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Exempt From Filing Fees (Gov. Code § 6103)

Attorneys for Defendant County of San Diego

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN DIEGO, CENTRAL DIVISION**

JULIAN-CUYAMACA FIRE PROTECTION)
DISTRICT and BRIAN KRAMER,)

Plaintiffs,)

v.)

SAN DIEGO COUNTY LOCAL AGENCY)
FORMATION COMMISSION; COUNTY)
OF SAN DIEGO; MICHAEL VU, IN HIS)
CAPACITY AS REGISTRAR OF VOTERS)
FOR THE COUNTY OF SAN DIEGO; and)
ALL PERSONS INTERESTED IN THE)
MATTER OF SAN DIEGO COUNTY)
LOCAL AGENCY FORMATION)
COMMISSION RESOLUTION NO. RO18-)
09 ET AL. ORDERING THE)
REORGANIZATION AFFECTING THE)
JULIAN-CUYAMACA FIRE PROTECTION)
DISTRICT AND COUNTY SERVICE)
AREA NO. 135, PROVIDING FOR THE)
DISSOLUTION OF THE)
JULIANCUYAMACA FIRE PROTECTION)
DISTRICT, EXPANSION OF COUNTY)
SERVICE AREA NO. 135'S EXISTING)
LATENT POWERS IN THE AFFECTED)
TERRITORY, AND DESIGNATING)
COUNTY SERVICE AREA NO. 135 AS)
THE SUCCESSOR AGENCY TO THE)
DISSOLVED DISTRICT, AND RELATED)
ACTIONS,)

Defendants.)

No. 37-2019-00018076-CU-MC-CTL
(Action filed: April 8, 2019)

**DECLARATION OF ELAINE KAVASCH
IN SUPPORT OF DEFENDANT COUNTY
OF SAN DIEGO'S EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER**

Date: April 25, 2019
Time: 8:30 a.m.
Dept.: C-70
Trial Date: None Set

Judge: Hon. Randa Trapp

[IMAGED FILE]

1 I, Elaine Kavasch, declare:

2 1. I am a Research Analyst at DigiStream Investigations. I personal knowledge of
3 the facts set forth below and, if called upon as a witness, could and would competently testify
4 thereto.

5 2. On April 12, 2019, Digistream was asked by the Office of County Counsel for the
6 County of San Diego to conduct a GeoSocial Sweep® for social media posts regarding the
7 Julian Fire Department. A GeoSocial Sweep is an investigation focused on an area where an
8 incident occurred, drawing geographic fences using hash-tagged, geo-tagged content or
9 searching for keywords specific to that location, with the goal of finding social media activity
10 regarding the incident and/or any potential witnesses. I conducted the social media investigation
11 of the location and individuals involved.

12 3. At the outset of the investigation, Digistream was asked to search and preserve the
13 content of the following social media pages: <https://www.facebook.com/backcountrystrong/>;
14 <https://www.facebook.com/groups/539880143022080/>; [https://www.facebook.com/](https://www.facebook.com/julianfiredepartment/)
15 [julianfiredepartment/](https://www.facebook.com/julianfiredepartment/); <https://www.facebook.com/groups/539880143022080/>;
16 <https://www.facebook.com/JulianVolunteerFireCompany/>; [https://www.facebook.com/](https://www.facebook.com/juliannewspaper/)
17 [juliannewspaper/](https://www.facebook.com/juliannewspaper/); <https://www.facebook.com/rachel.goddard.58>; [https://www.facebook.com/](https://www.facebook.com/patricia.landis.5)
18 [patricia.landis.5](https://www.facebook.com/patricia.landis.5); <https://www.facebook.com/karen.kiefer.18>, and a Twitter account for Mr. Cory
19 Briggs. Digistream elected to preserve the provided Facebook and Twitter links via E-Vault
20 Archive to save content which may otherwise have been deleted between the evening of April
21 12, 2019, and the early morning of April 15, 2019. It was through this preservation that an
22 additional Facebook group, The other Julian Connection, and two additional Facebook pages,
23 Julian Cuyamaca Fire and Emergency Preparedness, and Julian - Cuyamaca Fire Medic 56 were
24 uncovered and preserved, as notable content from these pages was identified, as shared via the
25 provided links.

26 4. On April 15, 2019, I began my investigation of the incident. I first looked over the
27 e-vault archived links to find any notable content regarding witnesses which may had been
28 deleted. Next, I searched through all the provided and additional uncovered links and identified

1 and included notable content from these pages, groups, and accounts in my report. I searched for
2 additional groups within the Julian, California area, and used Keyword searches in Facebook
3 and Twitter, as well as geo-tagged and hash-tagged content via Instagram, to identify further
4 content regarding the incident, and/or individuals involved. These keywords directly related to
5 the incident, such as “Julian Cuyamaca Fire Protection District,” “JCFPD,” “Backcountry
6 Strong,” “Julian Fire Department,” and “Station 56,” as well as geo-tagged content such as,
7 “Julian, California,” “Julian Cuyamaca Fire Protection District”, and hash tags such as “JCFPD”
8 “JulianCuyamaca” and “BackcountyStrong.” These searches yielded additional notable content
9 from Cory Briggs’ additional Twitter account, Mr. Joseph Van Natta’s Facebook account, Mr.
10 Otto Allen’s Facebook and Instagram accounts, The Times of San Diego Newspaper, Mr. Ken
11 Stone’s Facebook account, a post by Instagram user @debbblou, Ms. Priya Sridhar’s Twitter
12 account, Ms. Lorelei Von Bretton’s Facebook account, and the Discover Julian Facebook Page.
13 It should be noted that all content featured in the report is available to the public, and all privacy
14 settings on all accounts were respected.

