitioner,

13 vs.

14 MICHAEL MARRACCINI,

15 Respondent.

COURT NO. FDV-18-813693

DECLARATION OF WITNESS
COLIN SCANLON IN SUPPORT
OF RESPONDENT

Trial: April 13, 2018

Time: 1:30 p.m.

Dept: 403

Judge: Honorable Roger C. Chan

16 I, Colin Scanlon, declare and state as follows:

17 1. I am the boyfriend of Respondent's sister, Stephanie Marraccini,

18 2. I am 37 years old and am employed as a Real Estate Analyst. I am a resident of San

19 Francisco and live in the Marina District;

20 3. I had met Laura Owens several times while she was dating Michael Marraccini, including
21 a dinner with her family at The House of Prime Rib;

22 4. I specifically remember being called by Michael to come to Laura's apartment in
23 December 2016 for a meeting with Laura and her father to discuss Laura's desire to continue the
24 relationship with Michael. Laura had been claiming that she was pregnant and had been threatening
25 Mike with not having an abortion if he ceased dating her. Additionally, Laura had been indicating to
26
27
28

1 Mike that she was contemplating suicide at the thought of their relationship ending. Mike wanted me to
2 be there as a witness;

3 5. During the meeting, which her father Ron Owens steered, Mr. Owens told Michael that
4 his daughter had a tendency to exaggerate or even flat out make things up. Laura was complaining of
5 depression and suicidal thoughts at the fear of her relationship with Michael ending and was very
6 distraught.

7 6. During that meeting there was no discussion of Michael ever having been physically or
8 psychologically abusive towards Laura. She did not complain at all about Michael's conduct towards
9 her. Laura admitted that she was in fact not pregnant, and there was no need for an abortion. She also
10 apologized for threatening to commit suicide. The meeting ended with no final decision on the
11 relationship, just the agreement that Mike would not rush a decision, and for the two of them to continue
12 to work through things. Mr. Owens was very thankful as he, Michael and myself left the apartment.
13 Mr. Owens advised Michael in the elevator on the way out of the building that he appreciated Michael
14 agreeing to not end the relationship outright and see how it goes, and then advised him to get out in a
15 few weeks when his daughter had a chance to calm down and get a handle on her depression.

16 I declare under penalty of perjury under the laws of the State of California that the above is true
17 and correct to the best of my knowledge. Executed this 27 day of March 2018 in San Francisco, CA.

18 
19 _____
20 COLIN SCANLON
21
22
23
24
25
26
27
28

DV-116 Order on Request to Continue Hearing

Complete items ①, ②, and ③.

① **Protected Party:**
Laura Owens

② **Restrained Party:**
Michael Marraccini

③ **Party Seeking Continuance**

I am the Protected Party Restrained Party
Your Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name: PREPARED BY THE COURT

Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____ E-Mail Address: _____

The court will complete the rest of this form.

④ Order on Request for Continuance

a. The hearing in this matter is currently scheduled for (date): January 26, 2018

b. The request for a continuance is DENIED for the reasons set forth below on Attachment 4b.

The hearing shall be held as currently scheduled above. The *Temporary Restraining Order* (Form DV-110) issued on (date) : _____ remains in full force and effect until the hearing date.

c. The request for a continuance is GRANTED as set forth below.

⑤ Order Granting Continuance and Notice of New Hearing

The court hearing on the *Request for Domestic Violence Restraining Order* (Form DV-100) is continued to the date, time, and location shown below:

<div style="border: 1px solid black; border-radius: 10px; padding: 5px; display: inline-block;"> New Hearing Date </div>	Date: <u>Apr. 13, 2018</u> Time: <u>1:30p.m.</u>	Name and address of court if different from above: _____ _____
	Dept.: <u>403</u> Room: <u>403</u>	
The extended <i>Temporary Restraining Order</i> (form DV-110) expires at the end of this hearing.		

This is a Court Order.

Clerk stamps date here when form is filed.

FILED

San Francisco County Superior Court

JAN 26 2018

CLERK OF THE COURT

BY: Judith R.
Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of
 SAN FRANCISCO
 400 McAllister Street
 San Francisco CA 94102

Fill in case number:

Case Number:
 FDV-18-813693

6 Reason for the Continuance

a. The continuance is needed because:

- (1) The person in (2) was not served before the current hearing date.
- (2) The parties were referred to child custody mediation or child custody recommending counseling.
- (3) The person in (2) asked for a first continuance of the hearing.
- (4) The person in (3) asked for more time to hire a lawyer or prepare for the hearing or trial.
- (5) Other good cause as stated below on Attachment 6a(5).
For a long-cause evidentiary hearing.

b. The court finds good cause and orders a continuance in its discretion.

7 Extension of Temporary Restraining Order

a. No temporary restraining orders were issued in this case.

b. By granting the request to continue the hearing, the orders listed in *Temporary Restraining Order* (form DV-110), issued on (date): Jan. 10, 2018, remain in effect until the end of the hearing in (5).

c. The Temporary Restraining Order is MODIFIED. A new *Temporary Restraining Order* (Form DV-110) is issued as of this date. The orders remain in effect until the end of the hearing in (5).

d. The Temporary Restraining Order is TERMINATED for the reasons stated below on Attachment 7d.

e. Other (specify): _____

Warning and Notice to the Party in 2

If (7) b or c is checked, you must continue to obey the Temporary Restraining Order until it expires at the end of the hearing scheduled in (5).

8 Other Orders (specify):

The parties agree to proceed with direct testimony by declarations, to be filed and served by March 29, 2018, and witnesses shall be present for cross-examination at the hearing.

Additional orders are included at the end of this order on Attachment 8.

This is a Court Order.

**Order on Request to Continue Hearing
(Temporary Restraining Order) (CLETS-TRO)
(Domestic Violence Prevention)**

9 Service of Order

- a. No further service of this order is required because both parties were present at the hearing when the new hearing date was ordered.
- b. The court granted the protected party's request to continue the hearing date. A copy of this order must be served on the restrained party at least _____ days before the hearing in (5).
 - (1) All other documents requesting domestic violence restraining orders as shown in Form DV-109, *Notice of Court Hearing* (at item (5)) must also be personally served on the restrained party.
 - (2) The *Temporary Restraining Order* (Form DV-110) has been modified and must be personally served on the restrained party.
 - (3) A copy of the *Temporary Restraining Order* must NOT be served because the order was terminated in 7d.
- c. The court granted the restrained party's request to continue the hearing date. A copy of this order must be served on the protected party at least _____ days before the hearing in (5). A copy of the *Temporary Restraining Order* (Form DV-110) must be served if it was modified by the court in item (7).
- d. All documents must be personally served unless otherwise specified below.
- e. Other (specify):

10 No Fee to Serve

If the sheriff or marshal serves this order, he or she will do it for free.

11 CLETS Entry

If the hearing is continued, the court or its designee will transmit this form within one business day to law enforcement personnel for entry into the California Restraining and Protective Order System (CARPOS) via the California Law Enforcement Telecommunications System (CLETS).

Date: Jan. 26, 2018

(Signature)
 Judicial Officer
 Hon. Monica E. Wiley



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Order On Request to Continue Hearing (Temporary Restraining Order)*(CLETS-TRO) is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

MINI MINUTES FOR JAN-26-2018 09:00 AM FO

(403) 1/26/2018

Judge Monica F. Wiley

Clerk: Sadie Li/Geraldine Anderson

Reporter: Sherry Sawyer #5976

Baliff: Deputy Wu

Petition present in pro per with Tara Berta from Cooperative Retraining Order Clinic as a support person. Respondent present with Randy Pollock. Parties met and conferred before but are unable to reach an agreement. Matter set for hearing on 4/13/18 at 1:30pm in D. 403. (Est. 3 hours) The parties agreed to proceed with direct testimony by declarations, to be filed and served by March 29, 2018, and witnesses shall be present for cross-examination at the hearing. All TRO shall remain in full force and effect. Court assists w/ Order on Request to continue hearing and presents copies to parties.

1/26/18 403.

DV-120

Response to Request for Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

FILED
Superior Court of California
County of San Francisco

JAN 22 2018

CLERK OF THE COURT

BY: _____ Deputy Clerk

1 Name of Person Asking for Protection:

(See Form DV-100, item 1):
LAURA OWENS

2 Your Name:

MICHAEL MARRACCINI

Your lawyer in this case (if you have one):

Name: RANDY SUE POLLOCK State Bar No.: 64493

Firm Name: LAW OFFICES OF RANDY SUE POLLOCK

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 286 SANTA CLARA AVENUE

City: OAKLAND State: CA Zip: 94610

Telephone: 510-763-9967 Fax: 510-380-6551

E-Mail Address: rsp@rspollocklaw.com

Fill in court name and street address:

Superior Court of California, County of
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
UNIFIED FAMILY COURT
400 McAllister Street
SAN FRANCISCO, CA. 94102

Fill in case number:

Case Number:
FDV 18-813693

3 Use this form to respond to the Request for Domestic Violence Restraining Order (Form DV-100).

- Fill out this form and take it to the court clerk.
- Have the person in 1 served by mail with a copy of this form and any attached pages. (See Form DV-250, Proof of Service by Mail.)
- For more information, read Form DV-120-INFO, How Can I Respond to a Request for Domestic Violence Restraining Order?
- This form is for a response to a restraining order request. For more information about how to request your own restraining order, read Form DV-505-INFO and Form DV-120-INFO (see the section called "What if I need a restraining order against the other person?")

The judge will consider your Response at the hearing.

Write your hearing date, time, and place from Form DV-109, Notice of Court Hearing, item 3, here:

Hearing Date	→ Date: JANUARY 26, 2018	Time: 9 A.M.
	Dept.: 403	Room: 403

You must obey the orders in Form DV-110, Temporary Restraining Order, until the hearing. At the hearing, the court may make restraining orders against you that could last up to five years and could be renewed.

4 Relationship to Person Asking for Protection

- a. I agree to the relationship listed in item 4 on Form DV-100.
- b. I do not agree that the other party and I have or had the relationship listed in item 4 on Form DV-100 because: _____

5 Other Protected People

- a. I agree to the order requested.
- b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

This is not a Court Order.



6 **Personal Conduct Orders**

- a. I agree to the orders requested.
- b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

7 **Stay-Away Order**

- a. I agree to the order requested.
- b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

8 **Move-Out Order**

- a. I agree to the order requested.
- b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

9 **Guns or Other Firearms or Ammunition**

If you were served with Form DV-110, Temporary Restraining Order, you must turn in any guns or firearms in your immediate possession or control. You must file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received Form DV-110.

- a. I do not own or have any guns or firearms.
- b. I ask for an exemption from the firearms prohibition under Family Code section 6389(h) because (specify): _____
- c. I have turned in my guns and firearms to law enforcement or sold them to, or stored them with, a licensed gun dealer. A copy of the receipt showing that I turned in, sold, or stored my firearms (check all that apply):
 is attached has already been filed with the court.

10 **Record Unlawful Communications**

- a. I agree to the order requested.
- b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

11 **Care of Animals**

- a. I agree to the order requested.
- b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

This is not a Court Order.



12 **Child Custody and Visitation**

- a. I agree to the order requested.
 b. I do not agree to the order requested. (Specify your reasons in item 25, page 5, of this form.)
 c. I am not the parent of the child listed in Form DV-105, Request for Child Custody and Visitation Orders.
 d. I ask for the following custody order (specify): _____
 e. I do I do not agree to the orders requested to limit the child's travel as listed in Form DV-108, Request for Order: No Travel with Children.

You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).

13 **Child Support** (Check all that apply):

- a. I agree to the order requested.
 b. I do not agree to the order requested. (Specify your reasons in item 25, page 5, of this form.)
 c. I agree to pay guideline child support.

Whether or not you agree to pay support, you must fill out, serve, and file Form FL-150, Income and Expense Declaration, or Form FL-155, Financial Statement (Simplified).

14 **Property Control**

- a. I agree to the order requested.
 b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

15 **Debt Payment**

- a. I agree to the order requested.
 b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

16 **Property Restraint**

- a. I agree to the order requested.
 b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

17 **Spousal Support**

- a. I agree to the order requested.
 b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

Whether or not you agree, you must fill out, serve, and file Form FL-150, Income and Expense Declaration.

This is not a Court Order.



18 **Rights to Mobile Device and Wireless Phone Account**

- a. I agree to the order requested.
b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

19 **Insurance**

- a. I agree to the order requested.
b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

20 **Lawyer's Fees and Costs**

- a. I agree to the order requested.
b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

- c. I request the court to order payment of my lawyer's fees and costs.
Whether or not you agree, you must fill out, serve, and file Form FL-150, Income and Expense Declaration.

21 **Payments for Costs and Services**

- a. I agree to the order requested.
b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

22 **Batterer Intervention Program**

- a. I agree to the order requested.
b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

23 **Other Orders** (see item 22 on Form DV-100)

- a. I agree to the order requested.
b. I do not agree to the order requested, but I would agree to: _____

(Specify your reasons in item 25, page 5, of this form.)

24 **Out-of-Pocket Expenses**

I ask the court to order payment of my out-of-pocket expenses because the temporary restraining order was issued without enough supporting facts. The expenses are:

Item: _____ Amount: \$ _____ Item: _____ Amount: \$ _____

You must fill out, serve, and file Form FL-150, Income and Expense Declaration.

This is not a Court Order.



25 Reasons I Do Not Agree to the Orders Requested

Explain your answers to each of the orders requested (give specific facts and reasons):

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write, "DV-120, Reasons I Do Not Agree" as a title.

For approximately 8-9 months, from April 2016 until March 2017, I was involved in a dating relationship with Petitioner. During that time Petitioner wanted a far more committed relationship than I was interested in. The allegations she has made are total fabrication from a young woman who has threatened suicide multiple times, been hospitalized for depression and been on anxiety/depression medications. For the sake of her mental and emotional stability I tried to work things out with her and have a friendship but she has been continued to be focused on having a permanent relationship with me which I did not want. As shown in Attachment 1, text messages between Jan Black, petitioner's mother and myself, Petitioner has suffered from emotional issues that necessitated her placement in an inpatient facility followed by outpatient treatment and multiple medications. Attachment 2, test messages between Ronn Owens, petitioner's father, and myself, he also acknowledges Petitioner's mental and emotional instability. Mr. Owens, in a text message dated December 2016, told me "Please call Laura and promise her anything. She wants to keep her alive and I promise to help you get out of it as soon as she's safe. Please NOW." Additionally, the texts from Petitioner to my sister (Attachment 3), in December 2016 show Petitioner as a person consumed with her love for me and her desire to make our relationship work. I ended the relationship and wanted to move on with my life.

Regarding her specific claims, Question 2 (pg.5 of 6), I was leaving a restaurant with my sister which was 300 ft. from my sister's apartment. When we were exiting Petitioner was outside and immediately confronted us and called me a liar, rapist and thief. I asked her to leave me alone and to stay out of my life but she kept arguing. Following this encounter she wrote my present girlfriend and made accusations about me.


Regarding #4: Since before we dated, Petitioner has taken multiple medications to help with depression and anxiety. The texts in all of the attachments confirm this. Towards the end of our relationship, Petitioner told me she would take horse tranquilizers to calm down.

26 Number of pages attached to this form, if any: 22

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

Date: January 21, 2018

MICHAEL MARRACCINI
Type or print your name


Sign your name

Date: 1/22/2018

RANDY SUE POLLOCK
Lawyer's name, if you have one


Lawyer's signature

This is not a Court Order.

Owens v. Marraccini, FDV 18-813639

ATTACHMENT 1

Texts Between Petitioner's Mother and Respondent

10:25



Jan

iMessage
Dec 9, 2009, 7:20 AM

Mike, it's Jan. I got this text from Laura who asked me to contact you and ask if you will give her another chance. She is terribly upset and feels you played her like a fool. I have to admit that Ronn and I both believed you at the North Beach restaurant when you said you were taking responsibility for the pregnancy and that the timing was wrong. I can see how she didn't think you were lying and didn't intend to end the relationship when the pregnancy was over. Please read the text she wrote and consider giving her another chance.

Mike recently made the comment to me that he would have said anything in the world to get out of having a child. That he agreed to whatever I want just to not have to have it. This has been weighing on me like a ton of bricks lately and I absolutely cannot live with myself anymore. The child



Message in a Bottle



10:25



< 341



Jan

Please let me know if you got this.

Again, my words get
misconstrued. I was 100%
honest with you and Robin
when we talked at NE
restaurant. I was supportive
throughout the entire process
and when we were at Tony
Robbins I told her that "if I
didn't say that I was going to
get married or have a child
later on with you, you would of
kept the child." She replied with
that's absolutely true. I never
said that I was appeasing her at
the time, I just told her that she
was always giving me an
ultimatum and I was tired of
receiving the threats. I've been
100% honest throughout this
entire process and am still here
today months after the
operation even though I'm
incredibly unhappy with where
we stand. I've been at my
breaking point for a long time
and have been honest and
truthful with her about my



Message



10:25



< 341



Jan

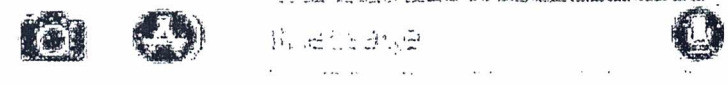


and she now thinks I've been...
 feelings. **we talk about the**
relationship now and she says
and she I don't feel like I'm the
right fit for her. Though she
would disagree with me, he
me.

and she now thinks I've been...
 keeps standing for...
 later that we have different
 expectations when it comes to
 boyfriend and girlfriend. Also
 told her we need to work on
 being happy rather than
 focusing on a title.

I have never once asked for
 Iceland nor did I know she had
 purchased it. She wanted it to
 be a surprise for me and never
 asked me what I was doing
 over that period of time. I had
 already purchased a trip a year
 ago that I was really looking
 forward to and cancelled it
 because she made me feel
 guilty.

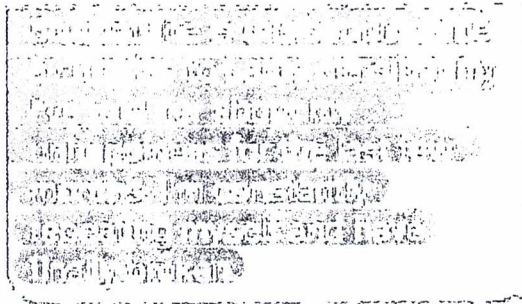
Bottom line is this shouldn't be
 a surprise to Laura considering



10:25



Jan



I understand what you're saying, but could you please call her and be gentle and hear what she is saying. It would mean a lot to all of us. She wants you to forgive her for whatever she's done that's gotten you two to this point.

I told her that if she betters herself that I would contemplate a future with her. She is again threatening to commit suicide. Did you go and see her today? She said she has been in her car for the last 4 hours

So you did call her?

I'm still on the phone with her



Messages





11 25:50:04



I think she will be in a better mindset if she gets the medication adjusted, gets some rest and is off of gluten for awhile. If you can calm her, we would be eternally grateful. She is not acting like herself and I am certain it is because

We truly appreciate it.

No, it's not great. She is threatening to kill herself and jump off the bridge.

Okay, great!

Thank you so much for your help!

So you did call her?

I contacted her on 1/26/2019. She is currently in the hospital. She is not eating and is not drinking. She is currently on medication. She is currently on medication. She is currently on medication.

Jan



10:26 *

10:26



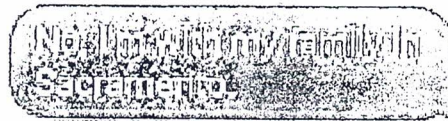
Jan



I think she will be in a better mindset if she gets the medication adjusted, gets some rest and is off of gluten for awhile. If you can calm her, we would be eternally grateful. She is not acting like herself and I am certain it is because of meds and gluten and exhaustion.

Dec 10, 2016, 11:47 AM

Hi Mike, are you with Laura? We haven't heard anything from you or her since last night.



Dec 10, 2016, 5:00 PM

Did I get the correct report that she is heading home and you two are back together? She just called us and Ronn and I are looking up hospitals to meet her at.

I followed what Ronn told me to



10:26 AM



10:26



Jan

meet her at.



Dec 11, 2016, 10:35 AM

Hi Mike, we wanted to thank you so much for what you did for us and Laura this weekend. You saved her and we will forever be grateful to you. She is getting treated as an inpatient right now and then will continue to be treated as an outpatient. They are going to change the medication they put her on for anxiety. We would love to take you out to thank you later this week or the following if you are available, does that work? We also know this took a big toll on your family this weekend and we would love to take everyone out to the House of Prime Rib this holiday season if your mom and sister are in SF.

