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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
PASADENA COURTHOUSE

DEPARTMENT S HON. LAURANCE GOLDMAN, JUDGE PRO TEM

CASTLE GREEN HOMEOWNERS)
ASSOCIATION,)
) 18PDRO01374
PETITIONER,)
) REPORTER'S
VS.) CERTIFICATE
)
LEIF STRAND,)
)
RESPONDENT.)

I, ELEANOR FLORES, CSR NO. 9214, OFFICIAL COURT
REPORTER OF THE SUPERIOR COURT, FOR THE COUNTY OF
LOS ANGELES, DO HEREBY CERTIFY THAT THE FOREGOING PAGES
1 THROUGH 41, INCLUSIVE, COMPRISE A FULL, TRUE, AND
CORRECT TRANSCRIPT OF THE TESTIMONY AND PROCEEDINGS HELD
IN THE ABOVE-ENTITLED MATTER ON THURSDAY, OCTOBER 18,
2018.

DATED: NOVEMBER 8, 2018

ELEANOR FLORES, CSR NO. 9214
OFFICIAL COURT REPORTER

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
PASADENA COURTHOUSE

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CASTLE GREEN HOMEOWNERS)
ASSOCIATION,)
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PETITIONER,)
)
VS.)
)
LEIF STRAND,)
)
RESPONDENT.)

TRANSCRIPT OF PROCEEDINGS
THURSDAY, OCTOBER 18, 2018

APPEARANCES:

FOR PETITIONER: LAW OFFICES OF RICHARDSON/OBER
BY: KELLY G. RICHARDSON, ESQ.
234 EAST COLORADO BOULEVARD, SUITE 800
PASADENA, CALIFORNIA 91101

FOR RESPONDENT: IN PROPRIA PERSONA

REPORTED BY: ELEANOR FLORES, CSR NO 9214
OFFICIAL COURT REPORTER

ONE VOLUME ONLY
PAGES 1-41, INCL.

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M A S T E R I N D E X

THURSDAY, OCTOBER 18, 2018

CHRONOLOGICAL AND ALPHABETICAL INDEX OF WITNESSES

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1 CASE NUMBER: 18PDRO01374
2 CASE NAME: CASTLE GREEN HOMEOWNERS ASSOCIATION
3 VS. LEIF STRAND
4 PASADENA, CA THURSDAY, OCTOBER 18, 2018
5 DEPARTMENT S HON. LAURENCE GOLDMAN, JUDGE PRO TEM
6 REPORTER: ELEANOR FLORES, CSR 9214
7 TIME: A.M. SESSION
8 APPEARANCES: THE PETITIONER, BEING PRESENT,
9 AND REPRESENTED BY COUNSEL,
10 KELLY G. RICHARDSON; AND THE
11 RESPONDENT, BEING PRESENT, IN PROPRIA
12 PERSONA.

13 ***OOO***

14 THE COURT: GOOD MORNING.

15 ALL RESPOND: GOOD MORNING.

16 THE COURT: AS YOU CAN SEE, WE HAVE A BUSY
17 CALENDAR THIS MORNING. I HAVE A PRIORITY FOR MATTER
18 NUMBER 13, WHICH IS CASTLE VERSUS STRAND.

19 THE CLERK: PLEASE COME FORWARD.

20 THE COURT: ARE PARTIES HERE?

21 THE CLERK: COUNSEL AT THAT END OF THE TABLE.

22 STRAND, AT THIS END OF THE TABLE.

23 THE COURT: THIS IS CASE NUMBER 18PDRO01374.

24 THE CLERK: PLEASE COME FORWARD, SIR. YOU WILL BE
25 AT THIS END OF THE TABLE.

26 MR. RICHARDSON: GOOD MORNING, YOUR HONOR.

27 KELLY RICHARDSON FOR PETITIONER,

28 CASTLE GREEN HOMEOWNERS ASSOCIATION.

1 THE CLERK: PLEASE RAISE YOUR RIGHT HANDS TO BE
2 SWORN.

3 DO YOU HAVE COUNSEL?

4 MR. RICHARDSON: I AM COUNSEL. I HAVE A LIVE
5 WITNESS OR TWO IF THE COURT WOULD LIKE, BUT WE SUBMITTED
6 DECLARATIONS AS WELL.

7 THE CLERK: ALL RIGHT.

8 THE CLERK: DO YOU SOLEMNLY STATE THAT THE
9 TESTIMONY YOU MAY GIVE IN THE CAUSE NOW PENDING BEFORE
10 THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH, AND
11 NOTHING BUT THE TRUTH, SO HELP YOU GOD?

12 THE RESPONDENT: YES, I DO.

13 THE CLERK: THANK YOU. PLEASE STATE YOUR FIRST
14 AND LAST NAMES.

15 THE RESPONDENT: MY NAME IS LEIF STRAND.

16 THE CLERK: THANK YOU.

17 THE RESPONDENT: MAY I BE SEATED?

18 THE CLERK: YES.

19 THE COURT: IS THERE SOMEONE FROM THE ORGANIZATION
20 OTHER -- WHO ARE YOUR WITNESSES HERE TODAY?

21 MR. RICHARDSON: RANDY BANKS AND IF --
22 CONSTANTINE EVANS, THE H.O.A. PRESIDENT.

23 THE COURT: OKAY. AND WHY DON'T WE HAVE THE
24 H.O.A. PRESIDENT COME UP, WHO, I WOULD ASSUME, IS GOING
25 TO BE YOUR MAIN WITNESS?

26 MR. RICHARDSON: WELL, I THINK MR. BANKS HAS
27 PROBABLY BEEN THE STAR VICTIM. SO I WOULD START WITH
28 MR. BANKS.

1 THE COURT: OKAY. THEN I WOULD ASK THE OTHER
2 WITNESS TO STEP OUTSIDE, PLEASE.

3 MR. RICHARDSON: CERTAINLY.

4 MR. EVANS, YOU CAN STEP OUT IN THE HALL.

5 THE COURT: PLEASE RAISE YOUR RIGHT HAND TO BE
6 SWORN.

7
8 RANDY BANKS,
9 CALLED AS A WITNESS BY THE PETITIONER, WAS SWORN, AND
10 TESTIFIED AS FOLLOWS:

11
12 THE CLERK: DO YOU SOLEMNLY STATE THAT THE
13 TESTIMONY YOU MAY GIVE IN THE CAUSE NOW PENDING BEFORE
14 THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH, AND
15 NOTHING BUT THE TRUTH, SO HELP YOU GOD?

16 THE WITNESS: YES, I DO.

17 THE CLERK: THANK YOU.

18 PLEASE STATE YOUR FIRST AND LAST NAMES FOR
19 THE RECORD.

20 THE WITNESS: RANDY BANKS, R-A-N-D-Y; LAST NAME IS
21 BANKS, B-A-N-K-S.

22 THE COURT: JUST GIVE ME ONE MOMENT, PLEASE.

23 COUNSEL, YOU MAY PROCEED.

24 MR. RICHARDSON: YES, YOUR HONOR.

25 GOOD MORNING. THE ASSOCIATION HAS
26 SUBMITTED DECLARATIONS AND SUPPORTING EXHIBITS ON THE
27 TEMPORARY RESTRAINING ORDER AND FOR THE HEARING TODAY.

28 MR. BANKS, IF CALLED TO TESTIFY, WOULD

1 OFFER THE FOLLOWING OFFER OF PROOF: MR. BANKS WILL
2 TESTIFY THAT MR. STRAND HAS A LONG HISTORY OF DIFFICULTY
3 IN RESTRAINING HIMSELF WITHIN THE CONFINES OF THE
4 ASSOCIATION.

5 AS YOU KNOW, PERHAPS, YOUR HONOR, THE
6 CASTLE GREEN IS AN HISTORIC BUILDING WITH LOTS OF
7 CONFINED SPACES, LIMITED ELEVATORS, NARROW HALLWAYS, AND
8 MECHANICS. IT'S PARTICULARLY FRIGHTENING FOR THE
9 RESIDENTS WHEN MR. STRAND IS UNABLE TO CONTROL HIMSELF.

10 MR. BANKS WOULD ALSO TESTIFY THAT HE AND
11 FOUR OTHER FEMALE RESIDENTS IN THE BUILDING ACTUALLY
12 HAVE RESORTED TO WALKING AROUND THE BUILDING WITH
13 WHISTLES AROUND THEIR NECKS IN CASE THEY ARE THREATENED
14 OR CONFRONTED BY MR. STRAND.

15 FURTHER, MR. BANKS WOULD TESTIFY THAT EVEN
16 THIS MORNING IN COURT, AS WE WERE WAITING FOR YOU TO
17 TAKE THE BENCH, MR. STRAND WAS HAVING DIFFICULTY
18 CONTROLLING HIMSELF ON THE OTHER SIDE OF THE COURTROOM
19 FROM I AND MY CLIENT. I'M NOT A WITNESS TODAY, BUT I
20 WAS A LITTLE NERVOUS BY THAT, FRANKLY. I DON'T SEE THAT
21 VERY OFTEN.

22 SO I WOULD BE HAPPY TO HAVE MR. BANKS
23 TESTIFY. I WOULD ALSO POINT OUT THAT MR. STRAND'S
24 OPPOSITION, WHICH --

25 THE BAILIFF: LOOK FORWARD.

26 MR. RICHARDSON: -- MR. STRAND'S OPPOSITION, WHICH
27 WAS NOT SERVED ON US -- WE FOUND OUT ABOUT IT BY
28 HAPPENSTANCE AND RETRIEVED IT YESTERDAY FROM THE COURT

1 CLERK, ADMITS THAT HE HAS DIFFICULTY CONTROLLING HIMSELF
2 AT TIMES. SO I THINK THERE IS MORE THAN AMPLE SHOWING
3 THAT THE ASSOCIATION AND ITS NEIGHBORS NEED TO BE
4 PROTECTED FROM MR. STRAND.

5 MOST RECENTLY, IN SEPTEMBER, THE
6 DECLARATIONS ILLUSTRATE, FOR EXAMPLE, THAT THEY HAD TO
7 COMPLETELY SCUTTLE A BOARD MEETING OF THE ASSOCIATION.
8 THEY MEET ONCE A MONTH. BECAUSE MR. STRAND WAS SO
9 HOSTILE AND DISRUPTIVE, THEY COULDN'T CONTINUE SAFELY
10 WITHOUT FEAR OF VIOLENCE. SO I WOULD BE HAPPY TO
11 PROCEED ON, IF THE COURT WISHES.

12 THE COURT: I WILL TAKE THAT AS YOUR OPENING
13 STATEMENT, ALSO.

14 MR. RICHARDSON: THANK YOU.

15 THE COURT: MR. STRAND, DO YOU HAVE ANY OPENING
16 STATEMENTS?

17 THE RESPONDENT: YES, I DO.

18 CAN YOU HEAR ME?

19 THE COURT: YES, I CAN.

20 THE RESPONDENT: I'VE LIVED AT THE CASTLE GREEN
21 FOR 11 YEARS. IT IS -- IT IS MY FULL-TIME HOME AND
22 RESIDENCE. I MEAN -- AND I FEEL BETRAYED BY MY FRIENDS.
23 I DON'T KNOW HOW ELSE TO PUT IT. THIS -- THIS MAN HERE
24 USED TO BE MY FRIEND. JUST A FEW MONTHS AGO, WE WENT TO
25 A STAR WAR MOVIE TOGETHER.

26 THE COURT: MAY I REQUEST THAT YOU DON'T POINT AT
27 HIM.

28 THE RESPONDENT: OKAY. I'M SORRY. LOOK, I DON'T

1 KNOW HOW TO BEHAVE HERE, BUT THIS MAN, THE ACCUSER HERE,
2 THE PRIMARY ACCUSER, USED TO BE MY FRIEND UP UNTIL A FEW
3 MONTHS AGO. AND -- AND NOW -- AND I DON'T THINK THIS IS
4 WORTHY OF THIS COURT.

5 THE COURT: OKAY. ANYTHING ELSE YOU WISH TO ADD
6 AT THIS POINT?

7 THE RESPONDENT: NO.

8 THE COURT: OKAY.

9 COUNSEL, I AM GOING TO HAVE YOU PUT ON
10 MR. BANKS AS A WITNESS. I THINK WE NEED ADMISSIBLE
11 TESTIMONY, EVIDENCE IN ORDER TO PROCEED WITH THE MATTER.
12 SO YOU MAY PROCEED WITH YOUR WITNESS.

13 MR. RICHARDSON: WOULD YOU LIKE MR. BANKS TO TAKE
14 THE STAND OR TESTIFY FROM HIS SEAT?

15 THE COURT: I THINK HE SHOULD TAKE THE STAND.

16 MR. RICHARDSON: OKAY.

17 THE COURT: YOU MAY PROCEED.

18 MR. RICHARDSON: THANK YOU.

19

20 DIRECT EXAMINATION

21 BY MR. RICHARDSON:

22 Q MR. BANKS, HAVE YOU EXPERIENCED INCIDENTS
23 WHICH CAUSE YOU TO BE AFRAID OF MR. LEIF STRAND?

24 A YES.

25 Q OKAY. COULD YOU DESCRIBE THOSE FOR THE
26 COURT?

27 A THE MOST RECENT ONE WAS AT THE H.O.A.
28 MEETING, WHEN HE STOOD UP, STARTED COMING AT THE BOARD.

1 I DON'T KNOW IF HE HAD HIS DRINK IN HIS HAND AT THAT
2 PARTICULAR TIME, BUT HE CAME TO THE BOARD MEETING WITH A
3 DRINK IN HIS HAND AND, OBVIOUSLY, WAS VERY UPSET. HE
4 WAS FLIPPING PEOPLE OFF AND USING -- YOU KNOW, BASICALLY
5 JUST CUSSING PEOPLE OUT.

6 REPEATEDLY ASKED HIM TO SIT DOWN. HE
7 JUST -- HE COULDN'T. HE COULDN'T COMPREHEND THAT HE HAD
8 TO SIT DOWN; SO THAT'S WHY WE ADJOURNED. UNFORTUNATELY,
9 YOU KNOW, I FEEL THAT LEIF PROBABLY HAS A DRINKING
10 PROBLEM, AND IT HAS ESCALATED.

11 THE COURT: I'M SORRY. HE'S GOING BEYOND YOUR
12 QUESTION.

13 THE WITNESS: OKAY.

14 THE COURT: IF YOU WOULD, PLEASE LISTEN TO YOUR
15 ATTORNEY --

16 THE WITNESS: OKAY.

17 THE COURT: -- AND LISTEN TO THE QUESTION, AND
18 RESPOND ONLY TO THE QUESTION, PLEASE.

19 THE WITNESS: YES, SIR.

20 Q BY MR. RICHARDSON: AND QUESTION, AGAIN, IS
21 WE'RE HERE TO SEEK A PERMANENT RESTRAINING ORDER AGAINST
22 MR. STRAND, KEEPING HIM AWAY FROM YOU AND OTHER
23 HOMEOWNERS THERE. COULD YOU PLEASE TELL THE COURT WHY
24 YOU FEEL THREATENED.

25 A YES. IT'S ME AND -- IT'S JUST HIS ERRATIC
26 BEHAVIOR, JUST AS I WAS EXPLAINING. BUT IT'S NOT ONLY
27 ME; IT'S THE OTHER PEOPLE IN THE BUILDING, MAINLY WOMEN
28 IN THE BUILDING. THERE'S FOUR WOMEN THAT HAVE, YOU

1 KNOW, COME TO ME ON A -- ON SEVERAL OCCASIONS WITH
2 THEIR --

3 THE RESPONDENT: (CHUCKLING.)

4 THE WITNESS: -- WITH THEIR CONCERNS.

5 THE COURT: MR. STRAND, I MUST ASK YOU TO REMAIN
6 STILL --

7 THE RESPONDENT: I'M SORRY. I'M SORRY. I'M
8 SORRY.

9 THE COURT: THAT IS NOT ACCEPTABLE BEHAVIOR --

10 THE RESPONDENT: I'M SORRY. I -- I -- I JUST --
11 I'M SORRY BECAUSE THIS MAN --

12 THE COURT: NO, NO --

13 THE RESPONDENT: I'M SORRY --

14 THE COURT: YOU'RE NOT ALLOWED TO TESTIFY --

15 THE RESPONDENT: I'M SORRY. I'LL SHUT UP.

16 THE COURT: -- AT THIS TIME. BUT THE FACIAL
17 EXPRESSIONS, THE NODDING AND SHAKING OF YOUR HEAD,
18 MAKING SOUNDS --

19 THE RESPONDENT: I'M SORRY --

20 THE COURT: PLEASE REFRAIN --

21 THE RESPONDENT: I'M TRYING TO RESTRAIN MYSELF.

22 THE COURT: OKAY.

23 I'M SORRY. YOU MAY CONTINUE.

24 THE WITNESS: SO, YEAH, THAT'S THE REASONS WHY WE
25 ALL FEEL THREATENED. IT'S JUST HIS REALLY ERRATIC
26 BEHAVIOR.

27 Q BY MR. RICHARDSON: HAVE THERE BEEN THREATS
28 EXPRESSED?

1 A WRITTEN THREATS, YES.

2 Q DESCRIBE THOSE, PLEASE.

3 A TO ME, PERSONALLY, IT WAS SEVERAL YEARS
4 AGO. AND, YOU KNOW, THAT WAS -- HE WAS UPSET ABOUT
5 FURNITURE BEING MOVED, AND I BELIEVE THAT THE COMMENT
6 WAS THAT I'M GOING TO TURN INTO -- I'M GOING TO -- ARE
7 WE STILL --

8 MR. RICHARDSON: WE HAD A LITTLE DISRUPTION FROM
9 MR. STRAND'S SIGNIFICANT OTHER, WHO HAS NOT BEEN
10 IDENTIFIED YET.

11 THE RESPONDENT: THIS IS MY GIRLFRIEND,
12 DIANNE PATRIZZI.

13 THE REPORTER: I'M SORRY. WHAT WAS HER LAST NAME?

14 MR. RICHARDSON: PATRIZZI, P-A-T-R-I-Z-Z-I.

15 THE REPORTER: THANK YOU.

16 THE COURT: I WILL ADVISE THE PEOPLE IN THE
17 AUDIENCE THAT THEY ARE TO REMAIN CIVIL ALSO. NO
18 COMMENTS, NO SOUNDS. THIS IS A COURT OF LAW, AND WE
19 HAVE TO MAINTAIN A CERTAIN DEMEANOR IN THIS COURTROOM.

20 COUNSEL, YOU MAY PROCEED.

21 MR. RICHARDSON: THANK YOU, YOUR HONOR.

22 THE RESPONDENT: YOUR HONOR, WILL I HAVE ANOTHER
23 OPPORTUNITY TO SPEAK?

24 THE COURT: YES, YOU WILL.

25 THE RESPONDENT: OKAY. THANK YOU.

26 Q BY MR. RICHARDSON: AGAIN, MR. BANKS,
27 DESCRIBE -- YOU WERE TALKING ABOUT SOME THREATS THAT
28 HAPPENED.

1 A YEAH. IN E-MAIL FORM, I RECEIVED NOTES ON
2 MY DOOR SAYING I'M GOING DOWN. I'VE SEEN VARIOUS
3 NEWSLETTERS WITH -- DEPICTING ME IN NOT A POSITIVE
4 LIGHT. SO, YEAH. IT'S NOT A VERY COMFORTABLE PLACE TO
5 LIVE AT. IN FACT, TO THE POINT WHERE I'VE ACTUALLY -- I
6 HAVE ANOTHER RESIDENCE THAT I HAVE BEEN STAYING AT.
7 IT'S TO THAT LEVEL WHERE I'VE ACTUALLY MOVED AWAY FROM
8 THE CASTLE BECAUSE OF IT.

9 Q NOW, THIS CONDUCT THAT GOES BACK AS FAR AS
10 A COUPLE OF YEARS AGO, CONTINUES UNTIL AS RECENTLY AS
11 LAST MONTH, HAS THERE BEEN A GAP OF TWO YEARS OF
12 COMPLETE PEACE AND TRANQUILITY BETWEEN THOSE --

13 A THERE WAS A GAP, YEAH. YEAH, THERE WAS A
14 GAP, I WOULD SAY. IT IS A SOCIAL BUILDING. AND, YOU
15 KNOW, PEOPLE DO HAVE TIFFS AND THEN GET BACK, YOU KNOW.
16 IT'S KIND OF A THING LIKE THAT, BUT THIS ONE HAS GONE ON
17 QUITE A WHILE. IT JUST SEEMS TO BE GETTING SEVERE.

18 I'VE ASKED ON THREE SEPARATE OCCASIONS THAT
19 "LET'S JUST SQUASH THIS. THIS IS, YOU KNOW, A SILLY
20 THING." AND EACH TIME I'VE SENT THAT IN E-MAIL OR A
21 TEXT, IT'S BEEN MET WITH MORE OF THE SAME TYPE OF
22 BEHAVIOR.

23 Q NOW, SOMETHING ABOUT WHISTLES. CAN YOU
24 TELL THE COURT WHAT THAT'S ALL ABOUT?

25 A SO THERE ARE FOUR OTHER WOMEN AT THE CASTLE
26 WHO PLAN ON CONTINUING TO GET RESTRAINING ORDERS, I
27 BELIEVE. BUT IN THE MEANTIME, THEY HAVE -- THEY WERE IN
28 FEAR THAT THIS WOULD -- THAT THE COURT ORDER WOULD

1 ESCALATE THIS EVEN FURTHER AND BRING ON SOME, YOU
2 KNOW -- SOME VIOLENCE.

3 SO THEY'VE ACTUALLY RESORTED TO, YOU KNOW,
4 HAVING A WHISTLE AROUND THEIR NECK, AND ELEVATOR
5 INSTRUCTORS OR OPERATORS HAVE BEEN INSTRUCTED THAT IF
6 YOU HEAR THAT WHISTLE BLOW, THAT THAT'S A PROBLEM AND TO
7 CALL 911. AND I DON'T THINK ANYONE SHOULD HAVE TO LIVE
8 GOING TO AND FROM THEIR APARTMENT WITH A WHISTLE AROUND
9 THEIR NECK IN FEAR THAT, YOU KNOW, THEY'RE GOING TO BE
10 ATTACKED OR HURT OR EVEN VERBALLY ASSAULTED.

11 Q AND BY WAY OF BACKGROUND, THE BUILDING
12 ELEVATORS ARE SO OLD?

13 A YEAH. IT'S AN OPEN-CAGE ELEVATOR, AND IT
14 ACTUALLY HAS A 24-HOUR ELEVATOR OPERATOR. AND SO --
15 YEAH, SO IT'S A SIX-STORY BUILDING, AND I THINK THERE IS
16 ACTUALLY 50 UNITS. BASICALLY, YOU SEE PEOPLE COMING AND
17 GOING. IT'S JUST -- YOU JUST DO. THAT'S THE WAY IT IS.

18 Q YOU PRESENTLY SERVE ON THE BOARD OF
19 DIRECTORS?

20 A I DO. I'M THE TREASURER.

21 Q HOW LONG HAVE YOU BEEN ON THE BOARD?

22 A AT ONE FORM OR THE OTHER, PROBABLY SIX TO
23 SEVEN YEARS. I HAVE BEEN PRESIDENT OF THE BOARD. I
24 HAVE BEEN OFF THE BOARD. I HAVE BEEN THE TREASURER, AND
25 SO FORTH.

26 Q HAS THE BOARD RECEIVED COMPLAINTS OR
27 REQUESTS FOR ACTION FROM OTHER RESIDENTS FROM THE
28 CASTLE?

1 A YES.

2 Q TELL ME ABOUT THOSE.

3 A SO THERE'S A RENTER OF -- ACTUALLY, ONE OF
4 THE KEY PEOPLE THAT WERE AFFECTED PROBABLY THE MOST IS A
5 RENTER. HER OWNER CAME TO THE BOARD VERY STERNLY ASKING
6 THAT SOMETHING BE DONE. YOU KNOW, SHE'S IN FEAR THAT
7 SHE'S GOING TO LOSE HER RENTER; OR WORSE, HER RENTER IS
8 GOING TO BE HURT.

9 SHE'S CAME TO ME, FOUR DIFFERENT WOMEN -- I
10 PREFER NOT TO SAY ALL THEIR NAMES IF THAT'S NOT
11 NECESSARY, BUT THERE ARE FOUR WOMEN. IF YOU REALLY NEED
12 THE NAMES, I CAN GIVE THEM, BUT THERE ARE FOUR WOMEN
13 THAT HAVE CAME TO ME PERSONALLY AND JUST SAID, "THE
14 BOARD HAS TO DO SOMETHING." AND SO HERE WE ARE.

15 Q CAN YOU GIVE THE COURT OTHER EXAMPLES OF
16 CONDUCT WHICH HAS FRIGHTENED YOU OR OTHER RESIDENTS?

17 A IT'S -- SO FROM WHAT I'VE -- AND I HAVEN'T
18 SEEN THIS FIRSTHAND, BUT WHAT I HAVE BEEN TOLD IS THAT
19 HE HAS CHARGED PEOPLE AT THE ELEVATOR, FLIPPING THEM
20 OFF. THAT'S FROM TWO SEPARATE WOMEN -- BASICALLY,
21 IRRITATED BY STUFF THAT WAS BEING MOVED AROUND IN THE
22 LAUNDRY ROOM THAT CAUSED THIS.

23 I SAW A POST ON A MESSAGE BOARD THAT HE WAS
24 GOING TO THROW SOMEONE OFF THE BALCONY IF THEY KEPT
25 CLOSING THE DOOR ON THE FOURTH FLOOR. YOU KNOW, SO
26 THOSE ARE A COUPLE OF INSTANCES.

27 Q IS MR. STRAND -- IS THERE ANYBODY ON THE
28 BOARD THAT'S THE SIZE OF MR. STRAND?

1 A IS WHAT?

2 Q ANYBODY ON THE BOARD AS BIG AS MR. STRAND
3 IS, PHYSICALLY?

4 A I WOULD BE THE ONLY ONE THAT WOULD BE ABOUT
5 THAT SIZE, YEAH.

6 Q HOW TALL ARE YOU?

7 A I'M SIX-ONE.

8 Q AND MR. STRAND IS -- DOES HIS PHYSICAL
9 SIZE -- DOES THAT ALSO PLAY A PART IN PEOPLE BEING
10 FRIGHTENED?

11 A TO THE WOMEN, I WOULD ASSUME SO. I THINK
12 HIS GAIT, THE WAY THAT HE WALKS, HAS A WAY OF MAKING
13 PEOPLE SCARED.

14 Q OKAY. ANY OTHER CONDUCT YOU WANT TO TELL
15 THE COURT ABOUT THAT HAS CAUSED YOU OR THE RESIDENTS OF
16 THE CASTLE GREEN TO BE FRIGHTENED OF MR. STRAND AND FEAR
17 FOR THEIR SAFETY?

18 A I GUESS THE ONLY OTHER COMMENT THAT I WOULD
19 LIKE TO MAKE IS THAT THE PARKING STRUCTURE IN THE BACK
20 OF THE BUILDING IS -- WE HAVE VERY LIMITED PARKING. TO
21 GET A PARKING SPACE, YOU HAVE TO BE LIVING THERE FROM
22 SEVEN TO TEN YEARS. I GAVE MY PARKING SPACE UP BECAUSE
23 I WAS -- I HAVE A VEHICLE THAT I'M VERY FOND OF, AND I
24 JUST -- I JUST FELT THAT IT WOULDN'T BE A GOOD SITUATION
25 IF THAT VEHICLE WAS VANDALIZED.

26 SO I HAVE BEEN PERSONALLY, YOU KNOW, PUT
27 OUT OF THAT. AND NOW, I DON'T KNOW IF I'LL EVER GET A
28 PARKING SPACE AGAIN, EVEN IF I, YOU KNOW, DO DECIDE I

1 WANT ONE. SO...

2 MR. RICHARDSON: THANK YOU, YOUR HONOR.

3 THE COURT: OKAY. I HAVE A FEW QUESTIONS.

4 THE WITNESS: UM-HUM.

5

6

DIRECT EXAMINATION

7

BY THE COURT:

8

Q YOU SPOKE ABOUT AN H.O. MEETING THAT WAS

9

ADJOURNED. WHEN DID THAT MEETING TAKE PLACE?

10

A SEPTEMBER 18TH, I BELIEVE.

11

Q IS MR. STRAND ON THE BOARD, ON THE H.O.A.?

12

A NO.

13

THE RESPONDENT: NO, YOUR HONOR.

14

THE COURT: YOU WILL HAVE YOUR TIME TO TESTIFY.

15

THE RESPONDENT: I -- I DIDN'T HEAR AN ANSWER.

16

THE COURT: MR. BANKS DID ANSWER.

17

THE RESPONDENT: OH, I'M SORRY.

18

Q BY THE COURT: NOW, I SAW THE TEMPORARY

19

RESTRAINING ORDERS WITH STAY-AWAY ORDERS. HAVE ANY OF

20

THOSE STAY-AWAY ORDERS, TEMPORARY RESTRAINING ORDERS,

21

BEEN VIOLATED?

22

A NOT TO MY KNOWLEDGE.

23

Q OKAY. WITH REQUEST TO THE STAY-AWAY ORDER,

24

THE TEMPORARY STAY-AWAY ORDER STATES THAT THE RESPONDENT

25

MUST STAY 100 YARDS AWAY FROM THE EMPLOYEE OR THE

26

PROTECTED PERSONS. HAS HE BEEN COMPLYING WITH THAT?

27

A TO THE BEST OF MY KNOWLEDGE.

28

Q MR. STRAND DOES LIVE IN THE CASTLE GREEN

1 BUILDING; IS THAT CORRECT?

2 A YES, THAT'S CORRECT.

3 Q AND ARE THE RESTRAINING ORDERS REGARDING
4 THE 100 YARDS STAY-AWAY THAT -- IS HIS RESIDENCE IN THE
5 CASTLE GREEN BUILDING SUCH THAT THAT 100 YARDS WOULD BE
6 AWAY FROM ANYBODY ELSE IN THE BUILDING?

7 MR. RICHARDSON: MAY I HELP, YOUR HONOR?

8 THE COURT: I'M ASKING HIM.

9 MR. RICHARDSON: WELL, JUDICIAL NOTICE, I WAS
10 GOING --

11 THE WITNESS: OKAY. SO IF I COULD EXPLAIN THE
12 BUILDING. IT'S A GIANT OLD HOTEL, IS WHAT IT IS. SO TO
13 STAY THAT 100 YARDS AWAY, THE WAY I INTERPRET IT IS THAT
14 HE CAN GO TO AND FROM HIS APARTMENT BUT NOT IN THE
15 COMMON AREAS. AND SO THAT SEEMS TO HAVE BEEN WORKING.
16 THAT'S THE WAY I UNDERSTAND IT, BUT, I MEAN, THE WHOLE
17 BUILDING MAY NOT BE 100 YARDS LONG. I DON'T KNOW.

18 MR. RICHARDSON: THE COURT'S RESTRAINING ORDER
19 SPECIFICALLY ALLOWS THE RESPONDENT TO TRAVERSE TO AND
20 FROM HIS UNIT ONLY. SO THE 100-YARD DOESN'T AFFECT
21 THAT.

22 THE COURT: I SEE THAT IN THE TEMPORARY
23 RESTRAINING ORDERS, BUT I NEED MORE INFORMATION AS TO
24 WHETHER I GRANT IT ON A PERMANENT BASIS.

25 MR. RICHARDSON: THANK YOU, YOUR HONOR.

26 THE WITNESS: DUE TO THE SOCIAL ASPECT OF THE
27 BUILDING, THERE'S A LOBBY WHERE PEOPLE TEND TO HANG OUT
28 AND SOCIALIZE. THERE'S A ROOF AS WELL. THE SOCIAL

1 AREAS ARE, YOU KNOW, GOING TO AND FROM -- ARE WHERE
2 PEOPLE FEEL THE MOST FRIGHTENED BECAUSE THOSE TEND TO BE
3 WHERE PEOPLE CONGREGATE AND DRINK. AND ONCE THE ALCOHOL
4 COMES IN, THAT'S WHEN THINGS START GETTING A LITTLE
5 CRAZY.

6 Q BY THE COURT: DOES THE RESPONDENT HAVE TO
7 TRAVERSE A LOBBY IN ORDER TO GET TO HIS RESIDENCE?

8 A NO. HE HAS TO COME IN THE LOBBY, BUT THE
9 ELEVATOR IS JUST TO YOUR RIGHT-HAND SIDE.

10 Q SO IF THERE ARE PEOPLE IN THE LOBBY AND HE
11 COMES IN AND HE NEEDS TO GO TO THE ELEVATOR, WOULD HE BE
12 ABLE TO STAY 100 YARDS FROM ANYONE WHO IS IN THE LOBBY?

13 A 100 YARDS FROM THE LOBBY?

14 Q YES.

15 A NO. THE WHOLE LOBBY IS LESS THAN
16 100 YARDS. BUT I WILL POINT OUT THAT WE HAVE WEDDINGS
17 AND THINGS OF THAT NATURE; SO THERE ARE WAYS TO ENTER
18 THE BUILDING THROUGH THE BACK.

19 SO, FOR EXAMPLE, WHEN THERE IS A WEDDING
20 GOING ON, RESIDENTS THAT HAVE DOGS, AND SO FORTH, WILL
21 EXIT THROUGH THE BASEMENT SO AS TO NOT TO GO THROUGH THE
22 LOBBY.

23 Q CAN MR. STRAND ACCESS HIS RESIDENCE THROUGH
24 THIS BACK WAY RATHER THAN THROUGH THE LOBBY IF THERE ARE
25 PROTECTED PERSONS IN THE LOBBY?

26 A YES.

27 THE RESPONDENT: UM --

28 THE COURT: IN A MOMENT.

1 Q IN YOUR DECLARATION, YOU STATED YOU HAD
2 SOME WRITTEN DOCUMENTS. DID YOU BRING ANY HERE TODAY?

3 A I THINK MY ATTORNEY HAS THEM.

4 THE COURT: COUNSEL?

5 MR. RICHARDSON: YES, YOUR HONOR. WE HAVE A
6 COLLECTION OF THE THREATENING E-MAILS AND INTERNET POSTS
7 AND NOTES LEFT ON DOORS.

8 THE COURT: HAVE YOU SHOWN THEM TO MR. STRAND?

9 MR. RICHARDSON: I'LL BE HAPPY TO.

10 THE COURT: YOU NEED TO DO SO. AND THEN I WOULD
11 REQUEST THAT THEY BE MARKED.

12 BUT LET ME ASK YOU THIS QUESTION: DO YOU
13 INTEND TO INTRODUCE THEM IN AS EVIDENCE?

14 MR. RICHARDSON: I ASSUME ALL THE TESTIMONY IS
15 MORE THAN SUFFICIENT; BUT IF THE COURT FEELS THAT IT'S
16 NECESSARY, I'LL BE HAPPY TO.

17 THE COURT: I'M NOT THE ONE PUTTING ON THE CASE.

18 MR. RICHARDSON: YES. WE'LL SUBMIT THEM JUST TO
19 BE SURE.

20 THE COURT: OKAY. THEN THEY NEED TO BE MARKED.

21 MR. RICHARDSON: OKAY.

22 THE RESPONDENT: IS THIS FROM MY TWITTER PAGE?

23 MR. RICHARDSON: I THINK THOSE ARE FROM YOUR SLACK
24 POST.

25 THE REPORTER: I'M SORRY?

26 MR. RICHARDSON: "SLACK." IT'S SOCIAL NETWORK
27 COMMUNICATION APPLICATION.

28 THE REPORTER: THANK YOU.

1 THE RESPONDENT: WHAT IS WRONG WITH THIS ONE? WHY
2 IS THIS OFFENSIVE?

3 THE COURT: MR. STRAND --

4 THE RESPONDENT: I DON'T WANT TO READ IT. I CAN'T
5 DO THIS.

6 THE COURT: YOU CANNOT ASK QUESTIONS --

7 THE RESPONDENT: THIS IS THE FIRST TIME I HAVE
8 BEEN PRESENTED WITH THIS.

9 THE COURT: WELL, I NEED TO HAVE COUNSEL MARK THEM
10 BEFORE YOU BRING THEM UP HERE.

11 THE RESPONDENT: I HAVE NOT BEEN PRESENTED WITH
12 THIS BEFORE.

13 THE CLERK: WE RETURN THE EXHIBITS AT THE END OF
14 THE CASE.

15 THE RESPONDENT: HOW LONG CAN I TAKE?

16 THE BAILIFF: ONE MINUTE.

17 THE RESPONDENT: ONE MINUTE?

18 WELL, YES, I REMEMBER THIS E-MAIL EXCHANGE.

19 THE BAILIFF: SIR, JUST REVIEW THE DOCUMENTS. YOU
20 DON'T HAVE TO COMMENT.

21 THE RESPONDENT: OKAY. THANK YOU.

22 THE COURT: DO YOU WANT TO MARK THESE DOCUMENTS?

23 MR. RICHARDSON: YES, COLLECTIVELY AS EXHIBIT 1.

24 (WHEREUPON, PETITIONER'S EXHIBIT 1
25 WAS MARKED FOR IDENTIFICATION.)

26 THE COURT: WHAT DOES EXHIBIT 1 REPRESENT?

27 MR. RICHARDSON: EXHIBIT 1 IS A COLLECTION OF
28 INTERNET POSTINGS OR SOCIAL MEDIA POSTINGS, THE

1 THREATENING NOTES THAT HAVE BEEN REFERENCED TO
2 MR. BANKS' TESTIMONY, WRITINGS, WRITTEN MATERIALS
3 BACKING UP THE ERRATIC AND THREATENING BEHAVIOR OF
4 MR. STRAND, AS TO HIS NEIGHBORS IN THE BUILDING.

5 THE COURT: HOW MANY OF THESE INTERNET POSTINGS
6 ARE THERE?

7 MR. RICHARDSON: WELL --

8 THE COURT: HOW MANY PAGES IS THE EXHIBIT?

9 MR. RICHARDSON: I WOULD ESTIMATE ABOUT TEN PAGES,
10 YOUR HONOR.

11 THE COURT: I NEED TO KNOW THE EXACT NUMBER.

12 THE RESPONDENT: OKAY. ELEVEN.

13 THE WITNESS: ELEVEN.

14 THE COURT: MR. STRAND, HAVE YOU HAD AN
15 OPPORTUNITY TO LOOK AT THESE INTERNET POSTINGS?

16 THE RESPONDENT: YOUR HONOR, IS THIS MY CHANCE TO
17 RESPOND?

18 THE COURT: NO. YOU NEED TO RESPOND TO MY
19 QUESTIONS.

20 THE RESPONDENT: OKAY. I HAVE -- I KNOW WHAT I
21 WROTE.

22 THE COURT: ARE THESE YOUR INTERNET POSTINGS?

23 THE RESPONDENT: TO CLARIFY --

24 THE COURT: NO. I NEED A "YES" OR "NO" ANSWER.

25 THE RESPONDENT: OKAY. YES, YES.

26 THE COURT: OKAY. AND DO YOU HAVE ANY OBJECTIONS
27 TO THESE POSTINGS IN EXHIBIT 1 FROM BEING ADMITTED INTO
28 EVIDENCE? I CANNOT LOOK AT THEM UNTIL I HEAR YOUR

1 OBJECTIONS, IF YOU HAVE ANY.

2 THE RESPONDENT: I HAVE NO OBJECTIONS.

3 THE COURT: OKAY.

4 I WILL RECEIVE EXHIBIT 1 INTO EVIDENCE.

5 (WHEREUPON, PETITIONER'S EXHIBIT 1

6 WAS RECEIVED INTO EVIDENCE.)

7

8 DIRECT EXAMINATION (CONTINUED)

9 BY MR. RICHARDSON:

10 Q MR. BANKS, EXHIBIT 1 CONTAINS SOME OTHER
11 ITEMS ALSO. COULD YOU DESCRIBE FOR THE COURT WHAT THEY
12 ARE, IN EXHIBIT 1?

13 A SO THERE ARE SOME POST-IT NOTES THAT WERE
14 LEFT --

15 Q THOSE CAN BE REMOVED.

16 A OKAY.

17 I DON'T HAVE MY GLASSES ON. I'M SORRY.

18 I'M LOOKING AT -- THERE'S A -- SO THERE'S
19 THE E-MAILS TO THE BOARD. IT LOOKS LIKE THERE'S SOME
20 E-MAIL EXCHANGE BACK AND FORTH BETWEEN LEIF AND MYSELF
21 WITH THE BOARD CC'D. AND IT LOOKS LIKE THERE'S SOME
22 POSTS FROM THE SOCIAL SITE "SLACK." AND THERE'S AN OLD
23 E-MAIL FROM SEVERAL YEARS AGO WHEN THERE WAS A SIMILAR
24 SITUATION THAT DID NOT INVOLVE ME WITH A PREVIOUS BOARD.
25 SO THAT'S IN HERE AS WELL.

