

FILED

Honorable Timothy A. Bramshaw
Hearing Date: November 12, 2013

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 13-2-37021-2 SEA

**SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

INTEL-GE CARE INNOVATIONS LLC,
a Delaware limited liability company;
BONNIE NORMAN, a California resident;
and STEVE BACKERS, a California
resident,

Plaintiff,

v.

JAMES H. MORRISON, a Washington
resident,

Defendant.

Case No. 13-2-37021-2 SEA

**DECLARATION OF DEREK
NEWMAN IN SUPPORT OF
PLAINTIFFS' MOTION TO
SHORTEN TIME TO HEAR
MOTION FOR LIMITED EARLY
DISCOVERY**

Derek Newman declares as follows:

1. I am over the age of eighteen years and competent to testify in this matter. I am one of the attorneys for Plaintiffs.
2. I left telephone messages for Defendant's counsel on three occasions on November 7, 2013 and November 8, 2013.
3. My office also provided notice of this motion for an order shortening time to Defendant's counsel via email on November 8, 2013. Attachment A to this Declaration is a true and correct copy of an email.
4. Attachment B to this Declaration is a true and correct copy of the Temporary Restraining Order issued by this Court.
5. Attachment C is a true and correct copy of a declaration and attachments filed in California.

1 I certify and declare under the penalty of perjury under the law of the State of
2 Washington that to my knowledge the foregoing is true and correct.

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4 Executed this 8th day of October, 2013 in Malibu, California.

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8 Derek Newman
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Attachment A

From: Keith Scully
Sent: Friday, November 08, 2013 3:22 PM
To: moore@lasher.com
Cc: Derek A. Newman; Derek Linke; Sarah Skaggs
Subject: Motion to shorten time and motion for early discovery in Intel-GE Care Innovations et al. v. Morrison, 13-2-37021-2 SEA
Attachments: Att B Certified copy of restraining order.pdf; Att C Kleinhans decl FINAL.pdf; Motion to Short Time 2013-11-08 1449.pdf; Newman Decl 2013-11-8 1414.pdf; Note for Motion shorten.pdf; OST proposed order shell.pdf; Att A Certified copy of restraining order.pdf; Att B Kleinhans decl FINAL.pdf; Bonnie Norman FINAL Combined.pdf; Motion for early discovery 2013-11-08 1356.pdf; Newman Decl in support of motion for early discovery 2013-11-08 1335.pdf; Note for Motion - early discovery.pdf; Sykes Decl.pdf

Mr. Moore,

Attached please find a motion to shorten time and a motion for early discovery and supporting documents. These will be filed today. Attachment A to the declaration of Derek Newman in support of the motion to shorten time is missing, because it will be this email. These documents will also be served via messenger.

Thanks,

Keith Scully
Attorney at Law
[Newman Du Wors](#)
1201 Third Ave, Ste 1600
Seattle, Washington 98101
206.274.2826 - Direct Phone
206.446.5491 - Cell Phone
206.274.2801 - Fax
keith@newmanlaw.com
www.newmanlaw.com

Email privileged and confidential - please destroy if you are not the intended recipient

Attachment B

CERTIFIED
COPY

FILED

2013 NOV -1 AM 11:11

KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

EX-101

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

INTEL-GE CARE INNOVATIONS LLC,
a Delaware limited liability company;
BONNIE NORMAN, a California resident;
and STEVE BACKERS, a California
resident,

Plaintiff,

v.

JAMES H. MORRISON, a Washington
resident,

Defendant.

13-2-37021-2 SEA
[PROPOSED] TEMPORARY
RESTRAINING ORDER AND
ORDER TO SHOW CAUSE WHY A
PRELIMINARY INJUNCTION
SHOULD NOT BE ISSUED

THIS MATTER came before the Court on Plaintiffs' Motion for Temporary Restraining Order on the grounds that Defendant James H. Morrison's past and imminent acts will cause injury and irreparable harm to Plaintiffs Intel-GE Care Innovations LLC ("Care Innovations"), Bonnie Norman, and Steve Backers, for which Plaintiffs have no adequate remedy at law. The Court having considered the pleadings, Plaintiffs' Motion for Temporary Restraining Order, the Declaration of Bonnie Norman (and exhibits thereto), the Declaration of Steve Backers (and exhibits thereto), the October 30th Declaration of Jason Sykes (and exhibits thereto), the October 31st Declaration of Jason Sykes (and exhibits thereto), the Declaration of Derek Linke, and oral argument FINDS:

1. Morrison's behavior exhibits a course of conduct designed to harass, coerce, intimidate, and humiliate Plaintiffs by knowingly and willfully subjecting them to false allegations of engaging in and association with, the criminal acts of child pornography and pedophilia, on the website Morrison created and made available at

1 <<http://www.stevebackers.com>> (the "Harrassing Website").

