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SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS

EUGENE FORTE,
Plaintiff,
VS.
TOMMY JONES, et al,
Defendants.

Stanislaus Co. No.: 637857
Merced Co. No.: 150880

**DECLARATION OF
WILLIAM A. MAYHEW IN
RESPONSE TO CCP 170.3
MOTION**

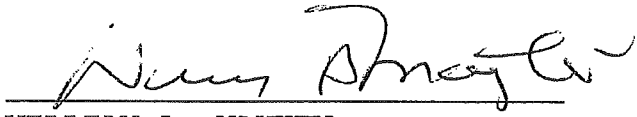
I, William A. Mayhew, declare as follows:

- 1) I am a Judge of the Stanislaus Superior Court;
- 2) I do not consent to my disqualification in this matter;
- 3) To my recollection, I had never met Mr. Forte nor Mr. Jones, prior to being assigned this matter. The only time I recall seeing Mr. Forte was on April 17, 2009, in my courtroom;
- 4) I do not recall ever ruling on any motion to disqualify a Judge of the Monterey Superior Court. I have ruled on several CCP § 170.3 motions involving out of county judges. The only one I recall is one involving a case in Alameda County

1 Superior Court. I do not recall the name of the
2 judge, the names of the attorneys involved, nor the
3 names of the parties.

4 I declare under penalty of perjury, pursuant to the laws of
5 the State of California, that the above is true and
6 correct.

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9 Dated: April 17, 2009


10 WILLIAM A. MAYHEW
11 Judge of the Superior Court
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PROOF OF SERVICE BY MAIL
[1013a(3) C.C.P.]

STATE OF CALIFORNIA)
) SS
COUNTY OF STANISLAUS)

I am over the age of 18 years and employed by the Superior Court of the State of California, County of Stanislaus, and not a party to the within action.
I certify that I served a copy of the attached **DECLARATION OF WILLIAM A. MAYHEW IN RESPONSE TO CCP 170.3 MOTION** by placing said copy in an envelope addressed to the following:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED
Attn: Tisa Hyder/Melanie Migliazzo
2260 N Street
Merced, CA 95340

The Honorable John D. Kirihara, Presiding Judge
SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED
2260 N Street
Merced, CA 95340

Eugene Forte, Propria Persona
588 Birch Court
Los Banos, CA 93635

Phillip R. McMurray, Esq.
LINNEMAN, BURGESS, TELLES, VAN ATTA, VIERRA, RATHMANN, WHITEHURST & KEENE
P.O. Box 1364
Los Banos, CA 93635

Shantelle L. Andrews, Esq.
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Fresno, CA 93711

William A. Vaughn, Esq.
LAW OFFICES OF WILLIAM A. VAUGHN
525 J Street, Ste. A
Los Banos, CA 93635

Deborah Perry, Master Calendar Manager
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS
VIA INTERDEPARTMENTAL MAIL

The Honorable Jack Jacobson, Presiding Judge
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STANISLAUS