

San Francisco Superior Courts
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Case Number: CCH-04-562501

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ORDER

BINGHAM MCCUTCHEN LLP VS. LOUIS E. VARELA NEVAER

001C01012533

Instructions:

Please place this sheet on top of the document to be scanned.

IMAGED

AUG 5 - 2004

FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and State Bar number, if attorney):
 ADDRESS WHERE YOU WANT MAIL SENT:
 Donn Pickett
 BINGHAM MCCUTCHEN LLP
 Three Embarcadero Center
 18th Floor
 San Francisco, CA 94111
 TELEPHONE NO. (Optional): (415) 393-2000 FAX NO. (Optional): (415) 393-2286
 E-MAIL ADDRESS (Optional):
 ATTORNEY FOR (Name): Plaintiff, Bingham McCutchen LLP

FILED
 San Francisco County Superior Court

AUG 4 - 2004

GORDON PARK-LI, Clerk

BY: ~~V. WACK~~ Deputy Clerk

SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco
 STREET ADDRESS: 400 McCallister Street
 MAILING ADDRESS:
 CITY AND ZIP CODE: San Francisco, CA 94102
 BRANCH NAME:

PLAINTIFF: Trenton H. Norris
 DEFENDANT: Louis E. Varela Nevaer

CASE NUMBER:
 CCH-04-562501
 Judge: Hon. Sue M. Kaplan
 Dept.: 218

**ORDER AFTER HEARING ON PETITION FOR
 INJUNCTION PROHIBITING CIVIL HARASSMENT (CLETS)**

1. THIS ORDER, EXCEPT FOR AWARD OF ATTORNEY FEES AND COSTS, SHALL EXPIRE AT MIDNIGHT ON (date): IF NO DATE IS PRESENT, THIS ORDER EXPIRES 3 YEARS FROM THE DATE OF ISSUANCE.

2. This proceeding came on for hearing as follows:

Date: August 4, 2004 Time: 9:00 a.m. Dept.: ~~218~~ 514 Room: ~~218~~

3. Judicial officer (name): ~~Sue M. Kaplan~~ THOMAS J. MCELLEN Temporary judge
4. a. Plaintiff present Attorney present (name): Raymond C. Marshall
 b. Defendant present Attorney present (name):

THE COURT FINDS

5. a. The defendant is (name): Louis E. Varela Nevaer
 Sex: M F Ht.: 5'11" Wt.: 180 Hair Color: BRN Eye Color: BRN Race: Lat Age: 40 Date of Birth: 1964

b. The protected person is (name): Trenton H. Norris
 Sex: M F Date of Birth (optional):

c. Protected family or household members who reside with the protected person are:

(1) (Name):
 Sex: M F Date of Birth (optional):

(2) (Name):
 Sex: M F Date of Birth (optional):

(3) (Name):
 Sex: M F Date of Birth (optional):

Additional protected persons are listed on a separate page designated as Attachment 5c.

PLAINTIFF (Name): Trenton H. Norris	CASE NUMBER: CCH-04-562501
DEFENDANT (Name): Louis E. Varela Nevaer	

6. After the hearing on the petition, **IT IS ORDERED THAT DEFENDANT**

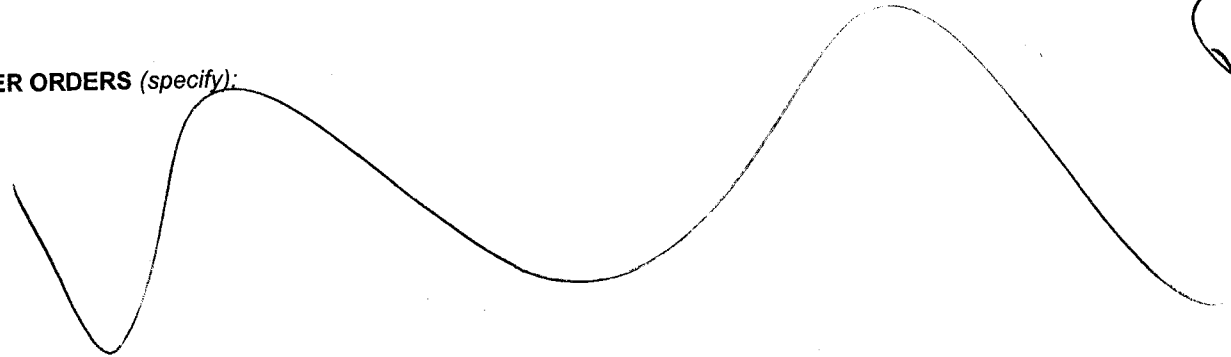
a. **must not** contact, molest, harass, attack, strike, threaten, sexually assault, batter, telephone, communicate by any means (including mail, fax, or e-mail), follow, stalk, destroy the personal property of, disturb the peace of, keep under surveillance, or block movements in public places or thoroughfares of

- the person seeking the order and the other protected persons listed in item 5c.

b. **must stay at least (specify):** 100 yards away from the following protected persons and places:

- (1) Person seeking the order
- (2) ~~The other protected persons listed in item 5c~~
- (3) Residence of person seeking the order
- (4) Place of work of person seeking the order
- (5) ~~The children's school or place of child care~~
- (6) The protected persons' vehicles
- (7) ~~Other (specify):~~

7. **OTHER ORDERS (specify):**



8. **MANDATORY FIREARM RELINQUISHMENT**

The restrained person **must** surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control within

- a. 24 hours after issuance of this order (if restrained person is present at hearing).
- b. 48 hours after service of this order (if restrained person is not present at hearing).
- c. other (specify):

If the restrained person owns, controls, or possesses any firearms, he or she must file a receipt with the court showing compliance with this order within 72 hours of receiving this order. (Form CH-145 is available for this purpose.)

PLAINTIFF (Name): Trenton H. Norris DEFENDANT (Name): Louis E. Varela Nevaer	CASE NUMBER: CCH-04-562501
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9. SERVICE OF ORDER ON LAW ENFORCEMENT

By the close of business on the date of this order, a copy of this order and any proof of service shall be delivered to the law enforcement agencies listed below by:

- a. plaintiff
- b. plaintiff's attorney: Raymond Marshall, Bingham McCutchen, LLP

<u>Law Enforcement Agency</u>	<u>Address</u>
San Francisco Sheriff's Department	City Hall, Room 456, San Francisco CA 94102
San Francisco District Attorney	850 Bryant Street, San Francisco 94102
San Francisco Police Department	850 Bryant Street, San Francisco 94102

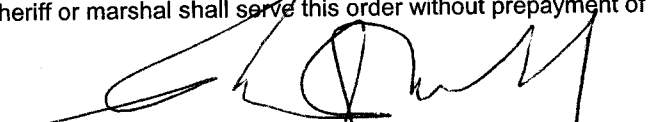
10. SERVICE OF ORDER ON DEFENDANT

Plaintiff must cause a copy of this order to be served on the defendant.

11. NO FEE FOR SERVICE OF ORDER

- a. The sheriff or marshal shall serve this order on the defendant without requiring plaintiff to pay any fee.
 - (1) Plaintiff qualifies for a fee waiver. Law enforcement shall serve the order without charging a fee.
- or-
- (2) The plaintiff has not qualified for a fee waiver, but the sheriff or marshal shall serve this order without prepayment of fee under Government Code section 6103.2.

Date: Aug 4, 2004



 JUDICIAL OFFICER

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

NOTICE REGARDING FIREARMS

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment.

[SEAL]

CLERK'S CERTIFICATE

I certify that the foregoing *Order After Hearing on Petition for Injunction Prohibiting Civil Harassment (CLETS)* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy