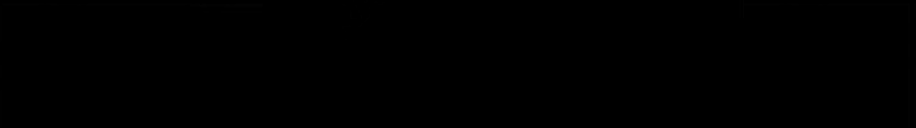




BY SPECIAL APPEARANCE ONLY

FL-300

PARTY WITHOUT ATTORNEY OR ATTORNEY: STATE BAR NO.: NAME: PETER A. LAUZON, ESQ. (SBN 153700)/NATHALIE E. AMIR, CFLS (SBN 287795) 		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles SEP 04 2018 Sherri R. Carter, Executive Officer/Clerk By <u>R. Baker-Stiles</u> Deputy Rebecca Baker-Stiles
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES 		
PETITIONER: REZA JARRAHY RESPONDENT: GEENA DAVIS OTHER PARENT/PARTY:		
REQUEST FOR ORDER <input 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): Motion to Quash Petition and Summons, and/or Dismiss the Action.		CASE NUMBER: 

NOTICE OF HEARING

1. TO (name(s)): REZA JARRAHY AND HIS ATTORNEY OF RECORD
☒ Petitioner ☐ Respondent ☐ Other Parent/Party ☐ Other (specify):
2. A COURT HEARING WILL BE HELD AS FOLLOWS:

a. Date: 10/03/18 Time: 8:30 a.m. ☒ Dept.: 59 ☒ Room.: 547
 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):

Date:

JUDICIAL OFFICER

Page 1 of 4

Form Adopted for Mandatory Use
 Judicial Council of California
 FL-300 (Rev. July 1, 2016)

REQUEST FOR ORDER

Legal
 Solutions
 Co. Plus

Family Code, §§ 2045, 2107, 6224,
 6226, 6320-6326, 6380-6383;
 Government Code, § 26826
 Cal. Rules of Court, rule 5.92
 www.courts.ca.gov

FILE BY FAX

FL-300

PETITIONER: REZA JARRAHY
 RESPONDENT: GEENA DAVIS
 OTHER PARENT/PARTY:

CASE NUMBER:

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☐ VISITATION (PARENTING TIME)

☐ I request temporary emergency orders

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

Child's Name

Date of Birth

☐ Legal Custody to (person who decides: health, education, etc):

☐ 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.

FL-300

PETITIONER: REZA JARRAHY
 RESPONDENT: GEENA DAVIS
 OTHER PARENT/PARTY:

CASE NUMBER:

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)

b. ☐ I want to change a current court order for child support filed on (date):
 The court ordered child support as follows (specify):

☐ Attachment 3a

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 3d4. ☐ 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 4e5. ☐ 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.

FL-300

PETITIONER: REZA JARRAHY
 RESPONDENT: GEENA DAVIS
 OTHER PARENT/PARTY:

CASE NUMBER:

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):

Motion to Quash Service of Summons and Petition, Quash the Proceedings, and/or Dismiss the Proceedings.

☐ Attachment 8.9. ☐ 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.

Memorandum of Points and Authorities;
 Declaration of Geena Davis; and,
 Declaration of Nathalie E. Amir, Esq.

☐ 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: September 11, 2018

GEENA DAVIS BY SPECIAL APPEARANCE ONLY

(TYPE OR PRINT NAME)

(SEE ATTACHED ELECTRONIC SIGNATURE
 PURSUANT TO CIVIL CODE §1633.7)

(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.)

FL-300

PETITIONER: REZA JARRAHY
 RESPONDENT: GEENA DAVIS
 OTHER PARENT/PARTY:

CASE NUMBER:

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):

Motion to Quash Service of Summons and Petition, Quash the Proceedings, and/or Dismiss the Proceedings.

☐ Attachment 8.9. ☐ 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.

Memorandum of Points and Authorities;
 Declaration of Geena Davis; and,
 Declaration of Nathalie E. Amir, Esq.

☐ 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: September 4, 2018

GEENA DAVIS BY SPECIAL APPEARANCE ONLY

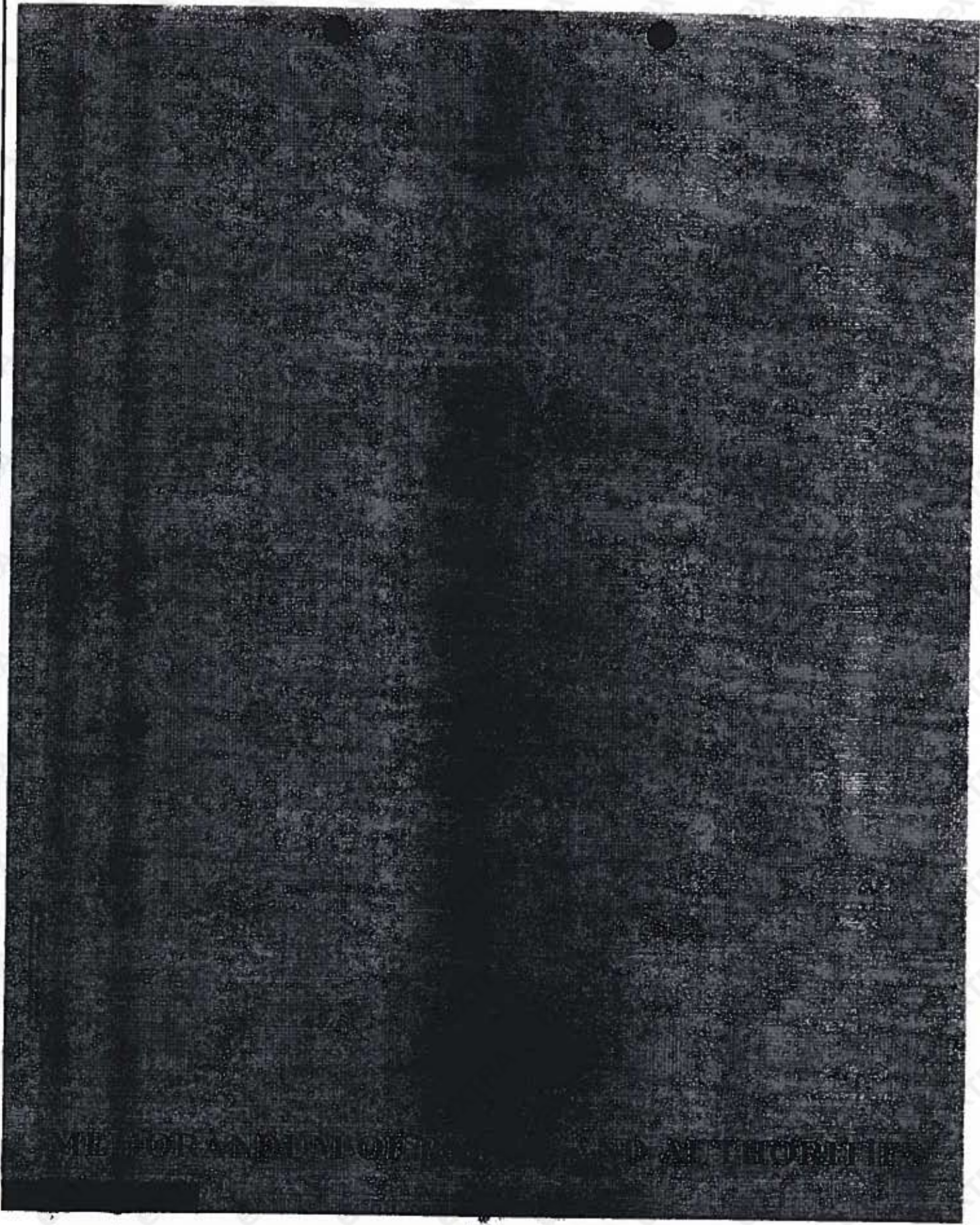
(TYPE OR PRINT NAME)


 (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.)



MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Respondent, GEENA DAVIS ("Respondent") makes a special appearance through her attorneys of record, Law Offices of Peter A. Lauzon, APLC, by Peter A. Lauzon, Esq. and Nathalie E. Amir, Esq., to quash service of summons, quash the proceeding, or in the alternative, dismiss the proceedings on the basis that there is no valid marriage, and accordingly, this Court does not have *in rem* jurisdiction over this matter.

California *Code of Civil Procedure* § 418.10(a) provides:

"[a] defendant, on or before the last day of his or her time to plead or within any further time that the court may for good cause allow, may serve and file a notice of motion for one or more of the following purposes:

- (1) To quash service of summons on the ground of lack of jurisdiction of the court over him or her.
- (2) To stay or dismiss the action on the ground of inconvenient forum.
- (3) To dismiss the action pursuant to the applicable provisions of Chapter 1.5 (commencing with Section 583.110) of Title 8."

California *Code of Civil Procedure* § 430.10(a) further provides that a party may object, by demurrer on the grounds that "[t]he court has no jurisdiction of the subject of the cause of action alleged in the pleading."

Respondent contests jurisdiction of this Court pursuant to *Family Code* § 200 and 2000 *et. seq.* on the following grounds: (1) Petitioner Reza Jarrahy ("Petitioner"; collectively, the "Parties") and Respondent intentionally and voluntarily failed to file an application for a marriage license with the County; and, (2) failure to apply for and/or return a license to the County prevents the formation of a valid marriage as defined in *Family Code* § 300 and, because there is no marriage, this Court does not have jurisdiction over a marriage between the Parties. Based on the foregoing reasons, Respondent's Motion to Quash and/or Dismiss this action should be granted, this action should be dismissed, and Petitioner's Petition for Dissolution of Marriage should be quashed.

II. ARGUMENT

PETITIONER'S PETITION SHOULD BE QUASHED BECAUSE THE PARTIES DID NOT ENTER INTO A VALID MARRIAGE

In order for a valid marriage to be created the Parties must: (1) consent to the marriage, (2) obtain a marriage license, (3) have the marriage solemnized by an authorized person of any religious denomination, and (4) return the marriage license to the County. *Fam. Code* §§ 300, 301, 306, and 400. "Marriage is a personal relation arising out of a civil contract between two persons." *Fam. Code* § 300. For the purposes of satisfying the requirements to create a valid marriage, a document, or "marriage license" must be obtained from the county clerk. *Fam. Code* § 300(b). "[T]he license becomes a marriage certificate" after it is registered with the county recorder. *Id.* Following the issuance of the license, the marriage must be solemnized by a priest, rabbi, or authorized person of any religious denomination. *Fam. Code* §§ 300(b), 400. Failure to satisfy the aforementioned requirements means that no marriage was ever created. *Estate of DePasse* (2002) 97 Cal.App.4th 92, 101.

The reason for these requirements is that the State of California has a vital interest in the institution of marriage and plenary power to fix the conditions under which a marriage may be created or terminated. *In re Marriage of Walton* (1972) 28 Cal.App.3d 108, 113. The regulation of marriage is solely within the province of the Legislature. *Beeler v. Beeler* (1954) 124 Cal.App.2d 679, 682. The Legislature has enacted legislation that sets forth the steps required to create a valid marriage in California. Those steps were further explained in *Estate of DePasse*:

"According to the statutory scheme, there are steps in the marriage process. First, the parties must consent. Second, the parties must obtain a license from the county clerk. Since the license and License of registry are combined into one form, the parties also obtain the License of registry at that time. Third, the marriage must be solemnized. Before solemnizing the marriage, the person conducting the ceremony must ensure that the parties have obtained a marriage license. Fourth, the person solemnizing the marriage must authenticate the marriage by signing the License of registry and arranging for at least one witness to sign the License. Finally, the person solemnizing the marriage must return the License of registry to the county clerk for filing."

Estate of DePasse (2002) 97 Cal.App.4th 92, 101 (reversed on other grounds).

1 *DePasse* involved an appeal from an order in a probate proceeding denying the appellant
2 his spousal property petition. Appellant John DePasse and the decedent, Derrcl DePasse, had
3 lived together until she became ill and was hospitalized. The day before she died, the hospital
4 chaplain performed a marriage ceremony for the couple. Two days before the marriage
5 ceremony, DePasse had executed a will naming her brother as executor of her estate. Although
6 aware that a marriage license was required, the parties did not obtain a license because of
7 DePasse's illness and imminent death. Appellant filed a spousal property petition in the probate
8 action claiming a one-half interest in DePasse's estate as her surviving spouse. The executor
9 challenged appellant's petition on the ground that the marriage was not valid because the parties
10 had not obtained a marriage license. The appellate court applied current law and found that
11 obtaining a license was among the listed prerequisite to the creation of a valid marriage.
12 *DePasse*, supra, 97 Cal.App.4th at pp. 94-95.

13 *DePasse* noted that the Legislature has stated that use of the word "shall" in *Family Code*
14 § 306 indicates that compliance with each of the required actions is mandatory. *DePasse*, supra,
15 97 Cal.App.4th at 102. Therefore, the application for and return of the License mandated by
16 *Family Code* § 306 is a necessary prerequisite to a valid marriage. If the marriage license is not
17 obtained, the marriage is not appropriately solemnized and there can be no valid marriage.

18 The Legislature provided a single exception to the requirements of *Family Code* § 306,
19 specifically that "[n]oncompliance with this part by a nonparty to the marriage does not
20 invalidate the marriage." For example, a failure by the person solemnizing the marriage to return
21 the License of registry would not invalidate the marriage. Yet, according to the same provision,
22 the parties' failure to comply with one of the requirements for a valid marriage, including the
23 licensing requirement, would invalidate the marriage. Thus, *Family Code* §§ 300 and 306
24 provide grounds for determining the validity of a marriage, separate and apart from those stated
25 in *Family Code* §§ 2200, 2201, and 2210. See *DePasse*, supra, 97 Cal.App.4th at 106.

26 Here, as is set forth in the Declarations of Geena Davis and Nathalie Amir, the Parties
27 failed to obtain a marriage license altogether. Thus, any non-compliance is the direct results of
28 the Parties' failure to comply with the requirements for the creation of a valid marriage,

specifically, the licensing requirement. Because the license and license of registry are combined into one form, the Parties' failure to obtain a license also qualifies as a failure to obtain a License of registry. Further, although the marriage was officiated, because the Parties never obtained a marriage license, the person conducting the ceremony would not have been able to ensure that the Parties had obtained a marriage license prior to the ceremony and, consequently, would not have appropriately fulfilled their solemnization duties. Finally, the person solemnizing the marriage did not return a license to the county clerk, because no such license was ever obtained by the Parties. Accordingly, non-compliance in this matter demonstrates that no marriage exists, or was intended to be created by the Parties, and this case should be dismissed.

The Declaration of Geena Davis submitted concurrently herewith demonstrates that the Parties' willingly and knowingly never applied for a license, and consequently, the failure to return an executed license to the County recorder was not due to the failure of a non-party (e.g., the solemnizing party or the U.S. Postal Service) but, rather, the intervening intentional acts of the Parties themselves. Over the course of their nearly 17-year relationship, the Parties never applied for a marriage license, and neither possessed a good-faith reasonable belief that they were married. This is supported by the fact that for the duration of their relationship, the parties never filed taxes as "married," either together or separately. In fact, Petitioner filed as "Single" while Respondent filed as either "Head of Household" or "Single" throughout the relationship. Further to this point, the Parties have always kept their finances separate, including their real and personal property. This is support by the fact that both Parties own their property as "Single" persons, and they have never bought property together as husband and wife. Further, during the course of the Parties' relationship, Respondent was able to refinance her property without Petitioner, because they were never married. Moreover, Petitioner was never included as "family" on Respondent's health insurance coverage because the Parties were not married.

Finally, during the entirety of their relationship, the Parties never appeared together at the County Clerk's office to obtain a marriage license. Because the Parties never obtained a marriage license – no marriage was created.

///

**THE CASE SHOULD BE DISMISSED BECAUSE THIS COURT DOES
NOT HAVE JURISDICTION OVER THIS MATTER**

Marriage dissolution is an "in rem" proceeding, in which marriage is the "res" that is adjudicated. Thus, a California court's "in rem" jurisdiction to dissolve a marriage requires an existing marriage between the parties that is located within California. *Marriage of Zierenberg* (1992) 11 Cal.App.4th 1436, 1444-45 (California dissolution judgment void and no force or effect where marriage already dissolved by Puerto Rico court having in rem jurisdiction). If there is no marriage—as is the case here—the matter must be dismissed.

III.

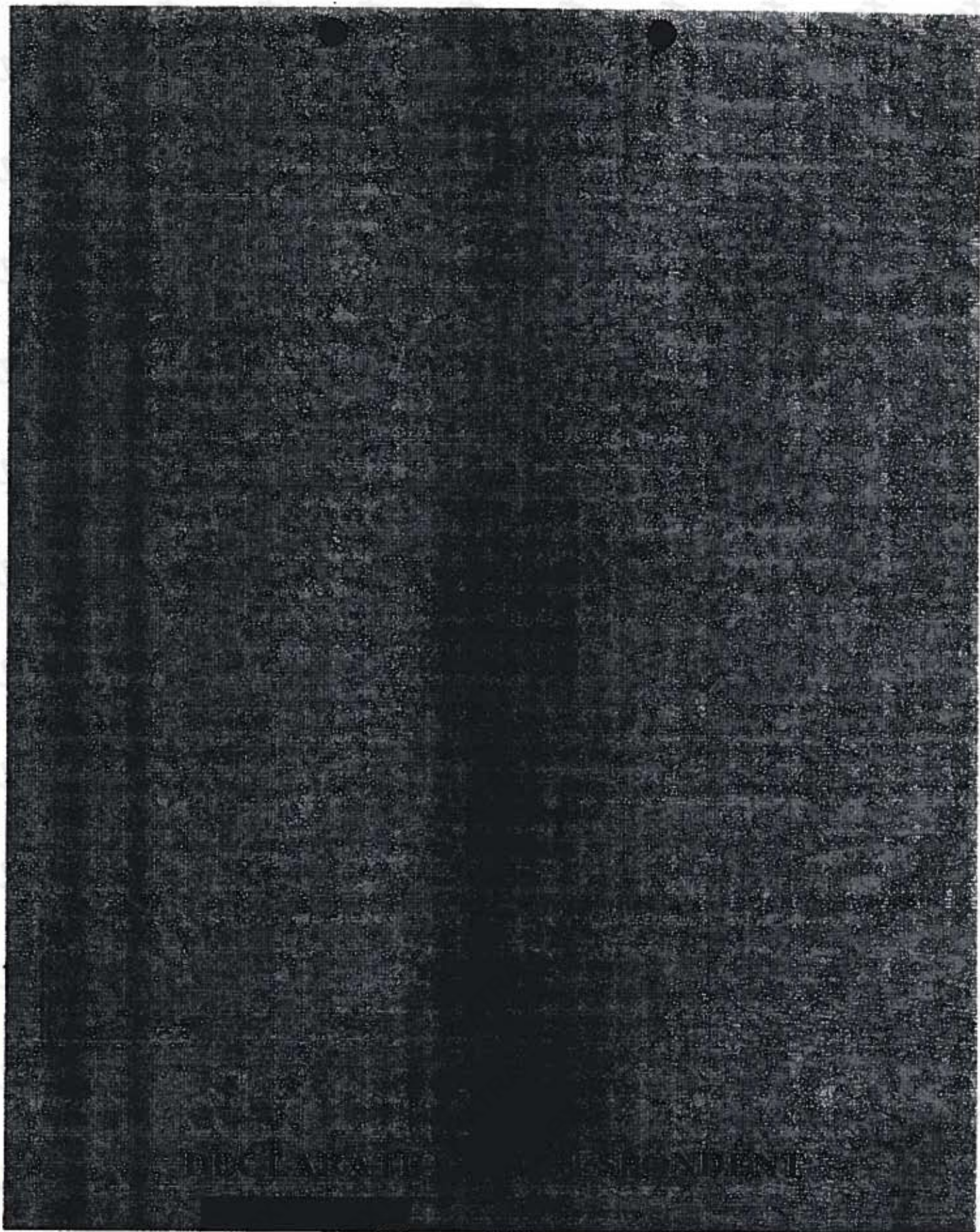
CONCLUSION

Based on the foregoing reasons Respondent respectfully requests that this Court quash the Petition and Summons, and/or dismiss the proceedings, because there is no valid marriage.

Dated: September 4, 2018

LAW OFFICES OF PETER A. LAUZON
A Professional Law Corporation

By: Nathalie E. Amir
NATHALIE E. AMIR
Attorneys Respondent
GEENA DAVIS



DECLARATION OF RESPONDENT GEENA DAVIS

I, GEENA DAVIS, hereby declare as follows:

1. I am the Respondent in this action. I make this Declaration from facts within my own personal knowledge, and should I be called as a witness, I would and could testify competently thereto. I offer my Declaration in lieu of personal testimony pursuant to Sections 2009 and 2015.5 of the California *Code of Civil Procedure*, Rules 3.1112 and 5.111 of the *California Rules of Court*, *Reifler v. Superior Court* (1974) 39 Cal.App.3d 479, and *Marriage of Stevenot* (1984) 154 Cal.App.3d 1051.

2. I am submitting this declaration by Special Appearance in support of my Request for Order to Quash the Petition and Summons, and/or Dismiss the Action.

3. Petitioner Reza Jarrahy ("Reza") and I have never been married.

4. Reza and I have never appeared together in person before a county clerk to obtain a marriage license.

5. Reza and I never applied for a marriage license in California - confidential or public.

6. Reza and I did not file a marriage license in New York - confidential or public.

7. In or around 2001, Reza and I had a ceremony in New York; however, we did not intend to become legally married on that date.

8. Reza and I did not present the person conducting the ceremony with a marriage license, and we knew that a marriage license was required for a legal marriage.

9. Reza and I knowingly and voluntarily chose to have a marriage-like ceremony, fully aware that it was not legally binding.

10. During our 17-year relationship, Reza and I had every opportunity to apply for and obtain a marriage license, but knowingly and voluntarily never chose to do so.

11. Throughout our relationship, Reza has always filed his taxes as "single." Respondent will provide true and correct copies of Reza's redacted Form 1040's for all taxable years from 2001 to 2016 at the time of the hearing. In all aforementioned tax years—encompassing the entirety of our relationship—Reza's filing status was "single."

12. Throughout our relationship, I always filed my taxes as "single" or "head of household," after Reza and I had children; however, Reza and I never filed as married. Respondent will provide true and correct copies of her Form 1040 for all taxable years from 2001 to 2016 at the time of the hearing.

13. Reza and I have kept our finances separated throughout the entirety of our relationship.

14. Reza and I have never had a joint checking or savings account.

15. Reza and I have never had a joint retirement account.

16. Reza and I have never had a joint credit card.

17. Reza and I never owned any real property jointly as husband and wife.

18. Throughout our relationship, I have never had access to Reza's finances, and he has never had access to my finances. By way of example, I do not know where Reza banks, if he has any credit cards, or how much money he has in his savings account.

19. On February 17, 2012, Reza submitted a letter as part of an application for a home that he purchased for himself stating the following:

"I filed my 2009 tax returns as a single individual because I am not currently married. Ms. Davis and I cohabitate and co-parent our three children but are not officially wed. Please do not hesitate to contact me directly with further questions regarding this mater (sic)."

Attached hereto as Exhibit "1" and incorporated by reference herein is a true and correct copy of the February 17, 2012 letter from Reza referenced herein.

20. Both Reza and I own our own separate homes without the other person on title.

21. Reza is not covered on my health plan through SAG-AFTRA because we are not married and he does not qualify as a "Family Member." Attached hereto as Exhibit "2" and incorporated by reference herein is a true and correct copy of the February 21, 2018 Notice of Coverage from SAG-AFTRA Health Plan.

22. In 2008, during our relationship, I refinanced the loan on my residence, with title held by my personal trust. On the application I am listed as "unmarried." The bank did not require Reza to sign the loan document or provide his consent to the refinance because Reza and

Law Offices of Peter A. Lauzon

1 I am not married. Attached hereto as **Exhibit "3"** and incorporated by reference herein is a true
2 and correct redacted copy of my Uniform Residential Loan Application submitted and approved
3 in or around March of 2008.

4 23. Because Reza and I are not married, I respectfully request that the Court grants
5 my request to quash the Petition and Summons, and/or dismiss the action.

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

8 Executed this _____ day of September, 2018, at Los Angeles, California.

9 (SEE ATTACHED ELECTRONIC SIGNATURE
10 PURSUANT TO CIVIL CODE §1633.7)

11 GEENA DAVIS, Respondent
12 By Special Appearance Only
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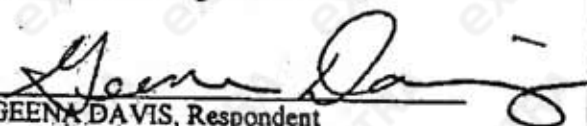
Law Offices of Peter A. Lauzon

1 I am not married. Attached hereto as Exhibit "3" and incorporated by reference herein is a true
2 and correct redacted copy of my Uniform Residential Loan Application submitted and approved
3 in or around March of 2008.

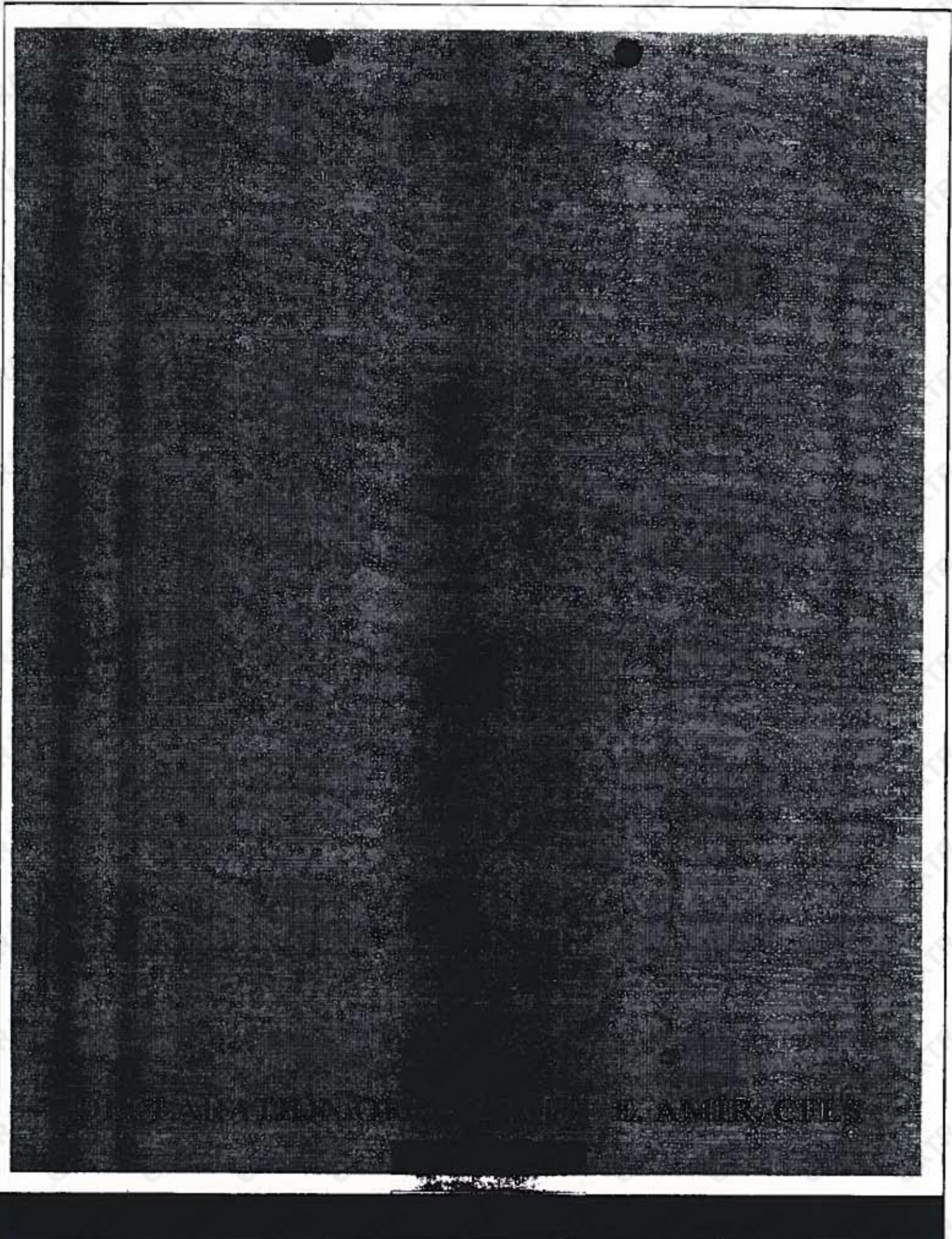
4 23. Because Reza and I are not married, I respectfully request that the Court grants
5 my request to quash the Petition and Summons, and/or dismiss the action.

