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**FILED**  
 Superior Court of California  
 County of Los Angeles

DEC 30 2014

Sherri R. Carter, Executive Officer/Clerk  
 By Mary D. Clark Deputy  
 Mary D. Clark

6 Attorneys for Defendant  
 CALIFORNIA INSTITUTE OF TECHNOLOGY

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 9 **COUNTY OF LOS ANGELES**

11 SANDRA TROIAN, Ph.D.,  
 12 Plaintiff,  
 13 v.  
 14 CALIFORNIA INSTITUTE OF  
 TECHNOLOGY,  
 15 Defendant.

Case No. BS152258  
**DEFENDANT CALIFORNIA  
 INSTITUTE OF TECHNOLOGY'S  
 NOTICE OF MOTION AND MOTION  
 TO BIFURCATE MANDAMUS  
 PROCEEDINGS AND STAY  
 PLAINTIFF'S LEGAL CAUSES OF  
 ACTION PENDING RESOLUTION OF  
 MANDAMUS REVIEW;  
 MEMORANDUM OF POINTS AND  
 AUTHORITIES IN SUPPORT  
 THEREOF**

Complaint Filed: November 13, 2014  
 Trial Date: None Set

Date: May 14, 2015  
 Time: 1:30 p.m.  
 Dept: 82  
 Judge: Hon. Luis A. Lavin

CIT/CASE #: BS152258  
 LEA/DEF#:  
 RECEIPT #: CCH520872077  
 DATE PAID: 12/30/14 03:03 PM  
 PAYMENT: \$435.00  
 RECEIVED: 310  
 CHECK: \$435.00  
 CASH: \$0.00  
 CHANGE: \$0.00  
 CARD: \$0.00

12/31/2014

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** on May 14, 2015, at 1:30 p.m., or as soon thereafter  
3 as the matter may be heard in Department 82 of the Los Angeles County Superior Court, located  
4 at 111 N. Hill Street, Los Angeles, California 90012, Defendant California Institute of  
5 Technology ("Caltech") will and hereby does move for an order (1) bifurcating mandamus  
6 proceedings under CCP § 1094.5 or CCP § 1085 from Plaintiff Sandra Troian's four legal causes  
7 of action against Caltech; and (2) staying discovery and any other proceedings related to  
8 Plaintiff's four legal causes of action until completion of the appropriate mandamus process.

9 This motion is made pursuant to Code of Civil Procedure sections 1048(b) and 598 on the  
10 grounds that Plaintiff has failed to exhaust her judicial remedies and that bifurcation of the  
11 mandamus proceedings and a stay of the remaining four causes of action will promote judicial  
12 economy and efficiency, and otherwise serve the ends of justice.

13 This motion is based upon this notice of motion, the memorandum of points and  
14 authorities, the concurrently filed Declaration of Grace Fisher-Adams, the records, papers, and  
15 files in this case, and any further evidence or argument that the Court receives prior to decision.

16  
17 Dated: December 30, 2014

CAROLYN KUBOTA  
APALLA U. CHOPRA  
O'MELVENY & MYERS LLP

18  
19  
20 By: Apalla U. Chopra /vH  
Apalla U. Chopra  
Attorneys for Defendant  
California Institute of Technology

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. INTRODUCTION.

3 Plaintiff Dr. Sandra Troian ("Troian" or "Plaintiff") admits that while employed by the  
4 California Institute of Technology ("Caltech" or "Defendant"), she listed her cat—M. Pucci—as  
5 co-author on a scientific abstract submitted to the American Physical Society. Troian's former  
6 postdoctoral research scholar, Dr. Anoosheh Niavaranikeiri, contacted Caltech to inquire about  
7 the identity of "M. Pucci" and to express surprise that she, Dr. Niavaranikeiri, had not been  
8 named as an author. In response, Caltech appointed a four-member faculty committee (the  
9 "Investigation Committee" or "Committee") to investigate the abstract's authorship. The  
10 Committee found that Troian had behaved improperly. With respect to sanctions, Caltech only  
11 mildly admonished Troian. Caltech advised her that the decision to list her cat as an author  
12 "reflects poorly" on her and Caltech and encouraged Troian to "consider" acknowledging  
13 Dr. Niavaranikeiri's contributions in "future publications." (See Exhibit A to Declaration of  
14 Grace Fisher-Adams ("Fisher-Adams Decl.") filed concurrently herewith.)

