

1 Trevor Quirk, tmq@qlflaw.com  
2 Aletheia Gooden  
3 877 S Victoria Ave., Ste. 111  
4 Ventura, CA 93003  
5 Telephone: (805) 650-7778  
6 Facsimile: (866) 728-7221

7 *Trevor Quirk, Trustees of the Quirk/Gooden Family Trust, Roe 199;*  
8 *Aletheia Gooden, Trustee of the Quirk/Gooden Family Trust, Roe 95*

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF LOS ANGELES**

11 SANTA BARBARA CHANNELKEEPER, a  
12 California non-profit corporation,

13 Petitioner,

14 v.

15 STATE WATER RESOURCES CONTROL  
16 BOARD, et al.,

17 Respondents.

18 CITY OF SAN BUENAVENTURA, et al.,

19 Cross-Complainant,

20 v.

21 DUNCAN ABBOTT, an individual, et al.,

22 Cross-Defendants.

Case No.: 19STCP01176

**CROSS-DEFENDANTS TREVOR QUIRK  
& ALETHEIA GOODEN'S REQUEST  
FOR JUDICIAL NOTICE**

Trial Date: 03/16/2022

Time: 8:30 AM

Place: Dept. SS10

23 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:**

24 PLEASE TAKE NOTICE that on March 16, 2022, at 8:30 a.m. in Dept. SS10 of this Court,  
25 located at 312 N Spring Street, Los Angeles, California, Cross-Defendants Trevor Quirk and  
26 Aletheia Gooden ("Cross-Defendants"), will move this Court for an Order taking judicial notice  
27 of:

- 28 • Code of Federal Regulations § 328.3;
- City of Ventura Legal Report, Agenda Item No. 8E dated November 20, 2018;
- City of Ventura Response to Public Records Act Request dated February 22, 2022;

- United States Department of Commerce letter dated August 29, 2007 and accompanying draft biological opinion; and
- The definition of material provided in Black’s Law Dictionary, Seventh Addition
- The definition of material provided in Merriam Webster’s Collegiate Dictionary, Tenth Edition.

**Memorandum of Points & Authorities**

The Court is required to take judicial notice of Code of Federal Regulations § 328.3 as Evidence Code § 451(a) provides [j]udicial notice *shall* be taken of the statutory law of the United States.

Similarly, the Court is required to take judicial notice of the definitions of substantial and material as Evidence Code § 451(e) provides [j]udicial notice *shall* be taken of all English words and phrases and of all legal expressions.

Pursuant to Evidence Code 452, the Court may take judicial notice of the City of Ventura’s Legal Report, Response to Public Records Act Request and the United States Department of Commerce letter and draft biological opinion.

Based on the foregoing, Cross-Defendants request the Court take judicial notice of the above-mentioned items.

DATED: March 2, 2022.

By:   
\_\_\_\_\_  
Trevor Quirk  
Cross Defendant