

PRETRIAL FORM NO. 1

NOTICE

Pursuant to Rule 222, Rules for the Superior Court, adopted by the Judicial Council, as amended, effective September 1, 1964, Sections 1, 6, 10, 12 and 13 of this form need not now be completed if waiver of pretrial is sought.

LEON E. LOFTON, JR. AND

Attorney for ESTHER M H (pro. per.)

541 W MANCHESTER BLVD #7, TANGLEWOOD, CALIF.

Telephone No. (NONE)

SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES

LEON E LOFTON, JR. AND ESTHER M H LOFTON.

No. 895188

JOINT PRETRIAL STATEMENT

SCHOOL BOARD vs MEMBERS OF LOS ANGELES UNIFIED SCHOOL DISTRICT AND ALL JOHN DOES.

Check Applicable Box:

- 1. [X] Request for waiver of pretrial conference and pretrial order. 2. [ ] Auto accident case. 3. [X] General civil case.

[Before completing this form, read Pretrial Policy Memorandum and follow instructions in check list. Wherever insufficient space is provided in this form, additional sheets should be attached as exhibits.]

The undersigned, being all of the parties who have appeared in this action, or their counsel, file this joint statement pursuant to Rule 210(c) [or Rule 222 (waiver)].

1. NATURE OF THE CASE:

Conspiracy to deprive Leon E., Jr. and Esther M.H. Lofton of the right to work as teachers or in any other endeavor, through:

- a. Fraud b. Political maneuvers c. Denial of Due Process of Law d. Unfair Judicial Decision e. Illegal search of property (furniture) f. Illegal seizure of property (U.S. Mails)

1 If box 1 is checked, Form No. 3 (Proposed Order Waiving Pretrial) should be submitted with Form No. 1.

2 If exhibit sheet is attached, refer to exhibit in the appropriate paragraph(s) in this form and use same paragraph number(s) in the exhibit as in the form. If material is lengthy, entire form may be typed.

IF NOT AUTO ACCIDENT CASE, SET FORTH AGREED OR ADMITTED MATTERS  
IN THIS SPACE (ADD SHEETS IF NECESSARY)

No matter has been denied

- Original action was accepted with "good cause appearing therefore" signed in Change of Venue by Judge Chas. Johnson of Sacramento Superior Court.
- CRA 6266 Appellate Department of Superior Court of Los Angeles which contains same matters was accepted "on its merits"

3. SETTLEMENT. We certify that the parties have, in good faith, discussed settlement but cannot agree upon a settlement. (See L. A. Pretrial Policy Memorandum No. 10 B.)

4. DISCOVERY. We certify that all depositions and discovery proceedings have been completed, except as follows (EXPLAIN VARIANCE FROM CERTIFICATE OF READINESS):  
CRA 6266 (above) and hearings in Matters of Juvenile Court of Los Angeles (No 10) could be classed as depositions and discovery.

5. LAW AND MOTION. No law and motion matters are pending or contemplated, except as follows for the following reasons (EXPLAIN VARIANCE FROM CERTIFICATE OF READINESS):

6. UNSERVED PARTIES. It is requested that the action be dismissed as to all defendants/cross-defendants, except: (Insert names of all defendants/cross-defendants to be retained in suit.)

~~Mr. William Barrager, Mrs. Kathleen Stevens, Mrs. Dawman,  
Mr. Carl Mertens, Mr. Aral Burns, Mrs. Lucille Barakatter,  
et al) & Mr. L. & I. E. S. J. tan Jr.~~

*Los Angeles Unified School District.*  
AA.

The reasons for not requesting dismissal as to any unserved party who has not appeared and who has not been defaulted are as follows:

The members of the School Board, a corporate body, are responsible for the actions of persons in their employ.

PRETRIAL FORM NO. 1

3.

(over)

7. REQUEST FOR PRETRIAL WAIVER. We certify that in our opinion neither attendance at a pretrial conference nor a pretrial order would serve a useful purpose. (If not a waiver case, say NOT APPLICABLE.)