15 Troian has sued Caltech, however, alleging that the Investigation Committee process was  
16 a "sham" undertaken to retaliate against her for cooperating with the FBI in an unrelated matter.  
17 But Troian must use a mandamus process to challenge Caltech's academic investigation. Unless  
18 Troian succeeds in a mandamus proceeding, she cannot challenge the underlying issues through a  
19 civil lawsuit. *Westlake v. Comm. Hosp. v. Super. Ct.*, 17 Cal. 3d 465, 484 (1976); *DeCuir v. Cnty*  
20 *of Los Angeles*, 64 Cal. App. 4th 75, 83 (1998).

21 Recognizing this, Troian has requested a Writ of Mandate under CCP § 1094.5 or,  
22 alternatively, CCP § 1085. She also, however, seeks damages and legal (as opposed to equitable)  
23 relief against Caltech through four causes of action. Each legal claim rests primarily on the  
24 allegations at issue in Caltech's administrative proceeding; her legal claims are therefore  
25 premature. "So long as such a quasi-judicial decision is not set aside through appropriate review  
26 procedures the decision has the effect of establishing the propriety of the [university's] action."  
27 *Westlake*, 17 Cal. 3d at 484; *DeCuir*, 64 Cal. App. 4th at 83. As a matter of law, Troian is barred  
28 from pursuing her legal claims against Caltech unless and until she succeeds on a mandamus

1 challenge. *Id.* Caltech therefore respectfully requests that this Court bifurcate the writ  
2 proceeding from Troian's legal causes of action, and stay discovery and all other proceedings  
3 with respect to Troian's legal causes of action until the mandamus review is complete.<sup>1</sup>

4 **II. BACKGROUND.**

5 On November 13, 2014, Troian filed a Complaint against Caltech in Los Angeles Superior  
6 Court seeking a Petition for Writ of Mandate under CCP § 1094.5 or, alternatively, CCP § 1085.  
7 She also asserted causes of action for: (1) Retaliation in Violation of Cal. Labor Code  
8 § 1102.5(b); (2) Representative Action for Civil Penalties Pursuant to the Private Attorney  
9 General Act; (3) Breach of Contract; and (4) Breach of Implied Covenant of Good Faith and Fair  
10 Dealing. Plaintiff's Complaint alleges the following facts, which the Court must assume are true  
11 for purposes of this motion.

12 In 2006, Troian joined the Caltech faculty as a Professor of Applied Physics. (Complaint  
13 ¶¶ 13-14.) In June 2011, Troian hired Dr. Anoosheh Niavaranikeiri as a postdoctoral research  
14 scholar to assist Troian with a project related to "Thermal Slip." (*Id.* ¶ 77.) Dr. Niavaranikeiri  
15 worked with Troian on the Thermal Slip project until June 2012, when Dr. Niavaranikeiri  
16 abruptly left Caltech. (*Id.* ¶ 79.)

17 On June 28, 2012, and July 3, 2012, FBI agents approached Troian, seeking information  
18 about one of Troian's former postdoctoral scholars, Amir Gat. (*Id.* ¶¶ 56-60.) According to  
19 Troian, she cooperated with the FBI and responded truthfully to the agents' questions. (*Id.* ¶ 58.)

20 On August 2, 2012, Troian submitted online an abstract for the American Physical  
21 Society's ("APS") November 2012 conference. (*Id.* ¶ 81.) Troian's abstract reported results for  
22 the Thermal Slip project. (*Id.* ¶ 84.) Troian did not list Dr. Niavaranikeiri as a co-author on the  
23 abstract. (*Id.*) Instead, Troian listed "M. Pucci" as the first author and herself as the second  
24 author. (*Id.* ¶ 85.) After Caltech received an inquiry from Dr. Niavaranikeiri regarding the  
25 identity of "M. Pucci" and her own authorship status, Caltech reached out to Troian, who  
26 admitted that M. Pucci was her cat. (*Id.* ¶¶ 93-95.)

27 \_\_\_\_\_  
28 <sup>1</sup> Plaintiff bears the burden of proving all elements of each writ petition alleged in her Complaint,  
including applicability to this case.

