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THE SUPERIOR COURT OF CALIFORNIA
IN AND FOR THE COUNTY OF MERCED

EUGENE FORTE,

Plaintiff,

vs.

TOMMY JONES, et al.,

Defendants.

Case No.: CU150880

DECLARATION UNDER PENALTY OF
PERJURY OF BENJAMIN RATLIFF

DATE: December 16, 2008

TIME: 8:15am

DEPT: 7

Judge David Minier

I, BENJAMIN RATLIFF, declare as follows:

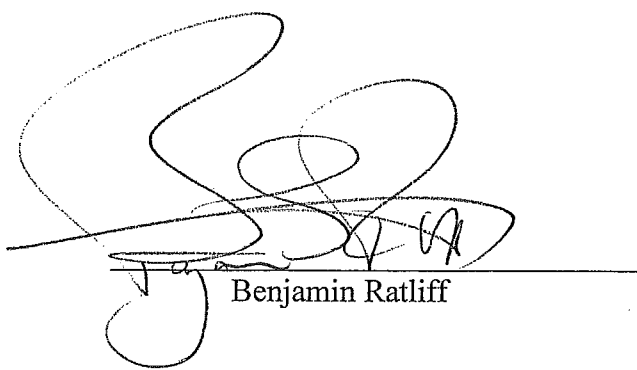
1. I represent Mr. Tommy Jones, the defendant in this matter. As Mr. Jones' attorney, I am familiar with the allegations of Mr. Forte in his complaint, and amended complaint for defamation against Mr. Jones.

11/26/08.
BUP-DEC
in supp. of Request
Noti.
#27

- 1 2. On July 30, 2008, I attended and participated in the deposition of Councilman Joe Sousa,
2 which was taken by plaintiff Eugene Forte acting *in propria persona*. Mr. Sousa was
3 represented in his capacity as a councilman by Mr. William A. Vaughn of the Law
4 Offices of William A. Vaughn.
- 5 3. That deposition commenced at approximately 10:00 am, and ran until 8:00 pm, with a
6 break of approximately one and one-half hours for lunch. For substantially all of the
7 deposition time, Mr. Forte questioned Mr. Sousa.

8
9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing facts are true and correct, and within my own personal knowledge, and that I could
11 competently testify thereto if called to do so by the Court, except as to those matters I state on
12 information and belief, which I believe to be true.

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16 Dated: Nov. 26, 2008

17
18 
19 Benjamin Ratliff