26 Q ARE THERE COPIES OF ANY NOTES, THREATENING
27 NOTES, LEFT ON DOORS OR UNDER DOORS?

28 A CORRECT, YES. THERE'S TWO OF THOSE, AND

1 THOSE ARE ACTUALLY ON DIANNE'S STATIONARY.

2 Q AND DIANNE IS, AGAIN?

3 A LEIF'S GIRLFRIEND.

4 Q THANK YOU.

5 THE COURT: YOU'RE REFERRING TO THE RESPONDENT; IS
6 THAT CORRECT?

7 THE WITNESS: YES.

8 MR. RICHARDSON: AND SO I WOULD NOW MOVE EXHIBIT 1
9 INTO EVIDENCE.

10 THE COURT: WE'VE ALREADY DONE THAT.

11 MR. RICHARDSON: THANK YOU.

12 THE COURT: OKAY.

13 Q BY MR. RICHARDSON: MR. BANKS --

14 THE COURT: MR. BAILIFF, CAN YOU GET THE EXHIBITS,
15 AND GIVE THEM TO OUR CLERK, PLEASE.

16 THE BAILIFF: YES, SIR.

17 Q BY MR. RICHARDSON: HAS THE BOARD RECEIVED
18 ANY -- WELL, LET ME PUT IT THIS WAY: IN YOUR
19 DECLARATION IN SUPPORT OF THE RESTRAINING ORDER, YOU
20 REFER TO A THREAT OF MR. LEIF STRAND TO CONTINUE
21 DISRUPTING BOARD MEETINGS. CAN YOU TELL THE COURT ABOUT
22 THAT, PLEASE?

23 A YES. SO THE NIGHT AFTER WE HAD TO ADJOURN
24 THE BOARD MEETING, A FEW HOURS LATER, ALL THE BOARD
25 RECEIVED AN E-MAIL FROM THE DEFENDANT BASICALLY SAYING
26 THAT "ALL H.O.A. MEETINGS HENCEFORTH," AND IT WAS --
27 THAT WAS ALL IT SAID.

28 MR. RICHARDSON: OKAY. THANK YOU.

1 THE COURT: MR. STRAND, DO YOU HAVE ANY QUESTIONS
2 FOR MR. BANKS?

3 THE RESPONDENT: (NO RESPONSE.)

4 THE COURT: IT'S YOUR OPPORTUNITY TO CROSS-EXAMINE
5 HIM.

6 CROSS-EXAMINATION

7 BY THE RESPONDENT:

8 Q I THOUGHT YOU WERE MY FRIEND. AND, ALSO --
9 AND, ALSO, THE WHOLE THING THAT STARTED THIS MESS WAS
10 WHEN I FLIPPED OFF --

11 MR. RICHARDSON: OBJECTION, YOUR HONOR. THESE
12 AREN'T QUESTIONS.

13 THE COURT: IF I MAY --

14 THE RESPONDENT: IF I MAY, YOUR HONOR --

15 THE COURT: MR. STRAND --

16 Q BY THE RESPONDENT: WHY WOULD YOU ACCUSE ME
17 OF THIS --

18 THE COURT: MR. STRAND, LET ME DO MY JOB AS AN
19 ATTORNEY.

20 YOUR OBJECTION IS OVERRULED BECAUSE HE
21 DIDN'T COMPLETE HIS QUESTION YET. YOU HAVE TO WAIT
22 UNTIL HE COMPLETES HIS QUESTION. I WILL THEN ENTERTAIN
23 YOUR OBJECTION, AND RULE ON IT.

24 MR. STRAND, WOULD YOU START OVER WITH YOUR
25 QUESTION AGAIN, PLEASE.

26 THE RESPONDENT: I'M TRYING TO FORMULATE IN TERMS
27 OF THE QUESTION.

28 Q LIKE I FLIPPED SOMEONE OFF IN THE LOBBY. I

1 FLIPPED OFF A FELLOW -- THE PERSON THAT LIVES DIRECTLY
2 BELOW ME, CATHY BROWN. I FLIPPED HER OFF. I JUST GAVE
3 HER THE FINGER?

4 AND WITHOUT EVEN LOOKING AT THE SECURITY
5 FOOTAGE -- THERE IS SECURITY FOOTAGE TO BACK ME UP ON
6 THIS. THERE IS SECURITY FOOTAGE TO BACK ME UP ON THIS.
7 AND WITHOUT EVEN LOOKING AT THIS, WHY DIDN'T YOU
8 CONFRONT ME AS A MAN? THAT'S MY QUESTION. WHY DIDN'T
9 YOU CONFRONT ME MAN-TO-MAN INSTEAD OF BRINGING THIS TO
10 COURT?

11 A I HAD TRIED AT LEAST THREE DIFFERENT
12 E-MAILS --

13 THE COURT: WELL, I'M GOING TO STOP YOU RIGHT NOW.
14 THAT IS NOT A RELEVANT QUESTION.

15 I'M GOING TO SUSTAIN MY OWN OBJECTION --

16 THE RESPONDENT: ALL RIGHT --

17 THE COURT: -- TO THAT QUESTION.

18 THE RESPONDENT: WELL, THAT'S MY QUESTION TO
19 RENDER.

20 THE COURT: OKAY. THAT IS NOT RELEVANT TO THIS
21 PROCEEDING.

22 THE RESPONDENT: I UNDERSTAND THAT, YOUR HONOR.
23 THANK YOU.

24 THE COURT: YOU CAN CONTINUE.

25 THE RESPONDENT: WHAT?

26 THE COURT: IS THERE ANY FURTHER QUESTIONS?

27 THE RESPONDENT: DO I HAVE MORE TO SAY? ALL I
28 WANT TO SAY IS THIS IS NOT WORTHY OF THIS COURT.

1 THE COURT: WELL, YOU CAN SAVE THAT FOR ARGUMENT.
2 RIGHT NOW, YOU MAY QUESTION OR ASK MR. BANKS QUESTIONS
3 REGARDING WHAT HE TESTIFIED TO.

4 THE RESPONDENT: I'VE ALREADY ASKED RANDY
5 EVERYTHING I WOULD WANT TO ASK HIM, AND HE HASN'T
6 ANSWERED YET.

7 THE COURT: OKAY.

8 ANY REDIRECT?

9 MR. RICHARDSON: NO, THANK YOU, YOUR HONOR.

10 THE COURT: OKAY.

11 YOU MAY STEP DOWN.

12 WOULD YOU CALL YOUR NEXT WITNESS, PLEASE.

13 MR. RICHARDSON: CONSTANTINE EVANS. HE'S OUT IN
14 THE HALL. THE H.O.A. PRESIDENT.

15 IS MR. BANKS FREE TO LEAVE, YOUR HONOR?

16 THE COURT: IF YOU'RE NOT GOING TO RECALL HIM
17 AGAIN, THE ANSWER IS "YES." THAT'S UP TO YOU.

18 MR. RICHARDSON: I WOULD LIKE HIM TO BE ABLE TO
19 LEAVE THE BUILDING BEFORE THE RESPONDENT. SO WE CAN
20 DEAL WITH THAT LATER, AS WELL.

21 THE COURT: YOU COULD --

22 THE RESPONDENT: AM I THAT DANGEROUS?

23 THE COURT: IF HE WANTS TO LEAVE, HE HAS THAT
24 RIGHT --

25 THE RESPONDENT: OH, WAIT, WAIT, WAIT. CAN I SAY
26 A LITTLE BIT MORE? I'VE NEVER HURT -- I DON'T OWN A
27 WEAPON. I'VE NEVER HURT ANYONE IN MY LIFE.

28 THE COURT: OKAY. YOU WILL BE ABLE TO TESTIFY

1 LATER ON.

2 PLEASE RAISE YOUR RIGHT HAND TO BE SWORN.

3

4 CONSTANTINE EVANS,

5 CALLED AS A WITNESS BY THE PETITIONER, WAS SWORN AND

6 TESTIFIED AS FOLLOWS:

7

8 THE CLERK: DO YOU SOLEMNLY STATE THAT THE
9 TESTIMONY YOU MAY GIVE IN THE CAUSE NOW PENDING BEFORE
10 THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH, AND
11 NOTHING BUT THE TRUTH, SO HELP YOU GOD?

12 THE WITNESS: I DO, YES.

13 THE CLERK: THANK YOU.

14 PLEASE TAKE THE WITNESS STAND, AND SPEAK
15 INTO THE MICROPHONE -- WELL, I'M NOT SURE IT WORKS.

16 BUT STATE AND SPELL YOUR FIRST AND LAST
17 NAMES FOR THE RECORD.

18 THE WITNESS: CONSTANTINE EVANS,

19 C-O-N-S-T-A-N-T-I-N-E E-V-A-N-S.

20 THE CLERK: THANK YOU.

21 THE COURT: JUST ONE MOMENT. WE NOW HAVE
22 EVERYTHING ON THE COMPUTER, AND I'M JUST GETTING IT
23 TOGETHER.

24 YOU MAY PROCEED.

25 MR. RICHARDSON: THANK YOU.

26 ///

27 ///

28

DIRECT EXAMINATION

1 BY MR. RICHARDSON:

2 Q MR. EVANS, ARE YOU THE PRESIDENT OF THE
3 CASTLE GREEN HOMEOWNERS ASSOCIATION?

4 A I AM CALLED THE PRESIDENT. MY
5 UNDERSTANDING OF OUR BYLAWS IS THAT I'M TECHNICALLY THE
6 CHAIRMAN.

7 Q THANK YOU. AND AS A CHAIRMAN OF THE
8 ASSOCIATION, YOU LEAD THE BOARD OF DIRECTORS MEETINGS?

9 A THAT'S CORRECT, YES.

10 Q ALL RIGHT. COULD YOU TELL THE COURT WHAT
11 YOU ARE AWARE OF AS PRESIDENT -- AS CHAIR OF THE
12 ASSOCIATION, AS TO WHAT COMPLAINTS, EXPRESSIONS OF FEAR
13 YOU'VE RECEIVED FROM MEMBERS OF THE ASSOCIATION OR
14 RESIDENTS?

15 A FROM MEMBERS OF THE ASSOCIATION, I
16 UNDERSTAND THAT WE RECEIVED COMPLAINTS FROM ONE RESIDENT
17 WHO WAS A TENANT REGARDING WHAT SHE SAW AS A PROLONGED
18 SERIES OF HARASSING AND THREATENING BEHAVIOR.