Dec 12, 2016, 11:04 AM



10:04 AM



10:27



< 341



Jan



This message is for you. I was
 really sorry that you were
 told that the weekend was
 for you and I was really
 was given an ultimatum of "If
 we are not together then I'm
 going to kill myself." Nobody
 ever wants to be given an
 ultimatum especially when
 death is involved. Ronn and I

**said we needed to do whatever
 we could to make sure your
 daughter came home safely,
 yet you told her I was lying to
 her. I get being a mom you
 want to protect your daughter,
 but i don't get why you do that
 when Laura was suicidal all
 weekend. Like I said I
 understand your her mother,
 but relaying that message
 caused an incredible amount of
 stress on me and in turn i took
 it out on my family.**

With all of that being said, I
 appreciate your offer for dinner
 and even including my family,
 but I'm going to have to pass. I
 care, love and appreciate
 Laura, you, Ronn, Sarah and



Message



10:28



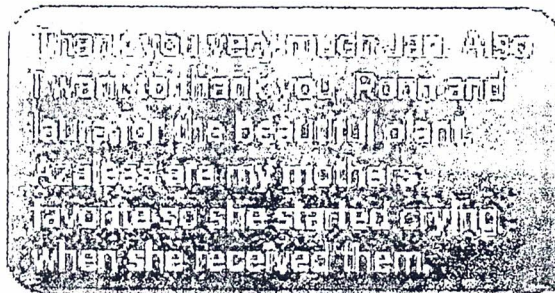
Jan

choice for her in the first place and may have compounded her feelings by being increased today.

Mon, Mar 13, 12:00 PM

Keeping all of you in our thoughts and prayers, Mike. So sorry for your loss. Please let us know if there is anything we can do.

Mon, Mar 13, 5:16 PM



Read 3/13/17

You are very welcome! I am glad your mom likes azaleas; they are one of my favorites, too, because they last a long time. I'm glad you are all able to be together and support one another at a time like this. Stay strong!



Messages



10:27



Jan

I understand that and have
 been kind and patient, but
 when she doesn't like an
 answer she gets thoroughly
 angry. I think it's a very
 bad effect on her. I
 think it wasn't a good idea
 and has made her very
 anxious and upset.
 Please be kind and patient
 with her.
 It is all because of the
 drug.
 And she hasn't eaten

They increased her dosage of Cymbalta and I think it has had a very bad effect on her.

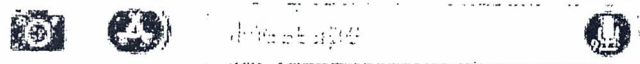
I think it wasn't a good idea and has made her very anxious and upset.

Please be kind and patient with her.

It is all because of the drug.

And she hasn't eaten

I understand that and have
 been kind and patient, but
 when she doesn't like an
 answer she gets thoroughly



10:27



Jan

I totally understand and feel very sorry for what your family is going through right now. I am truly sorry that this has been a distraction. I would just ask for your continued understanding and patience, as I feel strongly that her current state of mind and tearfulness is due to the medication, which may not have been the right choice for her in the first place and may have compounded her feelings by being increased today.

Mon, Mar 13, 10:06 PM

Keeping all of you in our thoughts and prayers, Mike. So sorry for your loss. Please let us know if there is anything we can do.

Mon, Mar 13, 5:10 PM

Thank you very much Jan. Also I want to thank you, Ronn and laura for the beautiful plant. Azaleas are my mothers favorite so she started giving



10:06 PM



Owens v. Marraccini, FDV 18-813639

ATTACHMENT 2

Texts Between Petitioner's Father and Respondent

12:06 ↗

LTE

< 342



Rona



Dec 10, 2016, 10:13 AM

Please call Laura and promise her anything
She wants to keep her alive and I promise to help you get out of it as soon as she's safe.

Please. NOW

She sends me to voicemail every time

We're now telling her that by text

Done

Text Message

Please also remember she suffered a concussion last week and between that and the pills she is not herself.

iMessage

No excuses for these types of



iMessage



12:06 ↗

LTE 

← 342



Ronn



Text Message

Please also remember she suffered a concussion last week and between that and the pills she is not herself.

Message

[Faded, illegible text in a message bubble]

Dec 10, 2016, 3:53 PM

We are desperate to get a hold of her and nothing yet. She said you are talking. Can you please respond to her? We need her back.

Dec 10, 2016, 3:50 PM

Ronn, I've done everything for you guys all day while my step father is dying yet you both don't have the decency to call me back



Message



12:07

LTE

342



Ronn

please respond to her? we
need her back

Dec 10, 2016, 1:30 PM

Ronn: I'm sorry about your
stepfather's passing. I hope
you guys all stay healthy and
happy. I'll be here for you
if you need anything. I'll be
back in SF soon.

This is getting ridiculous

I feel like absolute shit reading
your text. I am so, so, so sorry.
I had no idea that your
stepfather was dying and you
are absolutely right. I didn't
realize my ringer was off until
now. I will call you tonight
when she is safe back in SF.

Dec 23, 2016, 11:36 AM

And thank you for sending the
flowers to my family. That
means a lot

Dec 23, 2016, 0:22 PM



Owens v. Marraccini, FDV 18-813639

ATTACHMENT 3

Texts Between Petitioner's Petitioner and Respondent's Sister



Laura

he has mentioned that you both don't see eye to eye on being present in the moment and not focusing on the future. When I frustrate him or cause unnecessary family drama he pushes away and hates turmoil.

I really appreciate the advice. I've noticed that with him too. It's just been a very hard day and the more I try to do the right thing, the more I seem to do the wrong thing, even though that's obviously the opposite of my intention. I will listen to what you said and move forward.

I'm sorry it's been a difficult day. Just take some deep breathes and now that he cares about you and your well being

I really appreciate it. I genuinely want nothing more in my life than to work on my relationship with him and I seem to keep messing it up.



iMessage





Laura

Hi! I just got my phone back for a couple minutes tonight and wanted to say I am here for you if you ever want to talk about the depression stuff because clearly I get it! I will be praying for you to feel better, that feeling is the worst. I also just wanted to reiterate my gratefulness and apologies to your family and to your brother. My big goal is to come out of this as the best possible partner for him and would give him the world if I could - he truly deserves him and I so treasure him and our relationship, I just need to show him that rather than only use the words all the time. He is my motivation and you should be really proud to call him your brother. Hope you are doing better and sleep well!

Hi Laura. Thank you for your kind message. I am proud, he is a good, and kind soul, and so are you ❤️. I am thinking about you, and hope you get a good night's sleep. Night



iMessage



AT&T

12:44 PM

27%

52



Laura

Dec 31, 2016 7:41 PM

Thank you so much for listening to me. I have just hoped he would believe in me that my heart is genuinely in the best place and I am trying to understand/get these emotional issues under control. It breaks my heart that I know he doesn't believe I can change. Thank ti for believing in me and helping me. You have been such a bright light. I have just fucked everything up with the person I cared about most. I just wish he understood and could support me while I've been struggling rather than seem so doubtful about my abilities. I will miss you guys and my daily tremendously. Thank you for trying. I'm just not enough. I don't deserve another chance and God has no reason to keep me on this earth any longer. And I'm totally ok with that. Mike deserved the best and it wasn't me

Laura, you are an amazing person.



iMessage



AT&T

12:45 PM

27%



Laura

Is everything okay today? Did you two work it out

I think so. He is definitely trying and I am really taking what you said to heart. I also think he and I are (unfortunately) very similar where when our buttons get pushed, we end up saying just about the worst things to each other that we don't actually mean. Then I immediately regret it and want reassurance, but he needs time. I think I just need to accept him for every absolutely fantastic quality he has and realize that what has caused our fights has largely been 1) social media (which you brought up and is really true - it doesn't matter at all, I just was sad that he didn't want me posting pics together but I totally believe what you said that he just doesn't do that with anyone) and 2) my anxiety and depression and I am 100% sure whatever drugs I am on for it are making it way worse for me. He's sleeping next to me on the bus right



iMessage





Laura

My family had a long call with me because I asked their honest opinions about what I should do. I feel like things are really up in the air with us and that we need to smooth a couple things over. We have talked a lot about feelings and what comes up over and over is how I love him and he doesn't have those feelings for me. I have been praying to get the answer I need - do I stay with someone that I love with all of my heart, even though there is a good chance he will never love me? I wanted to tell him how much he meant to me. He was just not nice on the phone. I've done a lot to be there for Mike and support him and I wouldn't dream of ignoring him or not talking his calls

My heart is telling me that I shouldn't be with someone who treats me like this and ignores me when I am upset. I don't think he cares if I stay or if I go so I guess I have my answer, which is just hard



iMessage



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

OWENS VS. MARRACCINI
FDV-18-813693

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

I, Randy Sue Pollock, am employed in the aforesaid County, State of California; I am over the age of 18 years and not a party to the within action; my business address is 286 Santa Clara Avenue, Oakland, CA 94610


On, I caused to be served on the interested party in this action by serving a true copy thereof, via messenger, addressed as follows:

RESPONSE TO DVRO -DV-120]

LAURA OWENS
3330 Pierce Street, #305
San Francisco, CA 94123

I declare under penalty of perjury that the above is true and correct. Executed this 22 day of January, 2018, at Oakland, California.

Randy Sue Pollock
RANDY SUE POLLOCK

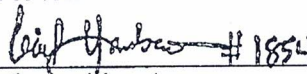
ATTORNEY (Name and Address): Laura Owens 3330 Pierce St Apt. 305 San Francisco, CA 94123 E-MAIL: ATTORNEY FOR: In Propria Persona	SBN: 1/26/18 403 FOR COURT USE ONLY FILED Superior Court of California County of San Francisco JAN 19 2018 CLERK OF THE COURT BY:  Deputy Clerk
NAME OF COURT, JUDICIAL DISTRICT or BRANCH COURT, IF ANY: San Francisco - Superior Court 400 McAllister Street San Francisco, CA 94102	COURT CASE NO.: FDV18813693
PLAINTIFF: Laura Owens DEFENDANT: Michael Marraccini	LEVYING OFFICER FILE NO.: 2018446232
Proof of Service	

1. At the time of the service I was at least 18 years of age and not a party to this action.
2. I served copies of the:
 - f. other (specify documents): Attachments, 3pgs, Information for the Restrained Person (DV-540,) Answer to Temporary Restraining Order (DV-120)(Blank), Attached Declaration, DV-250, DV-810, DV-550, DV-800/JV-252, Restraining Order After Hearing (CLETS) (Domestic Violence Prevention) (DV-130)
3. a. Party served: Michael Marraccini
4. Address where party was served: Sheriff's Office, Room 456, City Hall
San Francisco, CA 94102
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of the process for the party (1) on: 01/16/2018 (2) at: 04:01 PM.
7. Person who served papers:
 - a. Name: Dep. Ceciel Yambao #1854
 - b. Address: San Francisco Sheriff Department 1 Dr. Carlton B. Goodlett PL Rm 456 Civil Divison San Francisco, CA 94102
 - c. Telephone Number: (415) 554-7235
 - d. The fee for service was: \$40.00 Waiver - Bill Courts
9. I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Wednesday, January 17, 2018.