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1 On February 26, 2013, Caltech informed Troian it had created a faculty committee to  
2 investigate her decisions to list her cat and to omit Dr. Niavaranikheiri as co-author. (*Id.* ¶¶ 110,  
3 111, 114.) Between March 2013 and May 2013, the Investigation Committee investigated these  
4 issues by interviewing witnesses and collecting and reviewing evidence. (*Id.* ¶ 115.) On  
5 September 1, 2013, the Investigation Committee issued a Final Report of its findings. (*Id.* ¶ 121.)  
6 According to Troian, the Committee found her “guilty of wrongdoing.” (*Id.*) On October 17,  
7 2013, the Vice Provost of Academic Affairs ratified the Investigation Committee’s findings.  
8 (*Id.* ¶ 123). On April 14, 2014, the Caltech Provost, who was then serving as Interim President,  
9 affirmed the Committee’s findings after consideration of Troian’s appeal. (*Id.* ¶ 130.) With  
10 respect to sanctions, Caltech admonished Troian that listing her cat as co-author on a scientific  
11 abstract “reflects poorly both on [her] and Caltech” and suggested that Troian “carefully  
12 consider” giving credit to Dr. Niavaranikheiri on future abstracts. (*Id.* ¶ 130; *see* Fisher-Adams  
13 Decl., Ex. A.)

14 **III. DISCUSSION.**

15 Troian asks this Court to “[i]ssue a peremptory writ of mandate under CCP § 1094.5, or,  
16 alternatively CCP § 1085, setting aside Caltech’s findings and final decision on the charges  
17 against Dr. Troian.” (Complaint, Request for Relief ¶ 3.) Troian also asserts claims for damages  
18 based on the same facts. For the reasons set out below, those claims are premature and should be  
19 bifurcated and stayed until the mandamus proceeding is complete.

20 **A. The Court Has Inherent Power To Bifurcate And Stay Troian’s Legal Claims.**

21 This Court has inherent power to bifurcate mandamus proceedings and to stay Troian’s  
22 legal claims. “As early as 1940 our Supreme Court observed that ‘[t]here is nothing novel in the  
23 concept that a trial court has the power to exercise a reasonable control over all proceedings  
24 connected with the litigation before it. Such power necessarily exists as one of the inherent  
25 powers of the court and such power should be exercised by the courts in order to insure the  
26 orderly administration of justice.’ *Nazir v. United Airlines, Inc.*, 178 Cal. App. 4th 243, 289-290  
27 (2009) (citing *Hays v. Super. Ct.*, 16 Cal. 2d 260, 264 (1940)). Indeed, courts have broad  
28

1 discretion with respect to the order of proof presented at trial, and may order a “separate trial of  
2 any cause of action . . . or of any separate issue or of any number of causes of action or issues.”  
3 Cal. Civ. Proc. Code § 1048(b); Cal. Civ. Proc. Code § 598; *Heppler v. J.M. Peters Co.*, 73 Cal.  
4 App. 4th 1265, 1285 (“a court has wide discretion in controlling the manner in which evidence is  
5 presented”).

6 Further, “the power to stay proceedings is incidental to the power inherent in every court  
7 to control the disposition of the causes on its docket with economy of time and effort for itself, for  
8 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also Freiberg v.*  
9 *City of Mission Viejo*, 33 Cal. App. 4th 1484, 1489 (1995) (“Trial courts generally have the  
10 inherent power to stay proceedings in the interests of justice and to promote judicial efficiency.”)

11 **B. Troian Must Succeed In A Mandamus Proceeding Before Pursuing Damages**  
12 **Based On Caltech’s Administrative Investigation.**

13 **1. Troian’s Four Causes Of Action For Damages Are Premature Because**  
14 **She Has Failed To Exhaust Judicial Remedies.**

15 The doctrine of exhaustion of judicial remedies “precludes an action that challenges the  
16 result of a quasi-judicial proceeding unless the plaintiff first challenges the decision through a  
17 petition for writ of mandamus.” *Gupta v. Stanford Univ.*, 124 Cal. App. 4th 407, 411 (2004)  
18 (holding that plaintiff could not challenge Stanford University’s academic proceeding in civil  
19 litigation because he failed to exhaust his judicial remedies through a writ of mandate); *DeCuir*,  
20 64 Cal. App. 4th at 83; *Westlake*, 17 Cal. 3d at 484; *see also City of Fresno v. Super. Ct.*, 188 Cal.  
21 App. 3d 1484, 1488 (1987) (plaintiff’s failure “to challenge successfully the board’s  
22 administrative decision renders his tort action premature”). The exhaustion requirement is the  
23 same under either administrative mandamus pursuant to CCP § 1094.5 or traditional mandamus  
24 under CCP § 1085. *DeCuir*, 64 Cal. App. 4th at 83 n. 7 (CCP § 1094.5 requires judicial remedy  
25 exhaustion and “the same barrier applies to actions brought pursuant to the ordinary mandate  
26 procedures specified in Code of Civil Procedure section 1085.”) As the California Supreme  
27 Court has explained, the “requirement that employees exhaust judicial remedies ensures proper  
28 respect for administrative proceedings. It requires employees challenging administrative findings