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

8 Executed this 4th day of September, 2018, at Los Angeles, California.


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11 GEENA DAVIS, Respondent
12 By Special Appearance Only
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Law Offices of Peter A. Lauzon



DECLARATION OF NATHALIE E. AMIR, ESQ.

I, Nathalie E. Amir, Esq., declare as follows:

1. I am an attorney at law duly licensed to practice before all of the Courts of the State of California. I am an associate attorney for the Law Offices of Peter A. Lauzon, APLC, counsel for limited scope for Respondent Geena Davis ("Respondent") in the within action. The facts contained in this Declaration are within my personal knowledge, and, if called upon to testify, I could and would testify competently thereto.

2. I offer my Declaration in lieu of personal testimony pursuant to California Code of Civil Procedure §§ 2009 and 2015.5; California Rules of Court, Rules 3.1112 and 5.111; *Reifler v. Superior Court* (1974) 39 Cal.App.3d 479 and *Marriage of Stevenot* (1984) 154 Cal.App.3d 1051.

3. I am submitting this declaration by Special Appearance in support of Respondent's Request for Order to Quash the Petition and Summons, and/or Dismiss the Action.

4. My office conducted a search of state and county records with respect to an application for marriage license and/or marriage license between Respondent and Petitioner Reza Jarrahy ("Petitioner," collectively the "Parties").

5. There is no record of a marriage license or certificate relating to the Parties in California.

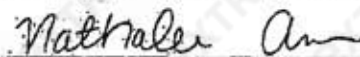
6. There is no record of a marriage license or certificate relating to the Parties in New York.

7. There is no record of property held by the Parties jointly as husband and wife.

8. I respectfully request that the Court grants Respondent's request to quash the Petition and Summons, and/or dismiss the action.

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

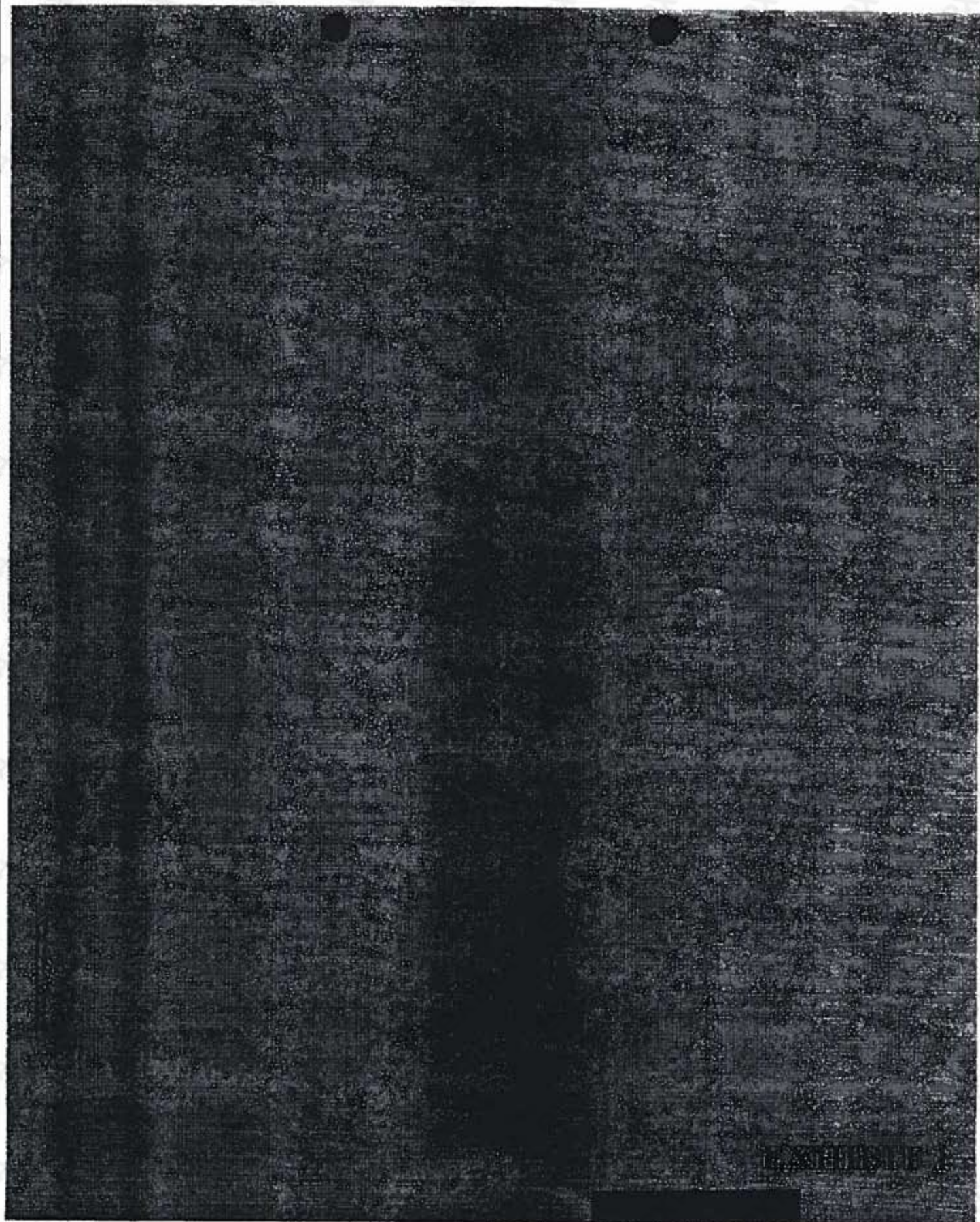
Executed this 4th day of September, 2018, at Los Angeles, California.



NATHALIE E. AMIR, ESQ.

Attorney for Respondent

BY SPECIAL APPEARANCE ONLY



UNIVERSITY OF CALIFORNIA, LOS ANGELES

UCLA

BERKELEY • DAVIS • IRVINE • LOS ANGELES • RIVERSIDE • SAN DIEGO • SAN FRANCISCO



SANTA BARBARA • SANTA CRUZ

REZA JARRAHY, MD



February 17, 2012

RE: 2009 Tax Returns (CONFIDENTIAL)

To Whom It May Concern:

I filed my 2009 tax returns as a single individual because I am not currently married. Ms. Davis and I cohabitate and co-parent out three children but are not officially wed. Please do not hesitate to contact me directly with further questions regarding this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to be "Reza Jarrahy", with a long horizontal line extending to the right.

Reza Jarrahy, M.D.

EXHIBIT 2

SAG-AFTRA Health Plan Notice of Coverage

Participant: Geena Davis

02/21/2018

We are pleased to notify you of your health coverage with the SAG-AFTRA Health Plan. Below is a list of benefits for which you and your eligible dependents are covered, subject to the rules of the Plan. If your eligibility type changes, you will be notified.