Hearing: 01/26/2018 09:00 AM in Dept/Div: 403

Remarks


 Sheriff's Authorized Agent
 VICKI L. HENNESSY, Sheriff

San Francisco - Superior Court
400 McAllister Street

San Francisco, CA 94102

*** This certificate ONLY for out of state courts ***

CERTIFICATE OF ACKNOWLEDGEMENT

State of California
County of San Francisco

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On _____, before me _____,

personally appeared _____, who proved to me on the basis

satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that

s/he/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the

person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY of PERJURY under the laws of the state of California that the foregoing paragraph is true and correct.

(NOTARY SEAL)

WITNESS my hand and official seal.

DV-109

Notice of Court Hearing

Clerk stamps date here when form is filed.

FILED
San Francisco County Superior Court
JAN 10 2018
CLERK OF THE COURT
BY: C. Ayala Deputy Clerk

1 Name of Person Asking for Order:

LANKA OWENS

Your lawyer in this case (if you have one):

Name: IN PRO PER State Bar No.:
Firm Name:

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 3330 PIERCE STREET, apt 305
City: SAN FRANCISCO State: CA Zip: 94123
Telephone: Fax:
E-Mail Address:

Fill in court name and street address:

Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102
Unified Family Court

2 Name of Person to Be Restrained:

Michael MARRACCINI

The court will fill out the rest of this form.

Clerk fills in case number when form is filed.

Case Number:
FDV-18-813693

3 Notice of Court Hearing

A court hearing is scheduled on the request for restraining orders against the person in 2.

Hearing Date: 1/26/18 Time: 9:00 am Name and address of court if different from above:
Date: 403 Room: 403

4 Temporary Restraining Orders (any orders granted are attached on Form DV-110)

a. Temporary restraining orders for personal conduct, stay away, and protection of animals, as requested in Form DV-109, Request for Domestic Violence Restraining Order, are:

- (1) All granted until the court hearing
(2) All denied until the court hearing (specify reasons for denial in (b)):
(3) Partly granted and partly denied until the court hearing (specify reasons for denial in (b)):

b. Requested temporary restraining orders for personal conduct, stay away, and protection of animals are denied because:

- (1) The facts as stated in form DV-109 do not show reasonable proof of a past act or acts of abuse. (Family Code, §§ 6320 and 6320.5)
(2) The facts do not describe in sufficient detail the most recent incidents of abuse, such as what happened, the dates, who did what to whom, or any injuries or history of abuse.
(3) Further explanation of reason for denial, or reason not listed above:

No facts to justify issuing order protecting additional persons identified in Item No. 2.

This is a Court Order.

Notice of Court Hearing
(Domestic Violence Prevention)



5 Service of Documents and Time for Service—for Person in 1

At least five or _____ days before the hearing, someone age 18 or older—not you or anyone else to be protected—must personally give (serve) a court’s file-stamped copy of this form (DV-109, *Notice of Court Hearing*) to the person in 2 along with a copy of all the forms indicated below:

- a. Form DV-100, *Request for Domestic Violence Restraining Order*, (file-stamped) with applicable attachments
- b. Form DV-110, *Temporary Restraining Order* (file-stamped) with applicable attachments **if granted by the judge**
- c. Form DV-120, *Response to Request for Domestic Violence Restraining Order* (blank form)
- d. Form DV-250, *Proof of Service by Mail* (blank form)
- e. Other (specify): _____

Date: 1/10/18

Monica F. Wiley, J.D. 408

 Judicial Officer
MONICA F. WILEY

Right to Cancel Hearing: Information for the Person in 1

- If item 4 (a)(2) or 4 (a)(3) is checked, the judge has denied some or all of the temporary orders you requested until the court hearing. The judge may make the orders you want after the court hearing. You can keep the hearing date, or you can cancel your request for orders so there is no court hearing.
- If you want to cancel the hearing, use Form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*. Fill it out and file it with the court as soon as possible. You may file a new request for orders, on the same or different facts, at a later time.
- If you cancel the hearing, do not serve the documents listed in item 5 on the other person.
- If you want to keep the hearing date, you must have all of the documents listed in item 5 served on the other person within the time listed in item 5.
- At the hearing, the judge will consider whether denial of any requested orders will jeopardize your safety and the safety of children for whom you are requesting custody or visitation.
- You must come to the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not come to the hearing, any restraining orders made on Form DV-110 will end on the date of the hearing.

To the Person in 1

- The court cannot make the restraining orders after the court hearing unless the person in 2 has been personally given (served) a copy of your request and any temporary orders. To show that the person in 2 has been served, the person who served the forms must fill out a proof of service form. Form DV-200, *Proof of Personal Service* may be used.
- For information about service, read Form DV-210-INFO, *What Is “Proof of Personal Service”?*
- If you are unable to serve the person in 2 in time, you may ask for more time to serve the documents. Read Form DV-115-INFO, *How to Ask for a New Hearing Date*.

This is a Court Order.

To the Person in 2

- If you want to respond in writing, mail a copy of your completed Form DV-120, *Response to Request for Domestic Violence Restraining Order*, to the person in ① and file it with the court. You cannot mail Form DV-120 yourself. Someone age 18 or older—not you—must do it.
- To show that the person in ① has been served by mail, the person who mailed the forms must fill out a proof of service form. Form DV-250, *Proof of Service by Mail*, may be used. File the completed form with the court before the hearing and bring it with you to the hearing.
- For information about responding to a restraining order and filing your answer, read Form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- Whether or not you respond in writing, go to the court hearing if you want the judge to hear from you before making orders. You may tell the judge why you agree or disagree with the orders requested. You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to five years.**
- **The judge may also make other orders about your children, child support, spousal support, money, and property and may order you to turn in or sell any firearms that you own or possess.**



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

DV-110

Temporary Restraining Order

Clerk stamps date here when form is filed.

Person in ① must complete items ①, ②, and ③ only.

① Name of Protected Person: Laura Owens

Your lawyer in this case (if you have one):

Name: in pro per State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 3330 Pierce St. apt. 305

City: San Francisco State: CA Zip: 94123

Telephone: _____ Fax: _____

E-mail Address: _____

FILED

San Francisco County Superior Court

JAN 18 2018

CLERK OF THE COURT

BY: [Signature] Deputy Clerk

Fill in court name and street address:

Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102
Unified Family Court

Court fills in case number when form is filed.

Case Number: **FDV-18-813693**

② Name of Restrained Person: Michael Makraccini

Description of restrained person:

Sex: M F Height: 6'4 Weight: 220 Hair Color: light brown Eye Color: green

Race: white Age: 30 Date of Birth: 6/3/87 (or 6/4/87)

Address (if known): 2280 Filbert St.

City: San Francisco State: CA Zip: 94123

Relationship to protected person: ex-boyfriend

③ Additional Protected Persons

In addition to the person named in ①, the following persons are protected by temporary orders as indicated in items ⑥ and ⑦ (family or household members):

Full name	Relationship to person in ①	Sex	Age
<u>Ronn D. [Signature]</u>	<u>Father</u>	<u>M</u>	<u>72</u>
<u>Jan D. [Signature]</u>	<u>Mother</u>	<u>F</u>	<u>61</u>
<u>Sarah [Signature]</u>	<u>Sister</u>	<u>F</u>	<u>29</u>

Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-110, Additional Protected Persons" as a title.

The court will complete the rest of this form.

④ Court Hearing

This order expires at the end of the hearing stated below:

Hearing Date: 1/26/18 Time: 9:00 a.m. p.m.

This is a Court Order.



5 **Criminal Protective Order**

- a. A criminal protective order on form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
 Case Number: _____ County: _____ Expiration Date: _____
- b. No information has been provided to the judge about a criminal protective order.

To the person in 2

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

6 **Personal Conduct Orders** Not requested Denied until the hearing **Granted as follows:**

- a. You must not do the following things to the person in ① and persons in ③:
- Harass, attack, strike, threaten, assault (*sexually or otherwise*), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (*on the Internet, electronically or otherwise*), or block movements
 - Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail, e-mail or other electronic means
 - Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ③.
(If this item is not checked, the court has found good cause not to make this order.)
- b. Peaceful written contact through a lawyer or process server or another person for service of Form DV-120 (*Response to Request for Domestic Violence Restraining Order*) or other legal papers related to a court case is allowed and does not violate this order.
- c. Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

7 **Stay-Away Order** Not requested Denied until the hearing **Granted as follows:**

- a. You must stay at least (*specify*): 100 yards away from (*check all that apply*):
- The person in ① School of person in ①
 - Home of person in ① ~~The persons in ③~~
 - The job or workplace of person in ① The child(ren)'s school or child care
 - Vehicle of person in ① Other (*specify*): _____
- b. Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

8 **Move-Out Order** Not requested Denied until the hearing **Granted as follows:**

You must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*): _____

This is a Court Order.



9 No Guns or Other Firearms or Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within your immediate possession or control. Do so within 24 hours of being served with this order.
 - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, stored, or sold. (You may use Form DV-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.) Bring a court filed copy to the hearing.
- c. The court has received information that you own or possess a firearm.

10 Record Unlawful Communications

- Not requested Denied until the hearing Granted as follows: *u/f*

The person in ① can record communications made by you that violate the judge's orders.

11 Care of Animals Not requested Denied until the hearing Granted as follows:

The person in ① is given the sole possession, care, and control of the animals listed below. The person in ② must stay at least 100 yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

'BUTTONS', paddle

12 Child Custody and Visitation Not requested Denied until the hearing Granted as follows:

Child custody and visitation are ordered on the attached form DV-140, *Child Custody and Visitation Order* or (*specify other form*): _____. The parent with temporary custody of the child must not remove the child from California unless the court allows it after a noticed hearing (Fam. Code, § 3063).