19 IS THIS UNDER MY TENURE AS PRESIDENT OR OF
20 ALL OF THEM THAT I'M AWARE --

21 Q YOUR TENURE AS PRESIDENT, AS CHAIR, OR YOUR
22 SERVICE ON THE BOARD OF DIRECTORS.

23 A OKAY. THEN DURING THAT TIME, WE ALSO
24 RECEIVED COMPLAINTS FROM RANDY BANKS AS AN OWNER THERE,
25 AFTER HE HAD RECUSED HIMSELF FROM ANY MATTERS INVOLVING
26 LEIF STRAND TO SUPPORT HIM.

27 Q SO BY RECUSING HIMSELF, YOU MEAN TO SAY
28 THAT MR. BANKS DID NOT PARTICIPATE IN DISCUSSIONS ABOUT

1 MR. STRAND?

2 A HE DID NOT PARTICIPATE IN THE DISCUSSIONS
3 AT OUR BOARD MEETINGS, AND, ADDITIONALLY, WAS GENERALLY
4 NOT PRESENT WHEN WE DISCUSSED THEM.

5 Q WERE YOU AT THE SEPTEMBER ATTEMPTED BOARD
6 MEETING?

7 A YES, I WAS.

8 Q TELL ME WHAT HAPPENED AT THAT BOARD MEETING
9 IN TERMS OF DISRUPTION CONDUCT BY MR. STRAND.

10 A OUR BOARD MEETING IS AT THE END OF THE
11 BRIDGE OF CASTLE GREEN, WHICH IS AT THE END OF A LONG
12 CORRIDOR, ESSENTIALLY.

13 AFTER OUR EXECUTIVE SESSION, WHEN WE
14 ALLOWED NON-BOARD MEMBERS AND OWNERS INTO THE ROOM,
15 EVERYONE SAT DOWN. WE BEGAN THE OPEN FORUM OF THE
16 MEETING.

17 AT THE TIME THAT PEOPLE WALKED IN, I WAS
18 AWARE THAT MR. STRAND WAS CARRYING A LARGE GLASS WITH
19 HIM, AND APPEARED TO BE VISIBLY INTOXICATED AT THE TIME.
20 I BELIEVE -- AND I WOULD HAVE TO CHECK THE MINUTES --
21 THAT WHEN WE ASKED IF PEOPLE WISHED TO SPEAK, HE
22 INDICATED THAT HE WISHED TO SPEAK, AND ONE OTHER OWNER
23 DID.

24 AFTER THE OTHER OWNER SPOKE, LEIF STRAND
25 BEGAN A STATEMENT TO US REGARDING A LETTER THAT HE HAD
26 RECEIVED, AND I BELIEVE HE DID INITIALLY START OUT
27 ASKING QUESTIONS IN A REASONABLE TONE. BUT AS HE WAS
28 SPEAKING -- AND THIS IS A THREE-MINUTE LIMITATION,

1 THREE-OR-FOUR-MINUTE LIMITATION WE TRY TO FOLLOW -- HE
2 STARTED STANDING UP, WALKING TOWARD THE BOARD,
3 CONTINUALLY RAISING HIS VOICE, AND ACCUSING SEVERAL
4 PEOPLE ON THE BOARD AND ALSO OUR MANAGEMENT OF VARIOUS
5 THINGS.

6 AT SOME POINT, ONE OF OUR OTHER BOARD
7 MEMBERS DID ASK HIM IF HE WOULD STOP MOVING TOWARD US,
8 IF HE WOULD SIT BACK DOWN. IT'S GENERALLY THE CASE THAT
9 WHEN PEOPLE SPEAK AT OUR BOARD MEETINGS, THEY ARE
10 SITTING DOWN.

11 I DID ASK HIM TO USE A QUIETER TONE OF
12 VOICE AND TO RESTRAIN HIS LANGUAGE, AS HE STARTED
13 USING -- YOU KNOW, AT SOME POINT ESSENTIALLY SHOUTING AT
14 US AND USING FOUL LANGUAGE TOWARD US.

15 AT THIS POINT, WHEN I ATTEMPTED TO GET HIM
16 TO DO -- YOU KNOW, ESSENTIALLY BEHAVE AT THIS MEETING,
17 HE CONTINUED MOVING TOWARD US. HE STARTED SHOUTING OVER
18 ME, TELLING ME TO SHUT UP, USING OTHER LANGUAGE TOWARD
19 ME. I REPEATEDLY TOLD HIM THAT HE COULD MAKE HIS
20 POINTS, WHICH I FELT MIGHT BE REASONABLE, IN A NORMAL
21 MANNER AND IN A WAY THAT WAS NOT THREATENING TO EVERYONE
22 THERE.

23 HE REFUSED TO SIT DOWN. HE REFUSED TO LET
24 ME OR OTHER BOARD MEMBERS SPEAK. AND AT THAT POINT, AS
25 I WAS UNABLE TO HOLD A MEETING WHILE HE WAS SHOUTING
26 OVER ME, I MOVED TO ADJOURN THE MEETING. AND, YOU KNOW,
27 AND I BELIEVE THAT THE BOARD VOTED TO ADJOURN IT, BUT IT
28 WAS SOMEWHAT DIFFICULT TO HEAR THE VOTES AT THAT POINT.

1 THE RESPONDENT: IF I MAY, YOUR HONOR --

2 THE COURT: YOU WILL HAVE YOUR OPPORTUNITY TO
3 QUESTION HIM. I WOULD LIKE TO --

4 THE RESPONDENT: OKAY.

5 Q BY MR. RICHARDSON: ARE YOU AWARE OF ANY
6 OTHER INCIDENTS OR COMPLAINTS THAT CAUSED PEOPLE TO BE
7 FEARFUL OTHER THAN WHAT YOU TOLD US SO FAR?

8 A I KNOW THAT PRIOR TO MY TIME ON THE BOARD
9 IN THIS CURRENT TIME, I WAS ON THE BOARD A NUMBER OF
10 YEARS AGO, AND SO I DON'T KNOW OFF THE TOP OF MY HEAD
11 ABOUT SPECIFIC COMPLAINTS I RECEIVED THEN.

12 I DO KNOW THAT THERE WERE COMPLAINTS
13 INVOLVING HIS BEHAVIOR AT A TOUR SOME YEARS AGO, TOWARD
14 OTHER RESIDENTS AND TOWARD GUESTS AT THAT TOUR. AND I
15 BELIEVE AT THAT TIME A RESIDENT THERE -- OUR STAFF WAS
16 ABLE TO CONVINCED HIM TO GO STAY WITH A RESIDENT THERE.
17 AND THAT WAS HOW THAT SITUATION WAS RESOLVED. ALCOHOL
18 WAS ALSO INVOLVED IN THAT, I BELIEVE.

19 THERE WERE A NUMBER OF COMPLAINTS THAT WE
20 RECEIVED REGARDING -- THAT THE BOARD RECEIVED REGARDING
21 HIS BEHAVIOR TOWARD THE PERSON WHO WAS AT THE TIME SOME
22 YEARS AGO, OUR IN-HOUSE PROPERTY MANAGER. THERE WERE,
23 ALSO, I BELIEVE, NOT NECESSARILY COMPLAINTS TO THE OTHER
24 BOARD BUT DISCUSSIONS WITHIN THE BOARD REGARDING HIS
25 BEHAVIOR TOWARD THE BOARD SOME YEARS AGO, WHICH I WAS --
26 AS THEY WERE IN AN EXECUTIVE SESSION, I WAS NOT ON THE
27 BOARD, I WAS NOT PRIVY TO.

28 Q THANK YOU.

1 AND JUST TO BE CLEAR, HAVE YOU, OTHER THAN
2 THIS BOARD MEETING LAST MONTH -- HAVE YOU HAD ANY
3 PERSONAL PROBLEMS WITH MR. STRAND, YOURSELF, OR ARE YOU
4 TESTIFYING MORE ABOUT THE ASSOCIATION'S DIFFICULTIES?

5 A WITH THE EXCEPTION OF THE -- OF HIS
6 BEHAVIOR AT THAT BOARD MEETING, I HAVE NOT PERSONALLY
7 HAD ANY EXPERIENCES WHERE HE HAS THREATENED ME, OR WHERE
8 I HAVE FELT THAT MY SAFETY WOULD BE IN DANGER.

9 Q NOW, IS IT POSSIBLE THAT MR. STRAND COULD
10 ENTER THE BUILDING WITHOUT HAVING TO -- STRIKE THAT.
11 YOU KNOW WHAT? MR. BANKS ADDRESSED THAT.

12 NOTHING FURTHER. THANK YOU, DR. EVANS.

13 THE RESPONDENT: DR. EVANS --

14 THE COURT: I HAVE SOME QUESTIONS FIRST.

15 THE RESPONDENT: I'M SORRY.

16 THE COURT: I'LL GIVE YOU AN OPPORTUNITY.

17

18 DIRECT EXAMINATION

19 BY THE COURT:

20 Q THIS BOARD MEETING THAT YOU WERE
21 REFLECTING, WHAT WAS THE DATE OF THAT BOARD MEETING?

22 A THAT BOARD MEETING WOULD HAVE BEEN ON THE
23 THIRD WEDNESDAY OF THE MONTH, I BELIEVE.

24 Q WOULD THAT HAVE BEEN ON SEPTEMBER 19, 2018?

25 A YES.

26 Q OKAY. AND I BELIEVE YOU TESTIFIED THAT YOU
27 SAW MR. STRAND WITH A GLASS IN HAND; IS THAT CORRECT?

28 A WHEN HE WALKED INTO -- SO FOR A SMALL

1 ORGANIZATION, I WALK OUT TO OPEN THE DOOR FOR EVERYONE.
2 WHEN I OPENED THE DOOR, HE WAS CARRYING A GLASS. HE
3 CARRIED THE GLASS IN. WHEN HE SAT DOWN, HE DID SET THE
4 GLASS ON THE GROUND. AND WHEN HE WAS SPEAKING, HE WAS
5 NOT HOLDING THE GLASS.