Eligibility Type Earned Active	Benefit Plan Plan I	Benefit Period 01/01/2018 - 12/31/2018
-----------------------------------	------------------------	-------------------------------------------

Benefit Coverage

Major Medical, Surgical
Hospital
Dental
Vision Service Plan
Mental Health/Chemical Dependency
Life Insurance and AD&D (Participant Only)

Eligibility Status

Eligible
Eligible
Eligible
Eligible
Eligible
Eligible

Identification cards for your coverage are attached to this notice. Please refer to the back, the enclosed materials and the Summary Plan Description for details about your benefits. If you have other insurance, please contact our office for help determining the order of claim payment.

Covered Family Members

Name	Relationship	Gender	Birth Date
Geena	Member	Female	
	Child	Female	
	Child	Male	
	Child	Male	

If you have questions about this notice or about your coverage, please contact the Plan.

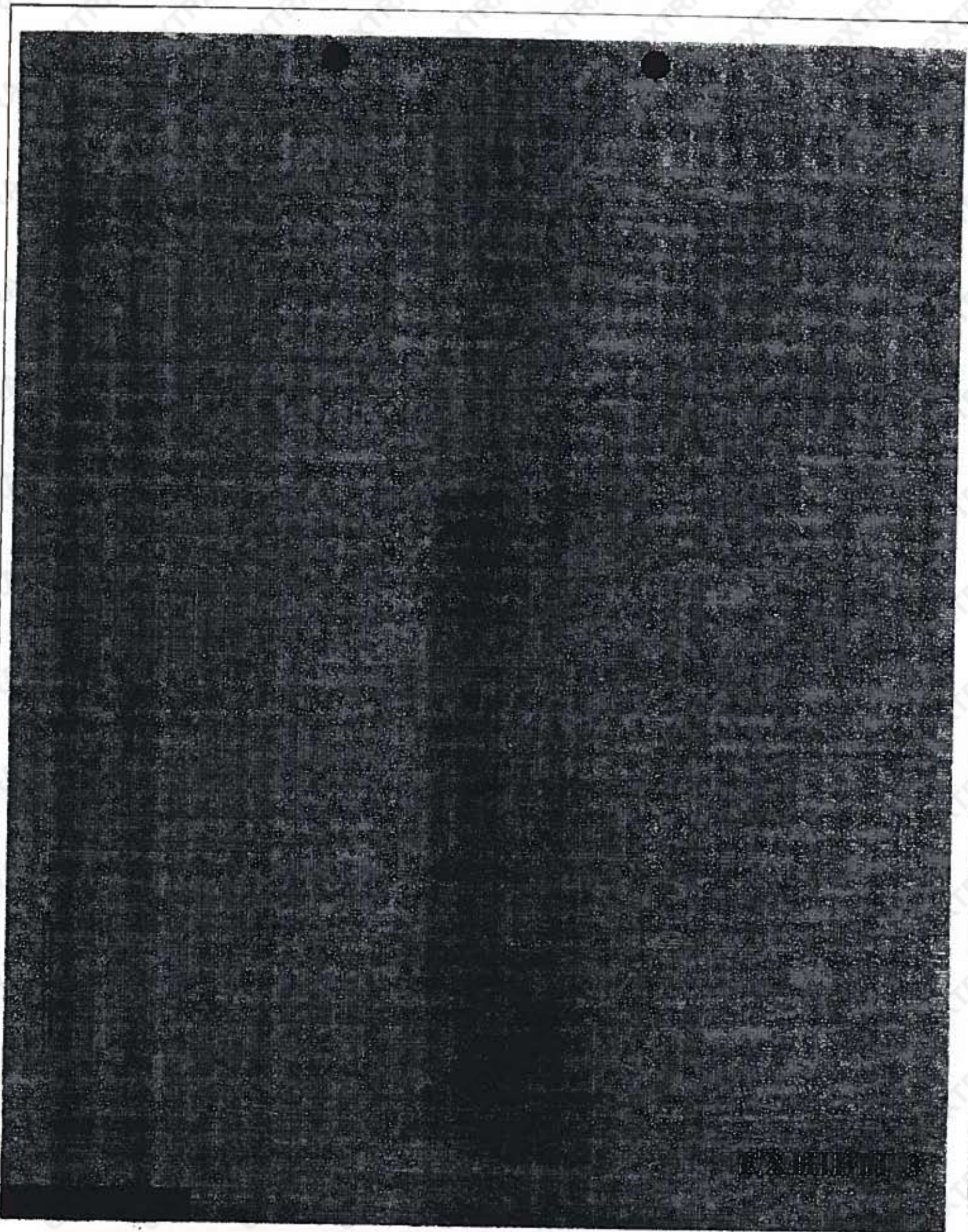
Reminder: you must pay premiums for the Plan to cover you and your dependents. If your coverage under the Plan ends because you did not pay your premium, your coverage under other entertainment industry health plans may be reduced or eliminated.

Always confirm that your health care provider is a network provider before scheduling your appointment. The Plan will not pay any charges at non-Blue Cross hospitals.

www.sagaftraplans.org/health

(CA) (CE) (Plan I)
(EXEBAT)

REV. 1/1/17



Uniform Residential Loan Application C 5 FINANCIAL

This application is designed to be completed by the applicant(s) with the Lender's assistance. Applicants should complete this form as "Borrower" or "Co-Borrower," as applicable. Co-Borrower information must also be provided (and the appropriate box checked) when the income or assets of a person other than the Borrower (including the Borrower's spouse) will be used as a basis for loan qualification or the income or assets of the Borrower's spouse or other person who has community property rights pursuant to state law will not be used as a basis for loan qualification, but his or her liabilities must be considered because the spouse or other person has community property rights pursuant to state law and Borrower resides in a community property state, the security property is located in a community property state, or the Borrower is relying on other property located in a community property state as a basis for repayment of the loan.

If this is an application for joint credit, Borrower and Co-Borrower each agree that we intend to apply for joint credit (sign below):

Borrower: [Signature] Co-Borrower: _____

I. TYPE OF MORTGAGE AND TERMS OF LOAN

Mortgage Applied For:	<input type="checkbox"/> VA <input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Other (Specify)	Agency Case Number	Lender Case Number
Amount	Interest Rate	No. of Months	Amortization Type
\$ 5,875	5.875%	480	Fixed Rate
Other (Specify): <input checked="" type="checkbox"/> ARM (Specify: NC 7/1) 10-			

II. PROPERTY INFORMATION AND PURPOSE OF LOAN

Subject Property Address (street, city, state & ZIP)	No. of Units
Legal Description of Subject Property (attach description if necessary)	Year Built
SEE PRELIMINARY TITLE REPORT	1985

Purpose of Loan	Property will be:
<input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Construction <input type="checkbox"/> Other (Specify)	<input checked="" type="checkbox"/> Primary Residence <input type="checkbox"/> Secondary Residence <input type="checkbox"/> Investment

Complete this line if construction or construction-permanent loan.	(a) Present Value of Lot	(b) Cost of Improvements	Total (a + b)
Year Acquired	\$	\$	\$

Complete this line if this is a refinance loan.	Purpose of Refinance	Describe Improvements
Year Acquired	Original Cost	Amount Existing Liens
2007	\$	\$

Title will be held in what name(s): Gary Kress, Trustee of the _____

Trust dated September 11, 2007.