2 2. Morrison's conduct seriously alarms, annoys, harasses and is detrimental to
3 Plaintiffs and serves no legitimate or lawful purpose.

4 3. Morrison's conduct would cause a reasonable person to suffer substantial
5 emotional distress and has actually caused substantial emotional distress.

6 4. Morrison has threatened to continue to escalate his conduct directed at
7 Plaintiffs.

8 5. Plaintiffs have given Morrison notice of this hearing on his Motion for
9 Temporary Restraining Order.

10 THEREFORE, the Court being fully advised of the above premises, IT IS
11 HEREBY ORDERED that Plaintiffs' Motion for Temporary Restraining Order is
12 GRANTED.

13 IT IS FURTHER ORDERED that Defendant Morrison and his agents, servants,
14 employees, and attorneys, and those persons in active concert or participation with them
15 who receive actual notice of this Order, are RESTRAINED AND ENJOINED from
16 making any attempts to contact Bonnie Norman, Steve Backers, Care Innovations, or any
17 Care Innovations employee.

18 IT IS FURTHER ORDERED that Defendant Morrison is RESTRAINED AND
19 ENJOINED from making any attempts to keep Bonnie Norman, Steve Backers, Care
20 Innovations, or any Care Innovations employee under surveillance.

21 IT IS FURTHER ORDERED that Defendant Morrison is RESTRAINED AND
22 ENJOINED from entering or being within 500 feet or two blocks of the residence or
23 place of employment of Bonnie Norman, Steve Backers, Care Innovations, or any Care
24 Innovations employee.

25 IT IS FURTHER ORDERED THAT Defendant Morrison is RESTRAINED AND
26 ENJOINED from making threats to any individual protected by this Order while that
27 individual is going to or departing from court proceedings and while in the courthouse.

28 IT IS FURTHER ORDERED THAT Defendant Morrison is RESTRAINED AND

1 ENJOINED from knowingly and willfully publishing, transmitting, reproducing,
2 communicating, disseminating, selling, distributing, displaying (on the Internet or
3 otherwise), or circulating any statements about Bonnie Norman, Steve Backers, Care
4 Innovations, or any Care Innovations employee that falsely allege that they engage in or
5 are associated with, the criminal acts of child pornography or pedophilia, including the
6 Harrassing Website, which shall be immediately removed and shall remain unavailable
7 for the pendency of this Order.

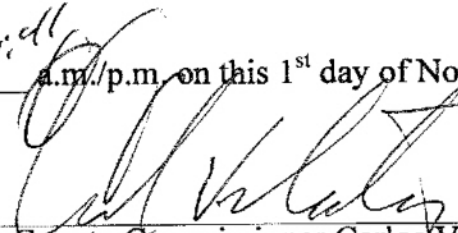
8 IT IS FURTHER ORDERED THAT Defendant Morrison is RESTRAINED AND
9 ENJOINED from knowingly and willfully publishing, transmitting, reproducing,
10 communicating, disseminating, selling, distributing, displaying (on the Internet or
11 otherwise), or circulating any statements about Bonnie Norman, Steve Backers, Care
12 Innovations, or any Care Innovations employee that falsely allege that they engage in or
13 are associated with, criminal acts or act of moral turpitude.

14 IT IS FURTHER ORDERED that this Order shall become effective immediately
15 upon the posting by Plaintiffs of a security bond in the amount of one dollar (\$1.00).

16 IT IS FURTHER ORDERED that the parties shall appear before The Honorable
17 Commissioner Carlos Velategui in the Superior Court for King County, Washington,
18 Room W-325, on the hearing on Plaintiff's Motion for Preliminary Injunction on
19 November 15, 2013, at 10:30 AM. At that hearing, defendant Morrison is hereby ORDERED
20 TO SHOW CAUSE why a preliminary injunction should not be entered extending the
21 terms of the temporary restraining order set forth herein until a trial on the merits of
22 Plaintiffs' claims.