6 Q OKAY. DID HE DRINK FROM THE GLASS DURING
7 THE MEETING?

8 A I DON'T BELIEVE HE DRANK FROM THE GLASS
9 DURING THE MEETING.

10 Q OKAY. DID ANYONE ASK HIM TO REMOVE THE
11 GLASS FROM THE MEETING?

12 A NO. WE DID NOT. WE HAD NO CHANCE.

13 Q ARE THERE H.O.A. RULES WHICH SET FORTH THAT
14 DRINKS ARE NOT PERMITTED AT THE BOARD MEETINGS?

15 A THERE IS A LONG-STANDING INFORMAL RULE, I
16 SUPPOSE, THAT DRINKS ARE NOT ALLOWED AT BOARD MEETINGS,
17 WHICH I BELIEVE MR. STRAND IS AWARE OF. IT IS NOT
18 SOMETHING WHICH IS FORMALLY A PART OUR RULES AND
19 REGULATIONS, BUT HAS BEEN FOLLOWED BY EVERYONE UNTIL
20 THIS POINT.

21 Q IS RICHARD YZACA -- I DON'T KNOW IF I'M
22 SAYING THE NAME RIGHT. HIS LAST NAME LOOKS TO BE
23 Y-Z-A-C-A -- PRESENT AT THE MEETING?

24 A YES, HE WAS PRESENT.

25 Q OKAY. AND DID YOU WITNESS ANY INTERACTION
26 BETWEEN HIM AND MR. STRAND?

27 A YES. HE WAS SEATED -- SO THE LAYOUT OF
28 THIS IS THAT WE WERE AT, YOU KNOW, A TABLE, SOMEWHAT

1 LIKE THIS, FACING CHAIRS. MR. STRAND -- SORRY.
2 MR. YZACA WAS SEATED TO MY LEFT. WHEN MR. STRAND STOOD
3 UP AND WAS WALKING TOWARD US, MR. BANKS WAS SEATED TO MY
4 RIGHT. HE WAS WALKING MOSTLY TOWARD THE GROUP OF THE
5 THREE OF US, AND MR. YZACA WAS THE PERSON WHO INITIALLY
6 STARTED TO ASK MR. STRAND TO -- IF HE COULD STOP WALKING
7 TOWARD US, IF HE COULD STOP, YOU KNOW, WAVING HIS ARMS,
8 IF HE COULD SIT DOWN, AND MOSTLY THAT HE COULD STOP
9 WALKING TOWARD US.

10 Q IN YOUR DECLARATION, YOU STATED THAT HE WAS
11 FLIPPING RICHARD OFF. DID THAT TAKE PLACE?

12 A YES. THAT WAS --

13 Q I DON'T NEED A NARRATIVE.

14 A OKAY.

15 Q JUST LISTEN TO THE QUESTION, AND ANSWER THE
16 QUESTION DIRECTLY, PLEASE.

17 A OKAY.

18 Q AND DID HE USE VULGAR LANGUAGE AS HE WAS
19 COMING FORWARD TO THE THREE OF YOU?

20 A YES.

21 Q AND AS CHAIRPERSON OF THE HOMEOWNERS
22 ASSOCIATION, YOU RECEIVED COMPLAINTS FROM OTHER
23 RESIDENTS OF THE BUILDING; IS THAT CORRECT?

24 A I DO, YES.

25 Q AND YOU PASS THEM ON TO MR. BANKS; IS THAT
26 CORRECT?

27 A IN THIS CASE, NO.

28 Q OKAY. DID YOU DO ANYTHING WHEN RECEIVING

1 COMPLAINTS FROM OTHER RESIDENTS AS CHAIRPERSON OF THE
2 H.O.A.?

3 A OTHER RESIDENTS OR MR. STRAND?

4 Q FOR --

5 A OH, ABOUT MR. STRAND?

6 Q YES. WHAT DID YOU DO WHEN YOU RECEIVED
7 THOSE COMMENTS FROM OTHER RESIDENTS?

8 A WHEN WE RECEIVED THOSE COMMENTS, MR. BANKS
9 WAS RECUSED, WE DISCUSSED THEM AS A BOARD IN EXECUTIVE
10 SESSION AND CHOSE TO FORWARD THOSE TO OUR LEGAL COUNSEL.

11 HE MADE THE -- ADVISED TO US --

12 MR. RICHARDSON: ATTORNEY-CLIENT --

13 THE WITNESS: OH, OKAY.

14 THE COURT: OKAY.

15 MR. STRAND, DO YOU HAVE ANY QUESTIONS OF
16 MR. EVANS?

17 THE RESPONDENT: YES, I DO. DR. EVANS.

18 THE COURT: DR. EVANS.

19 I APOLOGIZE.

20

21 CROSS-EXAMINATION

22 BY THE RESPONDENT:

23 Q I THINK YOU HEREBY THOROUGHLY CORRUPTED THE
24 BOARD.

25 MR. RICHARDSON: OBJECTION; ARGUMENTATIVE.

26 THE COURT: SUSTAINED.

27 THE RESPONDENT: CAN I FINISH FORMING A QUESTION?

28 Q I WANT TO KNOW WHY -- I JUST WANT TO KNOW

1 WHY YOU WOULD DO THIS TO ME.

2 MR. RICHARDSON: IRRELEVANT. MOTIVATION IS
3 IRRELEVANT.

4 THE COURT: SUSTAINED.

5 THE RESPONDENT: I GUESS I HAVE NO FURTHER
6 QUESTIONS, YOUR HONOR. I'M SORRY.

7 THE COURT: ANY --

8 MR. RICHARDSON: NOTHING FURTHER. THANK YOU.

9 THE COURT: YOU MAY STEP DOWN.

10 THE WITNESS: THANK YOU.

11 THE COURT: COUNSEL, I'LL HEAR ARGUMENT FROM YOU.

12 MR. RICHARDSON: THANK YOU, YOUR HONOR.

13 I BELIEVE THAT THE TESTIMONY FROM THE
14 WITNESSES INDICATES THAT MR. STRAND --

15 THE COURT: LET ME STOP YOU. I FORGOT.

16 MR. STRAND, THIS IS YOUR OPPORTUNITY TO
17 PRESENT EVIDENCE TO THE CASE. I WAS A LITTLE AHEAD OF
18 MYSELF.

19 MR. RICHARDSON: OF COURSE. MY APOLOGIES.

20 THE COURT: SO YOU HAVE AN OPPORTUNITY TO PRESENT
21 EVIDENCE TO THE COURT.

22 THE RESPONDENT: WELL, MY ONLY EVIDENCE IS THAT,
23 AS I SAID BEFORE, I THINK, I DON'T OWN A WEAPON. I'VE
24 NEVER HURT ANYONE IN MY LIFE, AND I'VE LIVED IN PASADENA
25 FOR 20 YEARS. AND IN MY FIRST RESIDENCE IN PASADENA, IT
26 WAS ON THE FIRST -- IT WAS ON THE GROUND FLOOR. IT WAS
27 1201 SOUTH EL MOLINO AVENUE, OR SOMETHING LIKE THAT.

28 AND AT ANY TIME A CRICKET WOULD COME

1 INSIDE, I WOULD CAPTURE THE CRICKET AND TAKE IT OUTSIDE.
2 THAT'S HOW GENTLE A PERSON I AM. I'M NOT A THREAT TO
3 ANYONE. AND IF OTHER PEOPLE -- IF OTHER PEOPLE ARE --
4 IF OTHER PEOPLE THINK THAT I'M A THREAT TO THEM, THEY'RE
5 JUST DRUMMING UP A HUGE CASE AGAINST ME TO SEIZE -- TOOT
6 THEIR OWN INTEREST.

7 FOR EXAMPLE, I HAVE REASONS TO SUSPECT THAT
8 RANDY BANKS IS JUST TRYING TO LAY THE GROUNDWORK FOR A
9 CIVIL LAWSUIT AGAINST ME JUST SO HE CAN MILK ME FOR
10 MONEY. THAT'S ALL, YOUR HONOR.

11 THE COURT: OKAY.

12 MR. CLERK, CAN I SEE EXHIBIT "A," PLEASE.

13 THE CLERK: THE WHAT?

14 THE COURT: EXHIBIT 1. MAY I TAKE A LOOK AT THAT,
15 PLEASE.

16 THE CLERK: (COMPLIED.)

17 THE COURT: MR. STRAND, DO YOU HAVE ANY OTHER
18 EVIDENCE THAT YOU WISH TO PRESENT TO THE COURT?

19 THE RESPONDENT: WELL, I CAN'T PROVIDE EVIDENCE TO
20 SOMETHING I HAVEN'T DONE.

21 THE COURT: OKAY. IS THE CASE SUBMITTED? DO YOU
22 SUBMIT?

23 MR. RICHARDSON: YES, YOUR HONOR.

24 THE COURT: DO YOU SUBMIT, MR. STRAND? YOU HAVE
25 NOTHING FURTHER TO ADD TO THE CASE?

26 THE RESPONDENT: I GUESS NOT.

27 THE COURT: OKAY.

28 COUNSEL, NOW YOU CAN ARGUE.

1 MR. RICHARDSON: ALL RIGHT, YOUR HONOR.

2 MR. STRAND IS A DISRUPTIVE, FRIGHTENING
3 PERSON AT THAT BUILDING. HIS BEHAVIOR, AS DESCRIBED IN
4 THE EXHIBIT AND IN THE TESTIMONY OF THE WITNESSES, AND
5 HIS DISRUPTIVE BEHAVIOR IN THESE PROCEEDINGS AMPLY
6 DEMONSTRATE THAT THE RELIEF REQUESTED IS NECESSARY FOR
7 THE SAFETY OF RESIDENTS AT THIS BUILDING.

8 I WOULD ASK THAT THE COURT ENTER THE
9 REQUESTED INJUNCTION WITH THE PROVISIO AS IN THE
10 RESTRAINING ORDER, ORIGINALLY IN THE TEMPORARY
11 RESTRAINING ORDER, THAT HE IS ALLOWED TO TRAVERSE
12 DIRECTLY FROM THE DOOR OF THE BUILDING TO HIS RESIDENCE,
13 AND OTHER THAN THAT, MUST KEEP AWAY FROM ALL OTHER
14 OWNERS.

15 FRANKLY, YOUR HONOR, I'M VERY CONCERNED
16 THAT DURING HIS TRAVERSING FROM THE FRONT DOOR TO HIS
17 UNIT, THAT THERE WILL BE PROBLEMS, BUT I DON'T KNOW A
18 WAY TO PREVENT IT WITHOUT FURTHER LEGAL ACTION. BUT I
19 WOULD LIKE TO GIVE THIS A TRY.