Source of Down Payment, Seller's Charges and/or Subordinate Financing (explain):

Checking/Saving

III. BORROWER INFORMATION

Borrower's Name (include Jr. or Sr. if applicable)	Co-Borrower's Name (include Jr. or Sr. if applicable)
Geoffrey Davis	
Social Security Number	Date of Birth
0577	01/21/1956
Home Phone (not area code)	Work Phone (not area code)
Married <input checked="" type="checkbox"/> Unmarried (include single, divorced, widowed)	Dependents (not listed by Co-Borrower)
	3
Present Address (street, city, state, ZIP)	Present Address (street, city, state, ZIP)
Mailing Address, if different from Present Address	Mailing Address, if different from Present Address

If residing at present address for less than two years, complete the following:

Former Address (street, city, state, ZIP) ☒ Own ☐ Rent ☐ No. Yrs.

Former Address (street, city, state, ZIP) ☐ Own ☐ Rent ☐ No. Yrs.

IV. EMPLOYMENT INFORMATION

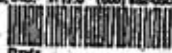
Name & Address of Employer	<input checked="" type="checkbox"/> Self Employed	Yrs. on this job	Name & Address of Employer	<input type="checkbox"/> Self Employed	Yrs. on this job
		20Y			
Position/Title/Type of Business	Business Phone (not area code)	Position/Title/Type of Business	Business Phone (not area code)		
Entertainment					
If employed in current position for less than two years or if currently employed in more than one position, complete the following:			If employed in current position for less than two years or if currently employed in more than one position, complete the following:		
Name & Address of Employer	<input type="checkbox"/> Self Employed	Dates (from - to)	Name & Address of Employer	<input type="checkbox"/> Self Employed	Dates (from - to)
		Monthly Income			Monthly Income
		\$			\$
Position/Title/Type of Business	Business Phone (not area code)	Position/Title/Type of Business	Business Phone (not area code)		
Name & Address of Employer	<input type="checkbox"/> Self Employed	Dates (from - to)	Name & Address of Employer	<input type="checkbox"/> Self Employed	Dates (from - to)
		Monthly Income			Monthly Income
		\$			\$
Position/Title/Type of Business	Business Phone (not area code)	Position/Title/Type of Business	Business Phone (not area code)		

Florida Mac Form 65 7/05

Borrower's Initials

Page 1 of 4

GENESIS 2000, INC. * 17 (7.0) * (000) 830-0504



Date

Florida Mac Form 1003 7/05

Co-Borrower's Initials

C S FINANCIAL

V. MONTHLY INCOME AND COMBINED HOUSING EXPENSE INFORMATION

Gross Monthly Income	Borrower	Co-Borrower	Total	Monthly Housing Expense	Present	Proposed
Base Empl. Income*	\$ 25,000.00	\$ 25,000.00	\$ 50,000.00	Real Estate Taxes	\$ 1,000.00	\$ 1,000.00
Overtime				Mortgage Insurance	\$ 1,000.00	\$ 1,000.00
Dividends				Homeowner Assn. Dues	\$ 100.00	\$ 100.00
Commissions				Other		
Capital Gains/Losses				Total	\$ 2,100.00	\$ 2,100.00
Net Rental Income						
Other (Include all other income not included in other categories)						
Total	\$ 25,000.00	\$ 25,000.00	\$ 50,000.00	Total	\$ 2,100.00	\$ 2,100.00

* Self-Employed Borrower(s) may be required to provide additional documentation such as the return and financial statements.

Describe Other Income: Alimony, child support, or expense maintenance income need not be reported if the Borrower (B) or Co-Borrower (C) does not choose to have it considered for repaying this loan.

B/C	Monthly Amount
B 12 Month Average of 07 wages	\$
B 24 mo avg of 1040's - wages	\$

VI. ASSETS AND LIABILITIES

This Statement and any applicable supporting schedules may be completed jointly by both borrower and co-borrower. Co-borrower's assets and liabilities are sufficiently listed so that the Statement can be thoroughly and fairly presented as a combined item. Assets include Savings, Checking, and Investment accounts. Liabilities include Mortgages, Credit Cards, and other loans. Use the following information to complete this section.

ASSETS		Cash or Market Value	LIABILITIES		Monthly Payment & Months Left to Pay	Unpaid Balance
Description			Name and address of Company (R.E. Loan)			
Cash deposit (third purchase held by):		\$	UNION BANK		\$ Payment/Months	\$
Use checking and saving accounts below			Name and address of Company (Charge Acct.)			
Name and address of Bank, S&L, or Credit Union			CITI		\$ Payment/Months	\$
MORGAN STANLEY			Name and address of Company (Charge Acct.)			
Acct. no.		\$	CITI		\$ Payment/Months	\$
Name and address of Bank, S&L, or Credit Union			Name and address of Company (Charge Acct.)			
Acct. no.		\$	CITI		\$ Payment/Months	\$
Name and address of Bank, S&L, or Credit Union			Name and address of Company (Charge Acct.)			
Acct. no.		\$	CHASE		\$ Payment/Months	\$
Name and address of Bank, S&L, or Credit Union			Name and address of Company		\$ Payment/Months	\$
Acct. no.		\$	Name and address of Company		\$ Payment/Months	\$
Stock & Bonds (Company name/number & description)		\$	Name and address of Company		\$ Payment/Months	\$
Life Insurance not cash value		\$	Name and address of Company		\$ Payment/Months	\$
Face amount: \$			Name and address of Company		\$ Payment/Months	\$
Survivorship Assets		\$	Name and address of Company		\$ Payment/Months	\$
Real estate owned (enter market value from schedule of real estate owned)		\$	Name and address of Company		\$ Payment/Months	\$
Vested interest in retirement fund		\$	Name and address of Company		\$ Payment/Months	\$
Net worth of business(es) owned (attach financial statement)		\$	Name and address of Company		\$ Payment/Months	\$
Automobile owned (make and year)		\$	Name and address of Company		\$ Payment/Months	\$
Other Assets (describe)		\$	Name and address of Company		\$ Payment/Months	\$
Total Assets =		\$	Total Monthly Payments		\$	
Funds Not From 7/05			Net Worth (see notes)		\$	
Borrower's Initials			Total Liabilities =		\$	

Funds Not From 7/05
Borrower's Initials

Page 2 of 4
GHSIS 2500, (40) * W17.0 * (400) 882-0604

Funds Not From 7/05
Co-Borrower's Initials

Continuation Sheet/Residential Loan Application

C S FINANCIAL

Use this continuation sheet if you need more space to complete the Residential Loan Application. Start it for Borrower or C for Co-Borrower.

Borrower:
Glen Davis
Co-Borrower:

Agency Case Number:

Lender Case Number:

I/We hereby understand that it is a Federal crime punishable by fine or imprisonment, or both, to knowingly make any false statements concerning any of the above facts as applicable under the provisions of Title 18, United States Code, Section 1001, et seq.

Borrower's Signature

Date

Co-Borrower's Signature

Date

Model Use Form 65 7/05

Page 4 of 4

GSEBS 3000, INC. - 917.9 - (800) 632-0504

Fourth Mar Form 1002 7/05

Creditor:

Re: GEENA DAVIS

Date:

Loan Number: 1751975432

The information provided below reflects estimates of the charges which you are likely to incur at the settlement of your loan. THE FEES LISTED ARE ESTIMATES. The actual charges may be more or less. Your transaction may not involve a fee for every item listed.