8. ESTIMATED TRIAL TIME AND JURY DEMAND. The time estimated for trial is 5 days. Jury trial has (NOT) been demanded by

Mr. Ron Apperson, Deputy County Counsel

~~plaintiff(s)~~/defendant(s)

9. AGREEABLE TRIAL DATE. We have contacted the calendar clerk and have been advised that the following trial date is available which is convenient to all counsel: (If not a waiver case, say NOT APPLICABLE.) We are always available, (Emt and F.I.F. Jr.)

10. RELATED CASES. The following cases are pending which arose out of the same occurrence (if "none", so state): Matters of: (JUVENILE COURT)

Michael Lofton	317592-0191955 CE46
Yvona	317593-0191956 CE46
Steven	317594-0191957 CE46
Darry	323623-0200741 CE46
Tracy	323624-0200742 CE46
Nina	323625-0200743 CE46

11. NOTICE OF TRIAL. The parties do/do not waive notice of trial.  
(~~strike one~~)

12. EXTENSION OF TIME TO RULE ON WAIVER. If the court, within the time provided by Rule 222 for the court to act on this request for pretrial waiver, orders this case placed on the Special Pretrial Settlement Calendar pursuant to Rule 207.5, the time within which the court may act on this waiver request is extended to and including the 10th day after the conclusion of the settlement conference. (If not a waiver case, NOT APPLICABLE.)

13. STATEMENT OF LEGAL AND FACTUAL CONTENTIONS.<sup>4</sup> The joint or separate statement(s) of legal and factual contentions as to the issues remaining in dispute and itemization of claimed special and general damages as required by Rule 210 (c) or Rule 222 (c) (if applicable), are attached hereto or will be filed separately.

14. PROPOSED ORDER.<sup>5</sup> A proposed order waiving pretrial conference and pretrial order is filed herewith. (If not a waiver case, say NOT APPLICABLE.)

DATED: December 21, 1966, 1966.

Leon E. Lofton, Jr.  
Esther M. St. Lofton

~~Attorney(s)~~ for Plaintiff(s)

Ron Apperson Deputy  
Attorney(s) for Defendant(s)

1-23-67

<sup>4</sup> Use Pretrial Form No. 2 for this. All such statements must be filed within the required time. See A. Pretrial Pol. Memo., Par. 6(a).

<sup>5</sup> Use Pretrial Form No. 3.

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

**FILED**

FEB 6 1967

WILLIAM G. SHAW, County Clerk

*H. Pender*

H. PENDER, Deputy

LEON E. LOFTON, JR. et al.

Plaintiff(s)

vs.

SCHOOL BOARD MEMBERS OF THE LOS ANGELES SCHOOL DISTRICT, et al.

Defendant(s)

**EXHIBIT-II**

NO. 895188

PRETRIAL CONFERENCE ORDER  
(FOR ROUTINE CASES)

A pretrial conference was held on the 23rd day of January 1967 before  
Honorable J. WESLEY HEND Judge (Pro Tempore) of the above entitled court.

LEON E. LOFTON, JR. and ESTHER M. H. LOFTON in Pro Per

~~represented by their attorneys and~~  
HAROLD KENNEDY, COUNTY COUNSEL by RON APPERSON

appeared as attorney(s) for Defendant(s) and the following action was taken:

The parties have entered into a joint and the separate pretrial statement(s) which set forth the nature of the case, the matters agreed upon or admitted, the actual and legal contentions made by each party as to the issues remaining in dispute, and the issues remaining in dispute. Said statement(s) are attached hereto, adopted by the court and made a part of this order.

Upon motion of Plaintiff(s) the action is dismissed as to all fictitious defendants.

No Law and Motion matters are pending or likely. All discovery has been completed and none will be permitted hereafter, ~~except as hereinafter ordered.~~ The case is ready to be set for trial.

Trial by jury is not demanded by

The estimated time for trial is 5 days.

The case is set for trial on April 12, 1967 at 9 a.m. in Department 1.