15 5. I continued to monitor these accounts, as well as the keyword and geo-tagged
16 searches on April 16, 2019, and April 17, 2019, to ensure all notable content posted since the
17 date of incident was included. Through these searches, and monitoring, I identified 11
18 individuals who had visited or occupied the station since the date of incident, or who may have
19 had knowledge of individuals involved, or activities occurring at the station. These individuals
20 were Ms. Rachel Goddard, Mr. Joseph Van Natta, Ms. Leslie Crouch, Mr. Otto Allen, Mr.
21 Willie Cruz, Ms. Toni A. Harter, Mr. Mike Von Bibber, Ms. Patricia Landis, Ms. Karen Kiefer,
22 Ms. Barbara Hedrick, and Mr. Cory Briggs.

23 6. On April 17, 2019, I elected to e-vault additional content that had been posted
24 since April 12, 2019, as well as the Facebook accounts for Rachel Goddard, Joseph Van Natta,
25 Otto Allen, and Leslie Crouch who had posted about being at the station multiple days since the
26 incident had occurred. On April 17, 2019, I sent relevant social media postings to the Office of
27 County Counsel for the County of San Diego.

28 ///

7. Attached hereto as Exhibit A are true and correct copies of some of the relevant social media postings that I uncovered during my investigation.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 22nd day of April 2019, at San Diego, California.

Elaine M. Kavash

ELAINE KAVASCH

EXHIBIT A



Otto Allen

April 12 at 4:10 PM · 🌐

I am involved in this, I've spent 3 days on lockdown in our station and I will continue to spend as much time as I can. I am standing with my brothers and sisters stoping the county's illegal Basigement. Below is a press release from my chief, please take the Time and read it.



Mike Van Bibber
JCFPD Batallion Chief

TIMESOFSDANIDEGO.COM

Opinion: Julian Volunteer Firefighters Face County Prosecution for Doing Jobs - Times of San Diego

👍❤️ 12

7 Shares

👍 Like

💬 Comment

➦ Share



Patricia Landis

April 10 at 1:17 PM

JCFPD scheduled an ex-party hearing today to reinforce the Order issued by Superior Court Judge Randa Trapp last Friday, stating the previous JCFPD Board violated the Brown Act and all actions taken with regard to dissolution after March 2019 are null and void. This means the Application to LAFCO for Dissolution and the recent election. The hearing also asked for a TRO to prevent any organization from attempting to take over Julian Station.

LAFCO requested a change of venue (judge) and the hearing was postponed. It is likely the hearing will be rescheduled for Monday (that is speculation).

Meanwhile, JCFPD firefighters will lawfully remain in control of Station 56 - until the issue is resolved by the Court.



8

28 Comments 2 Shares Seen by 92



Like



Share



Joseph Van Natta

April 8 at 6:49 PM · 🌐

Day one of the siege of JCFPD station 56 and the Kumeyaay Nation by the County and Calfire. JCFPD station 57 has fallen to the county, but all assets were removed prior and are safe.

Giddy up!





Rachel Goddard is at Julian Cuyamaca Fire Protection District. ...

April 12 at 10:18 AM · Julian · 🌐

JCFPD IS STILL HERE. WERE NOT GOING ANYWHERE.

#backcountrystrong #countryboyscansurvive




👍❤️😱 31

6 Comments

👍 Like

➦ Share



Julian Times

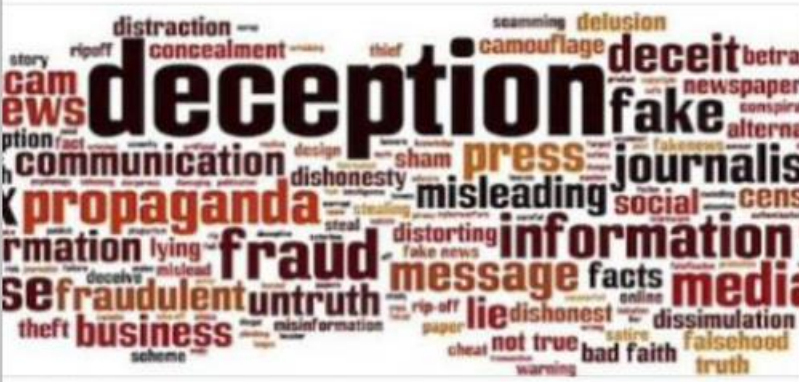
12 hrs · 🌐




(Julian) According to information obtained through a public records request and legal proceedings, the "broke" Julian Cuyamaca fire protection district has over 800,000.00 to it's name.

The funds are greater than last year's district budget.


The monies are in three different accounts and, per the judge on the case, will remain unspent until the court rules. The district is funded by special district taxes, grants and donors, and a fire funding fee that voters agreed to in 1984. A separate 50.00 per year funds the fire station building.


Some members of the previous board and county officials have stated that the district was out of funds.








12

3 Comments 4 Shares

 Like

 Comment


 Share




Carl David Laster

Thanks for clarifying the facts, it's nice hearing real facts for a change.

Like · Reply · 12h


 3




Ivars Bezdechi

The Times of San Diego says it is \$375,000 of their funds are in a trust account held by attorney Cory Briggs.

Like · Reply · 11h


 2



Julian Times

Ivars Bezdechi yes, that is one of the three accounts.

Like · Reply · 11h

 3