23 IT IS FURTHER ORDERED that this Court retains jurisdiction over this matter.

24
25 DONE IN OPEN COURT at 10:41 a.m./p.m. on this 1st day of November, 2013.




King County Commissioner Carlos Velategui

~~Commissioner Carlos Velategui~~

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Presented by:

NEWMAN DU WORS LLP

By: 
Derek A. Newman, WSBA No. 26967
Derek Linke, WSBA No. 38314

Attorneys for Plaintiffs

Attachment C

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Leor Neta (SBN 233454) Newman Du Wors LLP 100 Wilshire Boulevard, Suite 950 Santa Monica, CA 90401 TELEPHONE NO.: (310) 359-8200 FAX NO. (Optional): (310) 359-8190 E-MAIL ADDRESS (Optional): leor@newmanlaw.com ATTORNEY FOR (Name): Intel-GE Care Innovations LLC	FOR COURT USE ONLY CASE NUMBER:
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Placer STREET ADDRESS: 10820 Justice Center Drive MAILING ADDRESS: CITY AND ZIP CODE: Roseville, CA 95678 BRANCH NAME: Bill Santucci Justice Center Courthouse	
PLAINTIFF/PETITIONER: Intel-GE Care Innovations LLC DEFENDANT/RESPONDENT: James Hafele Morrison	
DECLARATION	

I, Edward Kleinhans, testify and declare as follows:

1. I work for Petitioner Care Innovations as the Vice President, General Counsel.
2. Respondent Morrison has willfully, maliciously and repeatedly harassed several Care Innovations employees at their private homes, including—Ray Solone, Stan Telson and Kenny Bailey—in California.
3. Disregarding a TRO issued last week by Washington state court, Respondent Morrison followed three Care Innovation employees—Ray Solone, Stan Telson and Kenny Bailey—to their private homes in California. Morrison proceeded to distribute letter leaflets throughout each employees' neighborhoods, identifying the employee by full name, picture and home address claiming that the pictured employee was a confirmed child predator. Morrison falsely represented that the letter was from me.
4. I, Solone, Telson, Bailey—and our families—now fear that we will be attacked or harassed by others in their communities, many of whom received the leaflets. Several Care Innovations employees, including myself, have abandoned our homes fearing that Morrison will escalate his threats and cause further damage. Morrison has placed Care Innovations employees—including myself—in reasonable fear for our safety at the workplace and at home with our immediate families.
5. Morrison's threats extend not just to Care Innovations employees already targeted, but to other employees who he hasn't identified yet. Indeed, the employees targeted in their homes in California have never had any contact or communication with Morrison before the leaflets were distributed.

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

Date: 11/4/2013

Edward Kleinhans

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

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

Exhibit A



CASE # 306-13-11486

JERRY WERNLI
Officer

C 916-257-9807

Police Department
1051 Junction Boulevard
Roseville, California 95678

(916) 774-5000
(916) 774-5006 Fax
jwernli@roseville.ca.us
www.roseville.ca.us/enotify

Dear Neighbor,

Please be aware that we have a dangerous child predator living nearby. During an unrelated investigation, a large number of images depicting graphic child pornography were found on the computer of Stan Telson [REDACTED]

This has been reported to the authorities.

In the meantime, please take reasonable precautions if you have small children living with you or visiting your home.



Picture of Stan Telson

Edward Kleinhans
Vice President, General Counsel, Intel-GE Care Innovations

Exhibit B

Dear Neighbor,

Please be aware that we have a dangerous child predator living nearby.

During an unrelated investigation, a large number of images depicting graphic child pornography were found on the computer of Ray Solone [REDACTED]

This has been reported to the authorities.

In the meantime, please take reasonable precautions if you have small children living with you or visiting your home.



Picture of Ray Solone

Edward Kleinhans

Vice President, General Counsel, Intel-GE Care Innovations

Exhibit C

Dear Neighbor,

Please be aware that we have a dangerous child predator living nearby. During an unrelated investigation, a large number of images depicting graphic child pornography found on the computer of Kenny B Bailey. [REDACTED]

This has been reported to the authorities.

In the meantime, please take reasonable precautions if you have small children living with your home.



Picture of Kenny B Bailey

Edward Kleinhans

1111 CE Core Innovations