13 Child Support

Not ordered now but may be ordered after a noticed hearing.

14 Property Control Not requested Denied until the hearing Granted as follows:

Until the hearing, *only* the person in ① can use, control, and possess the following property:

15 Debt Payment Not requested Denied until the hearing Granted as follows:

The person in ② must make these payments until this order ends:

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
 Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 Property Restraint Not requested Denied until the hearing Granted as follows:

If the people in ① and ② are married to each other or are registered domestic partners, the person in ① the person in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (*The person in ② cannot contact the person in ① if the court has made a "no contact" order.*)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.



17 Spousal Support

Not ordered now but may be ordered after a noticed hearing.

18 Rights to Mobile Device and Wireless Phone Account

a. Property control of mobile device and wireless phone account

Not requested Denied until the hearing Granted as follows:

Until the hearing, only the person in (1) can use, control, and possess the following property:

Mobile device (describe) _____ and account (phone number): _____

Mobile device (describe) _____ and account (phone number): _____

Mobile device (describe) _____ and account (phone number): _____

Check here if you need more space. Attach a sheet of paper and write "DV-110 Rights to Mobile Device and Wireless Phone Account" as a title.

b. Debt Payment Not requested Denied until the hearing Granted as follows:

The person in (2) must make these payments until this order ends:

Pay to (wireless service provider): _____ Amount: \$ _____ Due date: _____

c. Transfer of Wireless Phone Account

Not ordered now but may be ordered after a noticed hearing.

19 Insurance

The person in (1) the person in (2) is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their child(ren), if any, for whom support may be ordered, or both.

20 Lawyer's Fees and Costs

Not ordered now but may be ordered after a noticed hearing.

21 Payments for Costs and Services

Not ordered now but may be ordered after a noticed hearing.

22 Batterer Intervention Program

Not ordered now but may be ordered after a noticed hearing.

23 Other Orders Not requested Denied until the hearing Granted as follows:

Check here if there are additional orders. List them on an attached sheet of paper and write "DV-110, Other Orders" as a title.

24 No Fee to Serve (Notify) Restrained Person

If the sheriff serves this order, he or she will do so for free.

Date: 4/10/18



Judge (or Judicial Officer)

MONICA F. WILEY

This is a Court Order.



Warnings and Notices to the Restrained Person in ②**If You Do Not Obey This Order, You Can Be Arrested And Charged With a Crime.**

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

You Cannot Have Guns, Firearms, And/Or Ammunition.

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

Service of Order by Mail

If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in ②. If this address is incorrect, or to find out if the orders were made permanent, contact the court.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing from you.
- **Child support:** The judge can order child support based on the income of both parents. The judge can also have that support taken directly from a parent's paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve a *Financial Statement (Simplified)* (form FL-155) or an *Income and Expense Declaration* (form FL-150) if you want the judge to have information about your finances. Otherwise, the court may make support orders without hearing from you.
- **Spousal support:** File and serve an *Income and Expense Declaration* (form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Instructions for Law Enforcement

This order is effective when made. It is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this order are subject to criminal penalties.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

This is a Court Order.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, §13710(b).)

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2, and Fam. Code, §§ 6383(h), 6405(b)):

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001), and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Child Custody and Visitation

- The custody and visitation orders are on form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- ~~Forms DV-100 and DV-105 are not orders. Do not enforce them.~~

Certificate of Compliance With VAWA

This temporary protective order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA), upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Amended

DV-100

Request for Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

FILED

Superior Court of California
County of San Francisco

JAN -9 2018

CLERK OF THE COURT

BY: Lorina Tauala
Deputy Clerk

LORINA TAUALA

You must also complete form CLETS-001, Confidential CLETS Information, and give it to the clerk when you file this Request.

① Name of Person Asking for Protection: Laura Owens Age: 27

Your lawyer in this case (if you have one):
Name: IN PRO PER State Bar No.: _____
Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):
Address: 3330 Pierce Street apt. 305
City: San Francisco State: CA Zip: 94123
Telephone: _____ Fax: _____
E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102
Unified Family Court

Court fills in case number when form is filed.

Case Number: DV-18-813693

② Name of Person You Want Protection From: Michael Maccacini

Description of person you want protection from: _____

Sex: M F Height: 6'4" Weight: 220 Hair Color: Brownish Eye Color: Green
Race: White Age: 30 Date of Birth: 6/3/87 or 6/4/87
Address (if known): 2280 Filbert St.
City: San Francisco State: CA Zip: 94123

③ Do you want an order to protect family or household members? Yes No

If yes, list them:

Full name	Sex	Age	Lives with you?	Relationship to you
<u>Ronn Owens</u>	<u>M</u>	<u>72</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Father</u>
<u>Jan Owens</u>	<u>F</u>	<u>61</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Mother</u>
<u>Sarah Owens</u>	<u>F</u>	<u>29</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Sister</u>

Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.

④ What is your relationship to the person in ②? (Check all that apply):

a. We are now married or registered domestic partners.
b. We used to be married or registered domestic partners.
c. We live together.
d. We used to live together.
e. We are related by blood, marriage, or adoption (specify relationship): _____
f. We are dating or used to date, or we are or used to be engaged to be married.
g. We are the parents together of a child or children under 18:
Child's Name: _____ Date of Birth: _____
Child's Name: _____ Date of Birth: _____
Child's Name: _____ Date of Birth: _____

If you do not have one of these relationships, the court may not be able to consider your request. Read form DV-500-INFO for help.

Check here if you need more space. Attach a sheet of paper and write "DV-100, Additional Children" for a title.

h. We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one): _____

Amended **This is not a Court Order.**

5 Other Restraining Orders and Court Cases

a. Are there any restraining/protective orders currently in place OR that have expired in the last six months (emergency protective orders, criminal, juvenile, family)?

No Yes (date of order): _____ and (expiration date): _____ (Attach a copy if you have one).

b. Have you or any other person named in ③ been involved in another court case with the person in ②?

No Yes If yes, check each kind of case and indicate where and when each was filed:

Kind of Case	County or Tribe Where Filed	Year Filed	Case Number (if known)
<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
<input type="checkbox"/> Civil Harassment	_____	_____	_____
<input type="checkbox"/> Domestic Violence	_____	_____	_____
<input type="checkbox"/> Criminal	_____	_____	_____
<input type="checkbox"/> Juvenile, Dependency, Guardianship	_____	_____	_____
<input type="checkbox"/> Child Support	_____	_____	_____
<input type="checkbox"/> Parentage, Paternity	_____	_____	_____
<input type="checkbox"/> Other (specify): _____	_____	_____	_____
<input type="checkbox"/> Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.			

Check the orders you want.

6 Personal Conduct Orders

I ask the court to order the person in ② not to do the following things to me or anyone listed in ③:

a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements

b. Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

The person in ② will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

7 Stay-Away Order

a. I ask the court to order the person in ② to stay at least 100 yards away from (check all that apply):

- Me My school
- My home Each person listed in ③
- My job or workplace The child(ren)'s school or child care
- My vehicle Other (specify): _____

b. If the person listed in ② is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, or vehicle? Yes No (If no, explain): _____

8 Move-Out Order

(If the person in ② lives with you and you want that person to stay away from your home, you must ask for this move-out order.)

I ask the court to order the person in ② to move out from and not return to (address): _____

I have the right to live at the above address because (explain): _____

This is not a Court Order.



9 **Guns or Other Firearms or Ammunition**
I believe the person in (2) owns or possesses guns, firearms, or ammunition. Yes No I don't know
If the judge approves the order, the person in (2) will be ordered not to own, possess, purchase, or receive a firearm or ammunition. The person will be ordered to sell to, or store with, a licensed gun dealer, or turn in to law enforcement, any guns or firearms that he or she owns or possesses.

10 **Record Unlawful Communications**
I ask for the right to record communications made to me by the person in (2) that violate the judge's orders.

11 **Care of Animals**
I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in (2) to stay at least 3 yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:
Buttons - toy poodle, very old, blind, no teeth, tongue permanently out to the right
I ask for the animals to be with me because:
he does not own the dog with me - however, he has threatened to 'pht' him and has expressed his hatred of the dog repeatedly

12 **Child Custody and Visitation**
a. I do not have a child custody or visitation order and I want one.
b. I have a child custody or visitation order and I want it changed.
If you ask for orders, you must fill out and attach form DV-105, Request for Child Custody and Visitation Orders. You and the other parent may tell the court that you want to be legal parents of the children (use form DV-180, Agreement and Judgment of Parentage).

13 **Child Support (Check all that apply):**
a. I do not have a child support order and I want one.
b. I have a child support order and I want it changed.
c. I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.
If you ask for child support orders, you must fill out and attach form FL-150, Income and Expense Declaration or form FL-155, Financial Statement (Simplified).

14 **Property Control**
I ask the court to give *only* me temporary use, possession, and control of the property listed here:

15 **Debt Payment**
I ask the court to order the person in (2) to make these payments while the order is in effect:
 Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.
Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 **Property Restraint**
I am married to or have a registered domestic partnership with the person in (2). I ask the judge to order that the person in (2) not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in (2) to notify me of any new or big expenses and to explain them to the court.

17 **Spousal Support**
I am married to or have a registered domestic partnership with the person in (2) and no spousal support order exists. I ask the court to order the person in (2) to pay spousal support. *(You must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing).*

This is not a Court Order.

18 **Rights to Mobile Device and Wireless Phone Account**

a. **Property control of mobile device and wireless phone account**

I ask the court to give only me temporary use, possession, and control of the following mobile devices: _____ and the wireless phone account for the

following wireless phone numbers because the account currently belongs to the person in ②:

(including area code): _____ my number number of child in my care

(including area code): _____ my number number of child in my care

(including area code): _____ my number number of child in my care

Check here if you need more space. Attach a sheet of paper and write "DV-100, Rights to Mobile Device and Wireless Phone Account" for a title.

b. **Debt Payment**

I ask the court to order the person in ② to make the payments for the wireless phone accounts listed in 18a because:

Name of the wireless service provider is: _____ Amount: \$ _____ Due Date: _____

If you are requesting this order, you must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing.

c. **Transfer of Wireless Phone Account**

I ask the court to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed in 18a to me because the account currently belongs to the person in ②.

If the judge makes this order, you will be financially responsible for these accounts, including monthly service fees and costs of any mobile devices connected to these phone numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.

19 **Insurance**

I ask the court to order the person in ② NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of me or the person in ②, or our child(ren), for whom support may be ordered, or both.

20 **Lawyer's Fees and Costs**

I ask that the person in ② pay some or all of my lawyer's fees and costs. You must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing.

21 **Payments for Costs and Services**

I ask the court to order the person in ② to pay the following: You can ask for lost earnings or your costs for services caused directly by the person in ② (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.

Pay to: _____ For: _____ Amount: \$ _____

Pay to: _____ For: _____ Amount: \$ _____

22 **Batterer Intervention Program**

I ask the court to order the person listed in ② to go to a 52-week batterer intervention program and show proof of completion to the court.

23 **Other Orders**

What other orders are you asking for? _____

Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Orders" for a title.

This is not a Court Order.





1944

Case Number: _____

24 **Time for Service (Notice)**

The papers must be personally served on the person in **(2)** at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. For help, read form DV-200-INFO, "What Is Proof of Personal Service"?

25 **No Fee to Serve (Notify) Restrained Person**

If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

26 **Court Hearing**

The court will schedule a hearing on your request. If the judge does not make the orders effective right away ("temporary restraining orders"), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing. Read form DV-112, Waiver of Hearing on Denied Request for Temporary Restraining Order, for more information.

27 **Describe Abuse**

Describe how the person in **(2)** abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, keep you under surveillance, impersonate (on the Internet, electronically or otherwise), batter, telephone, or contact you; or to disturb your peace; or to destroy your personal property. (For a complete definition, see Fam. Code, §§ 6203, 6320.)

a. Date of most recent abuse: 1/7/18

1. Who was there? me, his sister, ~~was~~ in public

2. Describe how the person in **(2)** abused you or your child(ren):
After a year of abuse, the relationship ended. Since then, he told me he had moved to Sacramento. However, he has shown up at multiple venues that he knows I will be at - restaurants with my family and friends and in front of my building. On Friday the 9th he walked into a restaurant he knew I ~~was~~ was at, lingered in front of my table where I was eating with a friend and left after 9-10 min. On the 7th he and his sister came up to me less than a block from my home, accussed me out, and refused to allow me to call the police, I was able to get away, but I was terrified.
 Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

3. Did the person in **(2)** use or threaten to use a gun or any other weapon? No Yes (If yes, describe):

4. Describe any injuries: emotional - extreme stress, panic attack, and concern for my personal safety as I know what he is capable of and don't know when and where he will show up next. I have been afraid to leave my home.

5. Did the police come? No Yes
If yes, did they give you or the person in **(2)** an Emergency Protective Order? Yes No I don't know.
Attach a copy if you have one.
The order protects you or the person in **(2)**

This is not a Court Order.

27 Describe Abuse (continued)

Has the person in ② abused you (or your child(ren)) other times?

b. Date of abuse: December 30, 2016

1. Who was there? Me, Michael, Karen Floer Timberger, + other plane passengers

2. Describe how the person in ② abused you or your child(ren):
Michael and I were on a flight to Ireland. He was emotionally abusive to me throughout the flight, telling me how worthless I was as a person and having me in tears for most of the eight hour flight. When he went to the restroom towards the end of the flight, a passenger in the seat in front of me slipped me a note on a napkin (I will bring it to the hearings, he included her contact info) and

Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

3. Did the person in ② use or threaten to use a gun or any other weapon? No Yes (If yes, describe):

4. Describe any injuries: his treatment had me feeling so low about myself that I became suicidal and the note from the stranger was something I read to remind myself that I was still beautiful in someone's eyes since he made me feel so unworthy.

5. Did the police come? No Yes

If yes, did they give you or the person in ② an Emergency Protective Order?

Yes No I don't know Attach a copy if you have one.

The order protects you or the person in ②

If the person in ② abused you other times, check here and use Form DV-101, Description of Abuse or describe any previous abuse on an attached sheet of paper and write "DV-100, Previous Abuse" for a title.

28 Other Persons to Be Protected

The persons listed in item ③ need an order for protection because (describe): he knows my family's address, told me on 1/7/18 that he 'hates' them, and has a key to my father's work that he won't give back. My dad, Ron Owens, has been a talk show host on KGO in SF for 42 years - he has been using his association with him to get into restaurants and his club and has threatened to go public about my suicidal thoughts in an effort to harm my dad's image. My dad has cancer, a heart valve infection, and Parkinson's for 16 years and is very weak. Given his abuse to me, I do not know if he would harm him or other family members.

29 Number of pages attached to this form, if any: 5

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

Date: 1/9/18

Laura Owens
Type or print your name

[Signature]
Sign your name

Date: _____

Lawyer's name, if you have one

[Signature]
Lawyer's signature

This is not a Court Order.

SHORT TITLE: OWENS v. MARRACCINI	CASE NUMBER:
-------------------------------------	--------------

ATTACHMENT (Number): 1
(This Attachment may be used with any Judicial Council form.)

DV-100, RECENT ABUSE
Said that I was being abused by a sick man and needed to run and seek protection from him.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 5
(Add pages as required)



SHORT TITLE:

Reason for amending request

CASE NUMBER:

FDV-18-813693

ATTACHMENT (Number): 2*(This Attachment may be used with any Judicial Council form.)*

Amending Request for Domestic Violence Restraining Order:

I am amending my request for restraining order to include my family members as protected parties. On the original request, DV 100 #3, I accidentally checked the "no" box, but meant to check "yes"

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 2 of 5
(Add pages as required)



This form is attached to DV-100, *Request for Domestic Violence Restraining Order*.

- ① Name of person asking for protection: Laura Owens
- ② Name of person you want protection from: Michael Marraconi
- ③ Describe abuse to you or your children.
 - a. Date of abuse: January 2017 November 2017
 - b. Who was there? Me + Michael

Describe how the person in ② abused you or your children:

Michael began to choke me in January 2017 on our trip to Iceland and it continued until we last physically engaged with each other in November. He choked me while we were intimate, although I begged him to stop every time. Since our relationship hadn't had choking in it for the first six months we were together, I was shocked that this started and he kept telling me he wouldn't do it again. However, he did on every occasion and told me he wanted to be in complete control of me and liked the ability to control my breath. I told him not to EVERY time. On three occasions, he used a pillow over my face and on one occasion, I passed out for a few seconds. He is a foot taller than me and I could not breathe, let alone scream for help. I was terrified afterwards and told my friends, family, and doctors about the abuse immediately. However, I was advised not to file a report at the time with the police because he had a very hair trigger temper and my advisors did not know if he would take it one step further if I got the police involved. He told me on several occasions that he worried he would be blamed if I was found dead.

d. Describe any use or threatened use of guns or other weapons:

Just his hands

e. Describe any injuries: I came to my parents' house on many of these occasions with spots under my eyes and on my face from the lack of oxygen during choking. I have been treated for ~~PTSD~~ PTSD since his abuse started and continue to be treated for it. I also have insomnia, nightmares about it that lead to night sweats, & panic attacks

f. Did the police or other law enforcement come? No Yes
 If yes, did they give you or the person in ② an Emergency Protective Order? Yes No I don't know
 The Emergency Protective Order protects You The person in ②
 Attach a copy of the Emergency Protective Order if you have one.



4 Describe abuse to you or your children.

Has the person in 2 abused you (or your children) other times?

a. Date of abuse: March 2016 - last encounter (harassment) on 1/7/18

b. Who was there? multiple occasions - Ronn Owens, Jan Black, Sarah Owens, podcast audience, various friends

c. Describe how the person in 2 abused you or your children:

Mike is a pathological liar and told me and my family many lies while we got to know him, like how he had dated Aaron Rodgers sister for a few months, only to find out she did not exist; that he dated a star from Maden Family, but didn't remember who (he told me on 1/7/18 that it was Sarah Hyland - it was not). This was a complete fabrication. He told me many other lies during his time with me and many in front of my friends. He tried out to be a co-host for a podcast for KGO, where he stated "that he was the VP of several Fortune 500 companies," which he never was and that is very easily provable. While the podcast ended up being taken off of the KGO website due to his blatant lies about his background that would damage the station's reputation, I have saved a copy of him saying this in his voice. When I was in an accident as the passenger in an Uber in April of 2017, he repeatedly told me I needed to fake injuries in order to get a bigger insurance payout - he said he helped a past girlfriend do this and strongly encouraged me to do the same. As it was, I was injured but I would never dream of committing fraud and this seems totally right to him because as he said, I could use a big settlement to be a great sugar mama for him.

d. Describe any use or threatened use of guns or other weapons:

e. Describe any injuries: Emotional - extensive - I fell for a person who claimed to be someone they are not. My reputation as a developing talk show host for Cumulus media would have been extremely damaged by associating myself with someone who so blatantly lied about his employment background. Luckily, someone took it down after looking it up when it sounded suspicious. It has been hard to trust people since.

f. Did the police or other law enforcement come? No Yes
If yes, did they give you or the person in 2 an Emergency Protective Order? Yes No I don't know
The Emergency Protective Order protects You The person in 2
Attach a copy of the Emergency Protective Order if you have one.