20 THE OTHER CAVEAT THAT I WOULD LIKE TO
21 SUGGEST, A VERY SMALL CHANGE FROM THE TEMPORARY
22 RESTRAINING ORDER, IS THAT HE REALLY, OBVIOUSLY, FROM
23 THE -- FROM THE DOCUMENTARY EVIDENCE ALSO SENDS
24 THREATENING WRITTEN COMMUNICATIONS. IF HE WISHES TO
25 COMMUNICATE WITH THE ASSOCIATION, HE SHOULD COMMUNICATE
26 THROUGH THE LEGAL COUNSEL OF HIS CHOOSING SO THAT HE
27 DOES HAVE AN AVENUE TO CONTACT THE ASSOCIATION. AND, OF
28 COURSE, THAT COMMUNICATION FROM COUNSEL WOULD BE COMING

1 TO ME, AND THAT WOULD HELP INSULATE THE RESIDENTS AND
2 THE BOARD.

3 OTHER THAN THAT, YOUR HONOR, I APPRECIATE
4 YOUR PATIENCE, AND I'LL REST.

5 THE COURT: MR. STRAND?

6 THE RESPONDENT: DRINKING IS A COMMON THING AT THE
7 CASTLE. RANDY BANKS, HIMSELF, HAS BEEN DRUNK MANY
8 TIMES. I DON'T KNOW HOW ELSE TO DESCRIBE IT TO YOU. I
9 MEAN, THAT'S ALL.

10 THE COURT: OKAY. DO YOU HAVE ANY FURTHER
11 ARGUMENT?

12 THE RESPONDENT: NO.

13 MR. RICHARDSON: MAY I ADD ONE MORE REQUEST, YOUR
14 HONOR?

15 THE COURT: YES.

16 MR. RICHARDSON: THAT IF THE COURT -- WHETHER THE
17 COURT GRANTS THIS OR NOT, WHICH I AM FIRMLY HOPING THE
18 COURT DOES, COULD THERE BE SOME DIRECTIVE SEPARATING MY
19 CLIENTS AND I, ALLOWING TO LEAVE THE BUILDING UNIMPEDED
20 BY MR. STRAND AND HIS GIRLFRIEND --

21 THE RESPONDENT: (UNINTELLIGIBLE.)

22 MR. RICHARDSON: EITHER -- I'LL LEAVE IT TO THE
23 COURT'S DISCRETION HOW TO DO THAT. BUT I THINK I HAVE
24 AMPLE REASON TO BE CONCERNED FOR MY CLIENTS' WELL-BEING,
25 AND, FRANKLY, MINE TOO.

26 THE COURT: ALL RIGHT. I'M GOING TO --

27 THE RESPONDENT: OH, I'M SO DANGEROUS.

28 THE COURT: I'M GOING TO SUGGEST AND RECOMMEND

1 THAT YOU SPEAK TO THE BAILIFF, AND THE BAILIFF WILL THEN
2 MAKE THE ARRANGEMENTS THAT ARE NECESSARY.

3 MR. RICHARDSON: THANK YOU.

4 THE COURT: THESE ISSUES ARE NEVER EASY; HOWEVER,
5 I HAVE HEARD CREDIBLE EVIDENCE THAT THE ACTIONS TAKEN BY
6 MR. STRAND HAVE TAKEN PLACE. IN FACT, MR. STRAND HAS
7 ADMITTED IN OPEN COURT THIS MORNING THAT HE FLIPPED OFF
8 A PERSON IN THE BUILDING. AND, IN FACT, HE ACKNOWLEDGES
9 IN HIS DECLARATION, WHICH WAS DATED OCTOBER 10TH, 2018,
10 THAT HE ACKNOWLEDGES THAT HE SOMETIMES DRINKS TOO MUCH,
11 AND THAT HIS ACTIONS ARE NOT WHAT SHOULD BE TAKING PLACE
12 IN THE HOMEOWNER'S MEETINGS AND AROUND THE RESIDENCE.

13 THE RESPONDENT: YOUR HONOR, HOW LONG WILL THIS
14 LAST?

15 THE COURT: I WILL GET TO THAT.

16 THE RESPONDENT: ALL RIGHT.

17 THE COURT: MR. STRAND, HOW TALL ARE YOU?

18 THE RESPONDENT: I'M ABOUT SIX-TWO.

19 THE COURT: SIX-TWO?

20 THE RESPONDENT: YES.

21 THE COURT: YOUR WEIGHT?

22 THE RESPONDENT: I THINK 180.

23 THE COURT: YOUR DATE OF BIRTH?

24 THE RESPONDENT: OCTOBER 25TH, 1973.

25 THE COURT: YOUR HAIR COLOR? BROWN? HAZEL?

26 THE RESPONDENT: I'D CALL IT BROWN, I GUESS. I
27 DON'T KNOW.

28 THE COURT: YOUR EYE COLOR?

1 THE RESPONDENT: EYE COLOR, GREEN. I THINK THAT'S
2 WHAT MY LICENSE SAYS.

3 THE COURT: I AM GOING TO GRANT THE REQUEST FOR
4 RESTRAINING ORDER. I'M GOING TO INCLUDE THE ADDITIONAL
5 PERSONS THAT HAVE BEEN LISTED IN THE WORKPLACE PETITION.
6 THESE WILL EXPIRE IN TWO YEARS. SO TWO YEARS FROM TODAY
7 WILL BE OCTOBER 18, 2020.

8 THE RESPONDENT: THANK YOU, YOUR HONOR.

9 THE COURT: AND THEY WILL EXPIRE AT 12:00 NOON ON
10 THAT DAY.

11 MR. RICHARDSON: DID YOU SAY OCTOBER 18TH, YOUR
12 HONOR?

13 THE COURT: YES, TWO YEARS FROM TODAY.

14 COUNSEL, I'M SORRY. WHAT IS YOUR NAME,
15 AGAIN?

16 MR. RICHARDSON: KELLY RICHARDSON, K-E-L-L-Y
17 R-I-C-H-A-R-D-S-O-N.

18 THE COURT: MR. STRAND, YOU ARE RESTRAINED FROM
19 HARASSING, MOLESTING, STRIKING, ASSAULTING, BATTERING,
20 ABUSING, DESTROYING PERSONAL PROPERTY OF OR DISTURBING
21 THE PEACE OF THE PEOPLE THAT ARE SUBJECT TO THE
22 RESTRAINING ORDER.

23 YOU CANNOT COMMIT ACTS OF VIOLENCE OR MAKE
24 THREATS OF VIOLENCE AGAINST THEM.

25 THE RESPONDENT: WELL, I WOULD NEVER DO THAT, TO
26 BEGIN WITH, YOUR HONOR.

27 THE COURT: WELL, THESE ARE THE ORDERS.

28 YOU ARE NOT TO FOLLOW OR STALK THE PERSONS

1 DURING WORK HOURS OR TO OR FROM THE WORKPLACE, WHICH AT
2 THIS TIME IS THE CASTLE GREEN BUILDING, CONTACT THE
3 PERSON EITHER DIRECTLY OR INDIRECTLY OR IN ANY WAY,
4 INCLUDING, BUT NOT LIMITED TO, BY PERSON, BY TELEPHONE,
5 BY WRITING, BY PUBLIC OR PRIVATE MAIL, BY INTER-OFFICE
6 MAIL, BY E-MAIL, OR BY TEXT OR BY FAX OR ANY OTHER
7 ELECTRONIC MEANS, AND THIS ALSO INCLUDES ANYONE THAT YOU
8 KNOW --

9 THE RESPONDENT: THANK YOU, YOUR HONOR.

10 THE COURT: -- THAT ARE DOING SO.

11 THE RESPONDENT: (WHEREUPON, THE RESPONDENT WAS
12 EXITING THE COURTROOM.)

13 THE COURT: AND I'M ALSO GOING TO --

14 YOU NEED TO STAY HERE, SIR, UNTIL THE
15 HEARING IS COMPLETED. I HAVE A BIT MORE TO GO.

16 ONE MOMENT.

17 THE CLERK: I CAN FINISH THE PAPERWORK.

18 THE COURT: WHAT?

19 THE CLERK: I CAN FINISH THE PAPERWORK.

20 THE COURT: OKAY. I NEED TO GO THROUGH A FEW
21 THINGS.

22 THE STAY-AWAY ORDER IS AT 100 YARDS, WILL
23 BE PART OF THE RESTRAINING ORDER.

24 MR. STRAND, DO YOU HAVE ANY GUNS OR OTHER
25 FIREARMS?

26 THE RESPONDENT: I TOLD YOU "NO."

27 THE COURT: OKAY. BECAUSE IF YOU DO, YOU HAVE TO
28 TURN THEM OVER TO THE POLICE.

1 THE RESPONDENT: I HAVE NEVER OWNED A FIREARM IN
2 MY LIFE. AND, ALSO, DO I GET TO STAY IN MY HOME? DO I
3 GET TO ENTER AND LEAVE MY APARTMENT?

4 THE COURT: THAT WOULD BE PART OF THE ORDER THAT
5 YOU, JUST LIKE IN THE TEMPORARY RESTRAINING ORDER, IT
6 SAYS THAT THE STAY-AWAY ORDER DOES NOT PREVENT YOU FROM
7 GOING TO OR FROM YOUR HOME.

8 SO THAT WILL BE PART OF ORDER.

9 THE RESPONDENT: ALL RIGHT.

10 THE COURT: I'M RETURNING THE EXHIBITS.

11 THE RESPONDENT: ALL RIGHT. THANK YOU, YOUR
12 HONOR.

13 THE CLERK: THIS WON'T BE READY FOR A WHILE.

14 THE COURT: SO YOU NEED TO STAY UNTIL THE CLERK
15 HAS COMPLETED THE ORDER SO THAT YOU GET COPIES OF THE
16 ORDER.

17 THESE ARE ALWAYS DIFFICULT MATTERS TO DEAL
18 WITH, BUT THE EVIDENCE WAS CREDIBLE ABOUT YOUR CONDUCT,
19 AND, AGAIN, YOU EVEN ACKNOWLEDGING THE CONDUCT.

20 THIS MATTER IS --

21 THE RESPONDENT: I ACKNOWLEDGED BEING DRUNK.

22 THE COURT: THIS MATTER IS CONCLUDED.

23 MR. RICHARDSON: THANK YOU, YOUR HONOR.

24 (WHEREUPON, THE PROCEEDINGS CONCLUDED.)

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26 ///

27 ///

28