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1 to do so in the appropriate forum, by filing a writ of administrative mandamus petition in superior  
2 court.” *Schifando v. City of Los Angeles*, 31 Cal. 4th 1074, 1090 (2003). Under the exhaustion  
3 doctrine, Plaintiff’s legal claims are premature.

4           2.       **Each Of Troian’s Legal Causes Of Action Is Based Primarily On**  
5                   **Caltech’s Administrative Process And Should Be Bifurcated And**  
6                   **Stayed.**

7           Where the gravamen of a plaintiff’s claims is the same as the subject matter of the  
8 administrative process, the plaintiff must first pursue his or her claims through a writ of mandate.  
9 *See Gupta*, 124 Cal. App. 4th at 412 (“Regardless of Gupta’s characterization of the causes of  
10 action in tort or contract, he cannot avoid the fact that the gravamen of his claims is confined to  
11 the disciplinary process and the proceedings against him. As such, Gupta was required to pursue  
12 his claims through writ of mandate”); *see also Gutkin v. Univ. of S. Cal.*, 101 Cal. App. 4th 967,  
13 980 (2002). (“despite the tort labels, the substance of these claims is strictly confined to the  
14 employment relationship and the University’s dismissal proceedings: precisely the type of claims  
15 that administrative mandamus is designed to address.”).

16           Here, the focus of the administrative process was two-fold: (1) the circumstances under  
17 which Troian “list[ed] [ ] [her] cat as first author on the submitted and published abstract; and  
18 (2) an allegation by Dr. Anoosheh Niavarani, [Troian’s] postdoctoral fellow from 2011 and  
19 2012, that the work presented in the abstract is, in part, her work for which she should have  
20 received credit as a coauthor.” (Complaint ¶ 111.) Despite the labels Troian has attached to her  
21 four legal claims, each fundamentally challenges Caltech’s administrative process and its  
22 findings.

23           Troian alleges that the administrative process was a “sham” that lay at the heart of  
24 Caltech’s alleged “campaign of retaliation and intimidation” against her for cooperating with the  
25 FBI. Caltech’s alleged goal was to “drive her out of Caltech and ruin her career.” (Complaint  
26 ¶¶ 61-171, 197.) In her retaliation claim, Troian alleges that Caltech’s retaliatory actions  
27 included “falsely accusing her of research misconduct [a reference to the allegations the  
28 Committee investigated]; refusing to follow the [Faculty] Handbook’s procedure of investigating

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1 research misconduct and instituting sham proceedings that violated her rights as a faculty  
2 member; issuing false findings of wrongdoing against her and imposing discipline against her; . . .  
3 [and] causing her to waste significant time and money to fight Caltech's baseless allegations  
4 against her." (*Id.* ¶ 197.)

5 In her breach of contract claim, Plaintiff alleges that the administrative process was a  
6 "sham" and was procedurally flawed because it did not conform to the Research Misconduct  
7 Policy set forth in Caltech's Faculty Handbook. (*Id.* ¶¶ 220-230). In her breach of implied  
8 covenant of good faith and fair dealing claim, Troian alleges that "Caltech breached its duty of  
9 good faith and fair dealing to Dr. Troian by subjecting her to a sham investigation designed to  
10 result in false adverse findings against her so that Caltech could justify imposing discipline on  
11 her, in its effort to harm her reputation, damage her career, and drive her out of her job."  
12 (*Id.* ¶ 234.)

13 Each of the alleged legal claims relies upon Caltech's administrative process, which can  
14 only be challenged through a writ proceeding. Because Troian has failed to exhaust her judicial  
15 remedies, her legal claims are premature. The Court should therefore bifurcate Troian's legal  
16 claims and stay them until the mandamus proceeding is resolved.

17 C. **Bifurcation Of Mandamus Proceedings And A Stay Of Troian's Legal Claims**  
18 **Will Promote Judicial Efficiency And Simplify The Court's Proceedings.**

19 Bifurcation would simplify the judicial proceedings in this case and promote judicial  
20 economy. *See Landis*, 299 U.S. at 254; *see also Freiberg*, 33 Cal. App. 4th at 1489. Mandamus  
21 proceedings generally do not involve discovery and are based instead on a review of the  
22 narrowly-limited administrative record. *See Schoenen v. Bd. of Med. Exam'rs*, 245 Cal. 2d 909,  
23 913 (1966) (hearing in administrative mandamus case is "more of the nature of a review than of  
24 an unlimited new trial"). In both traditional and administrative mandamus proceedings, the  
25 "general rule preclud[es] evidence outside the administrative record." *Cardiz Land Co., Inc. v.*  
26 *Rail Cycle, L.P.*, 83 Cal. App. 4th 74, 119-120 (2000). Additionally, a plaintiff has no right to a  
27 jury trial in mandamus proceedings; the Court generally decides writ petitions. As the California  
28 Supreme Court has explained, the mandamus process "simplif[ies] court procedures by providing



1 a uniform practice of judicial, rather than jury, review of quasi-judicial administrative decisions.”  
2 *Westlake*, 17 Cal. 3d at 484 (citations omitted); *see also Pomona College v. Super. Ct. of Los*  
3 *Angeles*, 45 Cal. App. 4th 1716, 1724 (1996) (“Important public policy interests are served by  
4 providing a uniform practice of judicial, rather than jury, review of quasi-judicial administrative  
5 decisions.”)

6 Strong policy considerations also weigh in favor of the Court’s considering Troian’s writ  
7 petition first, under a mandamus standard. Like the decision regarding tenured faculty conduct in  
8 *Gutkin* and the adjudication of student cheating allegations in *Gupta*, Caltech’s administrative  
9 process required evaluation of whether Troian’s behavior was consistent with academic norms.  
10 *See Gutkin*, 101 Cal. App. 4th at 978 (administrative process leading to dismissal of tenured  
11 professor required “an assessment of whether the professor’s conduct is consistent with or  
12 contrary to academic norms, which only academic peers, not lay jurors, are qualified to  
13 determine.”); *Gupta*, 124 Cal. App. 4th at 413 (“Gupta’s claims based upon Stanford University’s  
14 finding that he had violated the University’s Honor Code were ‘precisely the type of claims that  
15 administrative mandamus is designed to address.’”). Courts have been reluctant to review the  
16 merits of such academic decisions. *Gutkin*, 101 Cal. App. 4th at 977. The academic community  
17 has “the knowledge to meaningfully evaluate the candidate’s contribution within his or her  
18 particular field of study as well as the relevance of those contributions to the goals of the  
19 particular institution.” *Id.*

20 The Investigation Committee’s evaluation of Troian’s authorship choices—to list her cat  
21 as an author in place of Dr. Niavaranikeiri—similarly required knowledge of and experience  
22 with academic norms, as well as scientific expertise. Troian’s remedy for any wrongs she  
23 allegedly suffered as a result of that administrative process is a mandamus proceeding. Only if  
24 she overturns the final decision of the administrative process should she be allowed to litigate any  
25 surviving claims for damages. *See Westlake*, 17 Cal. 3d at 483 (“so long as such a quasi-judicial  
26 decision is not set aside through appropriate review procedures the decision has the effect of  
27 establishing the propriety of the [university’s] action.”); *Miller v. City of Los Angeles*, 169 Cal.  
28

1 App. 4th 1373, 1380 (2008) (“We serve judicial economy by giving collateral estoppel effect to  
2 appropriate administrative findings.”).

3 A stay of discovery during the mandamus proceedings will also promote judicial  
4 economy. As noted above, a mandamus proceeding would be based on the administrative record.  
5 “Evidence additional to the administrative record can be introduced only if that evidence could  
6 not with reasonable diligence have been presented at the administrative hearing, or was  
7 improperly excluded at that hearing.” *City of Fairfield v. Super. Ct.*, 14 Cal. 3d 768, 771 (1975).  
8 By addressing the mandamus proceeding first, the Court and the parties could dispose of a  
9 significant subset of the issues in this case without discovery, in a court-adjudicated hearing.<sup>2</sup>

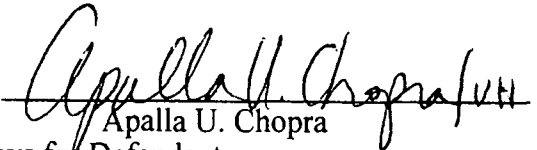
10 **IV. CONCLUSION.**

11 For all of the reasons set forth above, Caltech respectfully requests that this Court  
12 bifurcate the mandamus proceeding, and stay Plaintiff’s four legal causes of action, including  
13 discovery related thereto, until final resolution of Plaintiff’s petition for writ of mandamus.