Notice of trial is ~~waived.~~

Additional matters, if any, including peremptory challenges

To the clerk: Send a copy of this order to the plaintiffs at  
541 West Manchester Street, Los Angeles, California.

DATED: JAN 24 1967, 1967

Document 2

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

**FILED**

FEB 6 1967

JAMES G. SHAW, County Clerk

H. P. ...  
in ...

LEON E. LOFTON, JR. et al.

Plaintiff(s)

vs.

SCHOOL BOARD MEMBERS OF THE LOS ANGELES SCHOOL DISTRICT, et al.

Defendant(s)

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~~Plaintiff(s)~~ and  
HAROLD KEMDEY, COUNTY COUNSEL by RON APPERSON

appeared as attorney(s) for Defendant(s) and the following action was taken:

The parties have entered into ~~joint and~~ separate pretrial statement(s) which set forth the nature of the case, the matters agreed upon or admitted, the factual and legal contentions made by each party as to the issues remaining in dispute, and the issues remaining in dispute. Said statement(s) ~~are~~ attached hereto, adopted by the court and made a part of this order.

Upon motion of Plaintiff(s) the action is dismissed as to all fictitious defendants.

No Law and Motion matters are pending or likely. All discovery has been completed and none will be permitted hereafter, ~~except as herein specifically ordered~~. The case is ready to be set for trial.

Trial by jury ~~is~~ not demanded ~~is~~

The estimated time for trial is 5 days.

The case is set for trial on April 12, 1967 at 9 a.m. in Department 1.

Notice of trial is ~~is~~ waived.

~~Additional matters, if any, including permissible discovery~~

To the clerk: Send a copy of this order to the plaintiffs at 541 West Manchester Apartment #7, Inglewood, California.

DATED JAN 24 1967, 1967



Judge (Pro Tempore)

§ 946 CIVIL ACTIONS

§ 946. [Enacted 1872, amended by Code Amdts 1873-74 ch 383 § 125, Stats 1913 ch 129 § 1, Stats 1955 ch 1407 § 1, Stats 1959 ch 833 § 2, and repealed by Stats 1968 ch 385 § 1.]

See § 916.

Note - See note under § 5 for history of Stats 1901 ch 102 p 117 which repealed this section.

→ § 947. [Enacted 1872 and repealed by Stats 1927 ch 523 § 1.]

Prior Law: Based on:

(a) Practice Act § 354 (Stats 1851 ch 5 § 354 p 107).

(b) NY Code § 340.

§ 948. [Enacted 1872, amended by Code Amdts 1873-74 ch 383 § 126, Code Amdts 1880 ch 18 § 2, Stats 1905 ch 162 § 1, Stats 1927 ch 523 § 2, Stats 1955 ch 194 § 1, and repealed by Stats 1968 ch 385 § 1.]

See § 922.

Note - See note under § 5 for history of Stats 1901 ch 102 p 117 which amended this section.

§ 949a. [Added by Stats 1937 ch 60 § 1 and repealed by Stats 1968 ch 385 § 1.]

See § 922.

§ 949. [Enacted 1872, amended by Code Amdts 1873-74 ch 90 § 1, Stats 1905 ch 29 § 1, Stats 1921 ch 98 § 1, Stats 1927 ch 523 § 3, and repealed by Stats 1968 ch 385 § 1.]

Prior Law: Based on:

(a) Practice Act § 356 (Stats 1851 ch 5 § 356 p 103)

(b) NY Code § 342.

§ 949a. [Added by Stats 1955 ch 170 § 1, amended by Stats 1957 ch 2145 § 2, Stats 1965 ch 1031 § 1, and repealed by Stats 1968 ch 385 § 1.]

See § 917.7.

§§ 950-952. [Enacted 1872, amended by Code Amdts 1873-74 ch 383 §§ 127-129, Stats 1915 ch 112 §§ 1-3, and repealed by Stats 1945 ch 40 § 16.]

See CRCB in 5.7.