5 Describe abuse to you or your children.

Check here if you need more space. Attach a sheet of paper and write "DV-101—Description of Abuse" for a title.

copy of police report number

Laura Owens v. Michael MARRACCINI, Attachment 3 of 3

San Francisco Police Department
REPORTER FOLLOW-UP

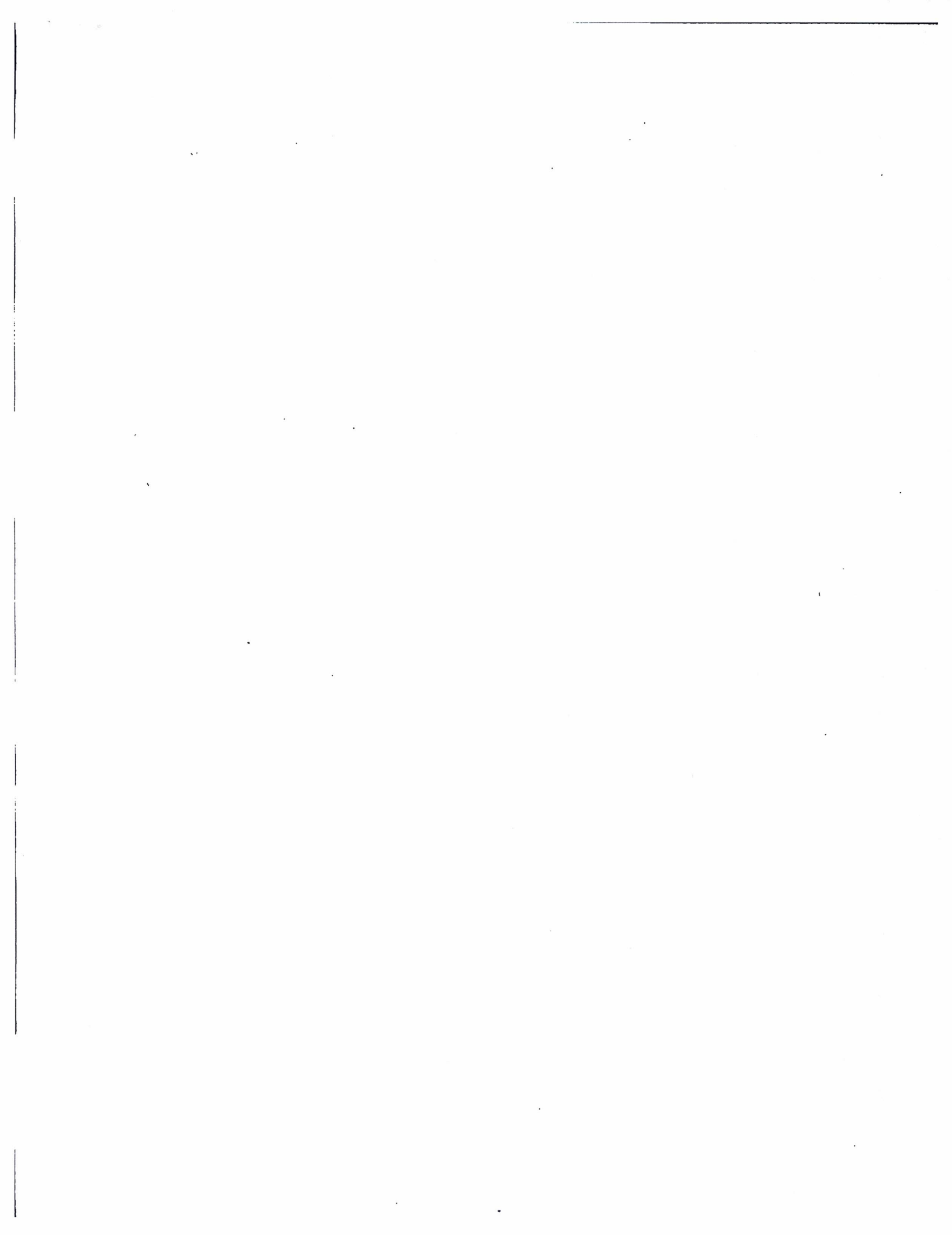
Case Number: 18009189

Case numbers are assigned to an Investigator based on facts obtained during the Initial Investigation.

- Company A (Central) 315-2400
- Company B (Southern) 575-6000
- Company C (Bayview) 671-2300
- Company D (Mission) 558-5400
- Company E (Northern) 614-3400
- Company F (Park) 242-3000
- Company G (Richmond) 666-8000
- Company H (Ingleside) 404-4000
- Company I (Taraval) 759-3100
- Company J (Tenderloin) 345-7300

Please contact the investigation unit checked above to provide additional information not available during initial police report.

Information such as:
Serial numbers of lost or stolen items



DV-100

Request for Domestic Violence Restraining Order

You must also complete form CLETS-001, Confidential CLETS Information, and give it to the clerk when you file this Request.

Clerk stamps date here when form is filed.

FILED
 San Francisco County Superior Court
 JAN 09 2018
 CLERK OF THE COURT
 BY [Signature] Deputy Clerk

1 Name of Person Asking for Protection: Laura Owens Age: 27

Your lawyer in this case (if you have one):
 Name: in pro per State Bar No.: _____
 Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: 3330 Pierce Street, apt. 305
 City: San Francisco State: CA Zip: 94123
 Telephone: _____ Fax: _____
 E-Mail Address: _____

Fill in court name and street address:
 Superior Court of California, County of San Francisco
 400 McAllister Street
 San Francisco, CA 94102
 Unified Family Court

2 Name of Person You Want Protection From: Michael Maccacini

Description of person you want protection from:

Sex: M F Height: 6'4" Weight: 220 Hair Color: Light Brownish Eye Color: Green
 Race: White Age: 30 Date of Birth: 6/13/87 or 6/14/87
 Address (if known): 2280 Filbert St.
 City: San Francisco State: CA Zip: 94123

Court fills in case number when form is filed.
 Case Number **FDV-18-813693**

3 Do you want an order to protect family or household members? Yes No
 If yes, list them:

Full name	Sex	Age	Lives with you?	Relationship to you
<u>Ronn Owens</u>	<u>M</u>	<u>72</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Father</u>
<u>Jan Owens</u>	<u>F</u>	<u>61</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Mother</u>
<u>Sarah Owens</u>	<u>F</u>	<u>29</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Sister</u>

Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.

4 What is your relationship to the person in 2? (Check all that apply):

- a. We are now married or registered domestic partners.
- b. We used to be married or registered domestic partners.
- c. We live together.
- d. We used to live together.
- e. We are related by blood, marriage, or adoption (specify relationship): _____
- f. We are dating or used to date, or we are or used to be engaged to be married.
- g. We are the parents together of a child or children under 18:
 Child's Name: _____ Date of Birth: _____
 Child's Name: _____ Date of Birth: _____
 Child's Name: _____ Date of Birth: _____

If you do not have one of these relationships, the court may not be able to consider your request. Read form DV-500-INFO for help.

Check here if you need more space. Attach a sheet of paper and write "DV-100, Additional Children" for a title.

h. We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one).

This is not a Court Order.

5 Other Restraining Orders and Court Cases

a. Are there any restraining/protective orders currently in place OR that have expired in the last six months (emergency protective orders, criminal, juvenile, family)?

No Yes (date of order): _____ and (expiration date): _____ (Attach a copy if you have one).

b. Have you or any other person named in (3) been involved in another court case with the person in (2)?

No Yes If yes, check each kind of case and indicate where and when each was filed:

Kind of Case	County or Tribe Where Filed	Year Filed	Case Number (if known)
<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
<input type="checkbox"/> Civil Harassment	_____	_____	_____
<input type="checkbox"/> Domestic Violence	_____	_____	_____
<input type="checkbox"/> Criminal	_____	_____	_____
<input type="checkbox"/> Juvenile, Dependency, Guardianship	_____	_____	_____
<input type="checkbox"/> Child Support	_____	_____	_____
<input type="checkbox"/> Parentage, Paternity	_____	_____	_____
<input type="checkbox"/> Other (specify): _____	_____	_____	_____
<input type="checkbox"/> Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.			

Check the orders you want.

6 Personal Conduct Orders

I ask the court to order the person in (2) not to do the following things to me or anyone listed in (3):

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements
- b. Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

7 Stay-Away Order

a. I ask the court to order the person in (2) to stay at least 100 yards away from (check all that apply):

- Me My school
- My home Each person listed in (3)
- My job or workplace The child(ren)'s school or child care
- My vehicle Other (specify): _____

b. If the person listed in (2) is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, or vehicle? Yes No (If no, explain): _____

8 Move-Out Order

(If the person in (2) lives with you and you want that person to stay away from your home, you must ask for this move-out order.)

I ask the court to order the person in (2) to move out from and not return to (address): _____

I have the right to live at the above address because (explain): _____

This is not a Court Order.



9 Guns or Other Firearms or Ammunition

I believe the person in (2) owns or possesses guns, firearms, or ammunition. Yes No I don't know
If the judge approves the order, the person in (2) will be ordered not to own, possess, purchase, or receive a firearm or ammunition. The person will be ordered to sell to, or store with, a licensed gun dealer, or turn in to law enforcement, any guns or firearms that he or she owns or possesses.

10 Record Unlawful Communications

I ask for the right to record communications made to me by the person in (2) that violate the judge's orders.

11 Care of Animals

I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in (2) to stay at least 3 yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

Buttons - toy poodle, very old, blind, no teeth, tongue permanently out to the right

I ask for the animals to be with me because:

he does not own the dog with me - however, he has threatened to 'hit' him and has expressed his hatred of the dog repeatedly

12 Child Custody and Visitation

- a. I do not have a child custody or visitation order and I want one.
 b. I have a child custody or visitation order and I want it changed.

If you ask for orders, you must fill out and attach form DV-105, Request for Child Custody and Visitation Orders. You and the other parent may tell the court that you want to be legal parents of the children (use form DV-180, Agreement and Judgment of Parentage).

13 Child Support (Check all that apply):

- a. I do not have a child support order and I want one.
 b. I have a child support order and I want it changed.
 c. I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.

If you ask for child support orders, you must fill out and attach form FL-150, Income and Expense Declaration or form FL-155, Financial Statement (Simplified).

14 Property Control

I ask the court to give *only* me temporary use, possession, and control of the property listed here:

15 Debt Payment

I ask the court to order the person in (2) to make these payments while the order is in effect:

Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.

Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

16 Property Restraint

I am married to or have a registered domestic partnership with the person in (2). I ask the judge to order that the person in (2) not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in (2) to notify me of any new or big expenses and to explain them to the court.

17 Spousal Support

I am married to or have a registered domestic partnership with the person in (2) and no spousal support order exists. I ask the court to order the person in (2) to pay spousal support. *(You must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing).*

This is not a Court Order.



18 **Rights to Mobile Device and Wireless Phone Account**

a. **Property control of mobile device and wireless phone account**

I ask the court to give **only** me temporary use, possession, and control of the following mobile devices: _____ and the wireless phone account for the following wireless phone numbers because the account currently belongs to the person in **(2)**:

(including area code): _____ my number number of child in my care
(including area code): _____ my number number of child in my care
(including area code): _____ my number number of child in my care

Check here if you need more space. Attach a sheet of paper and write "DV-100, Rights to Mobile Device and Wireless Phone Account" for a title.

b. **Debt Payment**

I ask the court to order the person in **(2)** to make the payments for the wireless phone accounts listed in 18a because:

Name of the wireless service provider is: _____ Amount: \$ _____ Due Date: _____

If you are requesting this order, you must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing.

c. **Transfer of Wireless Phone Account**

I ask the court to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed in 18a to me because the account currently belongs to the person in **(2)**.