14 Dated: December 30, 2014.

CAROLYN KUBOTA  
APALLA U. CHOPRA  
O’MELVENY & MYERS LLP

17  
18 By:



Apalla U. Chopra  
Attorneys for Defendant  
CALIFORNIA INSTITUTE OF  
TECHNOLOGY

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28 <sup>2</sup> Caltech currently takes no position as to whether, if Caltech were to prevail on the mandamus  
petition, any of Troian’s legal causes of action would remain viable.

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1 **PROOF OF SERVICE**

2 I, Vanessa Hayes, declare:

3 I am a resident of the State of California and over the age of eighteen years,  
4 and not a party to the within action; my business address is 610 Newport Center Drive,  
5 17th Floor, Newport Beach, California 92660-6429. On December 30, 2014, I served the  
6 within document(s):

7 **DEFENDANT CALIFORNIA INSTITUTE OF TECHNOLOGY'S**  
8 **NOTICE OF MOTION AND MOTION TO BIFURCATE**  
9 **MANDAMUS PROCEEDINGS AND STAY PLAINTIFF'S LEGAL**  
10 **CAUSES OF ACTION PENDING RESOLUTION OF MANDAMUS**  
11 **REVIEW; MEMORANDUM OF POINTS AND AUTHORITIES IN**  
12 **SUPPORT THEREOF.**

13  by placing the document(s) listed above in a sealed envelope with postage  
14 thereon fully prepaid, in the United States mail at Newport Beach,  
15 California, addressed as set forth below. I am readily familiar with the firm's  
16 practice of collecting and processing correspondence for mailing. Under  
17 that practice it would be deposited with the U.S. Postal Service on that same  
18 day with postage thereon fully prepaid in the ordinary course of business. I  
19 am aware that on motion of the party served, service is presumed invalid if  
20 the postal cancellation date or postage meter date is more than one day after  
21 date of deposit for mailing in affidavit.

22  by putting a true and correct copy thereof, together with an unsigned copy of  
23 this declaration, in a sealed envelope designated by the carrier, with delivery  
24 fees paid or provided for, for delivery the next business day to the person(s)  
25 listed below, and placing the envelope for collection today by the overnight  
26 courier in accordance with the firm's ordinary business practices. I am  
27 readily familiar with this firm's practice for collection and processing of  
28 overnight courier correspondence. In the ordinary course of business, such  
correspondence collected from me would be processed on the same day,  
with fees thereon fully prepaid, and deposited that day in a box or other  
facility regularly maintained by FedEx, which is an express carrier.

by causing the document(s) to be emailed or electronically transmitted to the  
person(s) at the email addresses set forth below, pursuant to a court order or  
an agreement of the parties to accept service by email or electronic  
transmission. I did not receive, within a reasonable time after the  
transmission, any electronic message or other indication that the  
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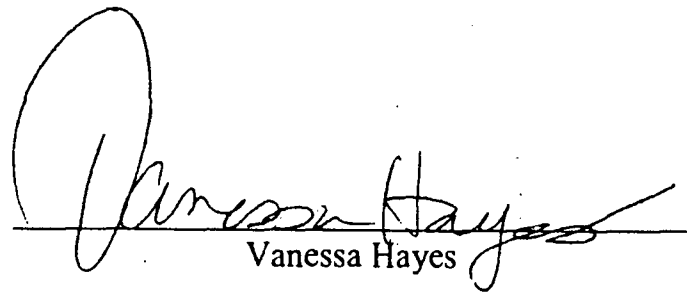
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Caused personal service by requesting that an agent or employee of Nationwide Legal LLC deliver to the office of the recipient named below, either by handing the document(s) to the recipient or by leaving the document(s) with the receptionist or other person apparently in charge of the recipient's office:

Dan Stormer, Esq. Attorneys for Plaintiff/Petitioner  
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Washington, D.C. 20009  
Telephone: (202) 745-1942  
Facsimile: (202) 745-2627

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on December 30, 2014, at Newport Beach, California.

  
Vanessa Hayes

12/31/2014