ITEMIZATION OF AMOUNT FINANCED	
• Amount given to you directly	\$
• Amount paid on your account:	
Property Photo/Leader Inspection Fees	
Document Preparation Fee	
Redraw Fee	
• Amount paid to others on your behalf:	
Appraisal Fees to appraiser	
Appraisal Fees to broker	
Credit Reporting Fees to credit reporting agency	
Credit Reporting Fees to broker	
Property Insurance Premiums to insurance agency	
Flood Insurance Premiums to insurance agency	
Earthquake Insurance Premium to insurance agency	
Notary Fee 10:	
Title Ins. Premiums to title ins. company	
Filing Fees to public officials/Recording Fees	
Messenger Fees to: MESSENGER SERVICE	
Loan Proceeds to: FIDELITY NATIONAL TITLE	
Hazard Insurance for mo. at \$	
Property Tax for mo. at \$	
Flood Insurance for mo. at \$	
Earthquake Insurance for mo. at \$	
Sub Escrow Fee to: FIDELITY NATIONAL TITLE	
MCC Fee to MCC	
Reconveyance Fee	
Closing Con Credit	
• AMOUNT FINANCED	\$
Prepaid Finance Charge	\$
• Itemization of Prepaid Finance Charge:	
Loan Fee/Origination Fee	\$
Loan Discount	
Tax Service Contract	
Processing Fee	
Prepaid Interest (18 days)	
at 8.078 % per annum	
Settlement/Closing Fee	
Mtge. Ins. Premiums	
Mtge. Ins. Premium Reserves	
Flood Determination Fee	
Mortgage Broker Fee	
Broker Processing Fee	
Underwriting Fee	
Wire Fee	
Total Prepaid Finance Charge	\$
• Loan Amount	\$

The undersigned acknowledge receiving and reading a completed copy of this disclosure.

GEENA DAVIS

1751975 (12/97)

FEDERAL TRUTH-IN LENDING STATEMENT (THIS IS NEITHER A CONTRACT NOR A COMMITMENT TO LEND)

Creditor:

GEENA DAVIS

Check box if applicable:

Date: 03/14/08

Loan Number:

ANNUAL PERCENTAGE RATE The cost of your credit as a yearly rate. _____ %	FINANCE CHARGE The dollar amount the credit will cost you. \$ _____	Amount Financed The amount of credit provided to you or on your behalf. \$ _____	Total of Payments The amount you will have paid after you have made all payments as scheduled. \$ _____	<input type="checkbox"/> Total Sale Price The Total cost of your purchase on credit including your down payment of _____
---------------------------------------------------------------------------------------	----------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------

PAYMENTS: Your payment schedule will be:

Number of Payments	Amount of Payments	When Payments Are Due
84	_____	Monthly beginning: 05/01/08
396	_____	05/01/16
1	_____	04/01/48

☒ **VARIABLE RATE:** This loan has a Variable Rate Feature. Variable Rate Disclosures have been provided to you earlier.

INSURANCE: The following insurance is required to obtain credit:

☐ Credit life insurance and credit disability

☒ Property insurance

☐ Flood insurance

You may obtain the insurance from anyone you want that is acceptable to creditor.

SECURITY: You are giving a security interest in:

☐ The goods or property being purchased

☒ Real property you already own.

FILING FEES: \$ 90.00

LATE CHARGE: If a payment is more than 15 days late, you will be charged 5.000% of the payment.

PREPAYMENT: If you pay off early, you

☐ may

☒ will not

have to pay a penalty.

☐ may

☒ will not

be entitled to a refund of part of the finance charge.

ASSUMPTION: Someone buying your property

☐ may

☒ may, subject to conditions

☐ may not

assume the remainder of your loan on the original terms.

See your contract documents for any additional information about nonpayment, default, any required repayment in full before the scheduled date and prepayment refunds and penalties.

* means estimate

☐ all dates and numerical disclosures except the late payment disclosures are estimates.

The undersigned acknowledge receiving and reading a completed copy of this disclosure. Neither you nor the creditor previously has become obligated to me to or accept this loan, nor is any such obligation made by the delivery or signing of this disclosure. NOTE: Payments shown above do not include reserve deposits for taxes, assessments, and property or flood insurance.

GEENA DAVIS

(Date)

(Date)

(Date)

(Date)

(Date)

(Date)

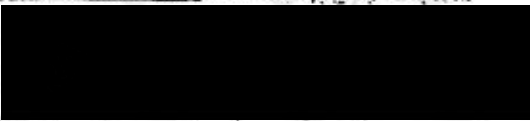
UB0784 (02/02)

INSURANCE POLICY REQUIREMENTS

Loan No.:

Name:

DAVIS

1. **Original Policy** - The Original Policy must be forwarded to the Bank within 30 days after funding. A fax copy of the Evidence of Insurance or binder (if required by state law) is acceptable prior to funding. The policy must have at least Fire/Extended (or Homeowners) Coverage with Special Form issued by a company with a minimum rating as defined in the Bank's Notice Regarding Real Property Insurance previously provided to the borrower.
2. **Flood Insurance** - When flood insurance is required, the Original Policy must be forwarded to the Bank within 30 days after funding. A fax copy of the Flood Application is acceptable for Purchase transactions or anytime a new flood policy is being issued. A fax copy of the Evidence of Insurance is acceptable on refinance transactions which have an existing flood policy in force.
3. **Investment Property** - For property that is not occupied by the borrower/owner (investment property), and rental income was used to qualify the borrower/s, coverage must include loss of rents. (Evidence of insurance to stipulate - e.g., Loss of Rents, Loss of Income, Rental Dwelling Policy, or Landlord Protector Policy.)
4. **Lenders Loss Preamble Clause** (J18 BFU or equivalent) - in favor of:

5. **Policy Term** - The term of the policy must be a minimum of one year for purchase transactions. For refinance transactions, the remaining term after closing must be at least 60 days.
6. **Minimum Fire Coverage** - The lower of 100% of the replacement value as determined by the property insurer or the loan amount.
7. **Maximum Fire Deductible** -
 - Single Family Residence (1-4 Units) - The maximum deductible is the higher of 1% of the policy amount or \$1,000.00.
 - Condominium/PUD Master Policies - The maximum deductible is the lower of 5% of the policy amount or \$50,000.00.
8. **Minimum Flood Coverage** - The lower of the replacement value of the improvements established by the property insurer, or the combined total of all loans secured by the property, or the maximums established under the National Flood Insurance Program (NFIP).
9. **Maximum Flood Deductible** -
 - Single Family Residence (1-4 Units) - The maximum deductible is \$5,000, subject to the maximum deductible amount allowed under the NFIP.
 - Condominium/PUD Master Policies - The maximum deductible is \$25,000, subject to the maximum deductible amount allowed under the NFIP.

CAMDEN ESCROW
Escrow/Title Company

DEENA DAVIS

By:

Escrow/Title Authorized Signature

DARYL KRESS, TRUSTEE OF THE
HARLOW TRUST DATED
SEPTEMBER 11, 2007