If the judge makes this order, you will be financially responsible for these accounts, including monthly service fees and costs of any mobile devices connected to these phone numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.

19 **Insurance**

I ask the court to order the person in **(2)** NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of me or the person in **(2)**, or our child(ren), for whom support may be ordered, or both.

20 **Lawyer's Fees and Costs**

I ask that the person in **(2)** pay some or all of my lawyer's fees and costs.
You must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing.

21 **Payments for Costs and Services**

I ask the court to order the person in **(2)** to pay the following:
*You can ask for lost earnings or your costs for services caused directly by the person in **(2)** (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*

Pay to: _____ For: _____ Amount: \$ _____

Pay to: _____ For: _____ Amount: \$ _____

22 **Batterer Intervention Program**

I ask the court to order the person listed in **(2)** to go to a 52-week batterer intervention program and show proof of completion to the court.

23 **Other Orders**

What other orders are you asking for? _____

Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Orders" for a title.

This is not a Court Order.



24 **Time for Service (Notice)**

The papers must be personally served on the person in **(2)** at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. For help, read form DV-200-INFO, "What Is Proof of Personal Service"?

25 **No Fee to Serve (Notify) Restrained Person**

If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

26 **Court Hearing**

The court will schedule a hearing on your request. If the judge does not make the orders effective right away ("temporary restraining orders"), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing. Read form DV-112, Waiver of Hearing on Denied Request for Temporary Restraining Order, for more information.

27 **Describe Abuse**

Describe how the person in **(2)** abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, keep you under surveillance, impersonate (on the Internet, electronically or otherwise), batter, telephone, or contact you; or to disturb your peace; or to destroy your personal property. (For a complete definition, see Fam. Code, §§ 6203, 6320.)

a. Date of most recent abuse: 1/7/18

1. Who was there? me, his sister, ~~me~~ in public

2. Describe how the person in **(2)** abused you or your child(ren):
After a year of abuse, the relationship ended. Since then, he told me he had moved to Sacramento. However, he has shown up at multiple venues that he knows I will be at - restaurants with my family and friends and in front of my building. On Friday the 9th he walked into a restaurant he knew I ~~was~~ was at, lingered in front of my table where I was eating with a friend and left after 5-10 min. On the 7th he and his sister came up to me less than a block from my home, accussed me out, and refused to allow me to call the police, I was able to get away, but I was terrified.
 Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

3. Did the person in **(2)** use or threaten to use a gun or any other weapon? No Yes (If yes, describe):

4. Describe any injuries: emotional - extreme stress, panic attack, and concern for my personal safety as I know what he is capable of and don't know when and where he will show up next. I have been afraid to leave my home.

5. Did the police come? No Yes
 If yes, did they give you or the person in **(2)** an Emergency Protective Order? Yes No I don't know
 Attach a copy if you have one.

The order protects you or the person in **(2)**

This is not a Court Order.



27 Describe Abuse (continued)

Has the person in (2) abused you (or your child(ren)) other times?

b. Date of abuse: December 30, 2016

1. Who was there? Me, Michael, Karen Floer Timberger, + other plane passengers

2. Describe how the person in (2) abused you or your child(ren):
Michael and I were on a flight to Ireland. He was emotionally abusive to me throughout the flight, telling me how worthless I was as a person and having me in tears for most of the eight hour flight. When he went to the restroom towards the end of the flight, a passenger in the seat in front of me slipped me a note on a napkin (I will bring it to the hearing) she included her contact info) and
 Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

3. Did the person in (2) use or threaten to use a gun or any other weapon? No Yes (If yes, describe):

4. Describe any injuries: his treatment had me feeling so low about myself that I became suicidal and the note from the stranger was something I read to remind myself that I was still beautiful in someone's eyes since he made me feel so unworthy.

5. Did the police come? No Yes
If yes, did they give you or the person in (2) an Emergency Protective Order?

Yes No I don't know Attach a copy if you have one.

The order protects you or the person in (2)
If the person in (2) abused you other times, check here and use Form DV-101, Description of Abuse or describe any previous abuse on an attached sheet of paper and write "DV-100, Previous Abuse" for a title.

28 Other Persons to Be Protected

The persons listed in item (3) need an order for protection because (describe): he knows my family's address, told me on 1/7/18 that he 'hates' them, and has a key to my father's work that he won't give back. My dad, Ronn Owens, has been a talk show host on KGO in SF for 42 years - he has been using his association with him to get into restaurants and his club and has threatened to go public about my suicidal thoughts in an effort to harm my dad's image. My dad has cancer, a heart valve infection, and Parkinson's for 16 years and is very weak. Given his abuse to me, I do not know if he would harm him or other family members.

29 Number of pages attached to this form, if any: 3

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

Date: 1/9/18

Laura Owens
Type or print your name

Laura Owens
Sign your name

Date: _____

Lawyer's name, if you have one

Lawyer's signature

This is not a Court Order.

SHORT TITLE: OWENS v. MARRACCINI	CASE NUMBER:
-------------------------------------	--------------

ATTACHMENT (Number): 1
 (This Attachment may be used with any Judicial Council form.)

DV-100, RECENT ABUSE

Said that I was being abused by a sick man and needed to run and seek protection from him.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page 1 of 3
 (Add pages as required)

Case Number: _____

This form is attached to DV-100, Request for Domestic Violence Restraining Order.

- ① Name of person asking for protection: Laura Owens
- ② Name of person you want protection from: Michael Marraconi
- ③ Describe abuse to you or your children.
 - a. Date of abuse: January 2017 November 2017
 - b. Who was there? Me + Michael

Describe how the person in ② abused you or your children:

Michael began to choke me in January 2017 on our trip to Iceland and it continued until we last physically engaged with each other in November. He choked me while we were intimate, although I begged him to stop every time. Since our relationship hadn't had choking in it for the first six months we were together, I was shocked that this started and he kept telling me he wouldn't do it again. However, he did on every occasion and told me he wanted to be in complete control of me and liked the ability to control my breath. I told him not to EVERY time. On three occasions, he used a pillow over my face and on one occasion, I passed out for a few seconds. He is a foot taller than me and I could not breathe, let alone scream for help. I was terrified afterwards and told my friends, family, and doctors about the abuse immediately. However, I was advised not to file a report at the time with the police because he had a very hair-trigger temper and my advisors did not know if he would take it one step further if I got the police involved. He told me on several occasions that he worried he would be blamed if I was found dead.

d. Describe any use or threatened use of guns or other weapons:

Just his hands

e. Describe any injuries: I came to my parents' house on many of these occasions with spots under my eyes and on my face from the lack of oxygen during choking. I have been treated for PTSD since his abuse started and continue to be treated for it. I also have insomnia, nightmares about it that lead to night sweats, panic attacks

- f. Did the police or other law enforcement come? No Yes
 If yes, did they give you or the person in ② an Emergency Protective Order? Yes No I don't know
 The Emergency Protective Order protects You The person in ②
 Attach a copy of the Emergency Protective Order if you have one.



4 Describe abuse to you or your children.

Has the person in ② abused you (or your children) other times?

a. Date of abuse: March 2016 - last encounter (harassment) on 1/7/18

b. Who was there? multiple occasions - Ronn Owens, Jan Black, Sarah Owens, podcast audience, various friends

c. Describe how the person in ② abused you or your children:

Mike is a pathological liar and told me and my family many lies while we got to know him, like how he had dated Aaron Rodgers sister for a few months, only to find out she did not exist, that he dated a star from Maden Family, but didn't remember who (he told me on 1/7/18 that it was Sarah Hyland - it was not). This was a complete fabrication. He told me many other lies during his time with me and many in front of my friends. He tried out to be a co-host for a podcast for KGO, where he stated ~~that~~ that he was the VP of several Fortune 500 companies, which he never was and that is very easily provable. While the podcast ended up being taken off of the KGO website due to his blatant lies about his background that would damage the station's reputation, I have saved a copy of him saying this in his voice. When I was in an accident as the passenger in an Uber in April of 2017, he repeatedly told me I needed to fake injuries in order to get a bigger insurance payout - he said he helped a past girlfriend do this and strongly encouraged me to do the same. As it was, I was injured but I would never dream of committing fraud and this seems totally right to him because as he said, I could use a big settlement to be a great "sugar mama."

d. Describe any use or threatened use of guns or other weapons: for him.

e. Describe any injuries: Emotional - extensive - I fell for a person who claimed to be someone they are not. My reputation as a developing talk show host for Cumulus media would have been extremely damaged by associating myself with someone who so blatantly lied about his employ background. Luckily, someone took it down after looking it up when it sounded suspicious. It has been hard to trust people since.

f. Did the police or other law enforcement come? No Yes

If yes, did they give you or the person in ② an Emergency Protective Order? Yes No I don't know

The Emergency Protective Order protects You The person in ②

Attach a copy of the Emergency Protective Order if you have one.

5 Describe abuse to you or your children.

Check here if you need more space. Attach a sheet of paper and write "DV-101—Description of Abuse" for a title.

copy of police report number

Laura Dwens v. Michael Marfaccini, Attachment 3 of 2

San Francisco Police Department
REPORTEE FOLLOW-UP

Case Number: 18009189

Case numbers are assigned to an Investigator based on facts obtained during the Initial Investigation.

- | | | | |
|-------------------------------------|-----------|--------------|----------|
| <input checked="" type="checkbox"/> | Company A | (Central) | 315-2400 |
| <input type="checkbox"/> | Company B | (Southern) | 575-6000 |
| <input type="checkbox"/> | Company C | (Bayview) | 671-2300 |
| <input type="checkbox"/> | Company D | (Mission) | 558-5400 |
| <input type="checkbox"/> | Company E | (Northern) | 614-3400 |
| <input type="checkbox"/> | Company F | (Park) | 242-3000 |
| <input type="checkbox"/> | Company G | (Richmond) | 666-8000 |
| <input type="checkbox"/> | Company H | (Ingleside) | 404-4000 |
| <input type="checkbox"/> | Company I | (Taraval) | 759-3100 |
| <input type="checkbox"/> | Company J | (Tenderloin) | 345-7300 |

Please contact the Investigation unit checked above to provide additional information not available during initial police report.

Information such as:

- Serial numbers of lost or stolen items