

KAJ 10/25/02 10:17

3:02-CV-00448 SOCIETY OF LLOYDS V. BLACKWELL

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\*OPPM.\*

FILED

02 OCT 23 PM 4:14

CLERK - U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

BY: *[Signature]* DEPUTY

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16 GEOFFREY O. MAVIS, WILLIAM FENTON MILLER JR., ROBERT MARSHALL MORTON, CHARLES WEBB OTT,  
17 RONALD GEORGE SPENO, STEPHEN JOHN WILSEY, PETER FRANCIS ZINSLI,

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF CALIFORNIA**

18 THE SOCIETY OF LLOYD'S,

19 Plaintiff,

20 v.

21 ROBERT C. BLACKWELL, SAMME JO BRADY,  
22 COCO ALEXANDRA ELIZABETH CARTER,  
23 JOHN R. DOUGERY, JOSEPH MELVIN  
24 GAGLIARDI, HARRY WALTER GORST,  
25 FREDERICK GORDON GRAEBER, MICHAEL  
26 CALVIN HIRSH, IVARS RALPH JANIEKS,  
27 ROWLAND WLLIAM JOHNSTON, WILLIAM  
28 DOBSON KILDUFF, JANE ELIZABETH LAMB,  
DONALD RUDOLPH LAUB, FRANK F. S. LIN,  
ROBERT KRAMER LOWRY, GEOFFREY O.  
MAVIS, WILLIAM FENTON MILLER JR.,  
ROBERT MARSHALL MORTON, CHARLES  
WEBB OTT, RICHARD DAVID ROSENBLATT,  
RONALD GEORGE SPENO, ROBERT LYNN  
SWISHER, STEPHEN JOHN WILSEY, PETER  
FRANCIS ZINSLI, DOES 1-100 AS PERSONAL  
REPRESENTATIVES, BENEFICIARIES AND  
TRUSTEES OF THE TRUST OF ALFRED  
VERNE BALLARD'S ESTATE, DOES 1-100 AS  
PERSONAL REPRESENTATIVES,  
BENEFICIARIES AND TRUSTEES OF THE  
TRUST OF DELMAR ABSHER BRADY'S  
ESTATE,

Defendants.

) Case No. 02 CV 0448 J (AJB)

) **BLACKWELL DEFENDANTS**  
) **OPPOSITION TO PLAINTIFF THE**  
) **SOCIETY OF LLOYD'S MOTION**  
) **FOR SUMMARY JUDGMENT**

) Date: November 4, 2002  
) Time: 10:30 a.m.  
) Courtroom: 2<sup>nd</sup> Floor, Room 12  
) Honorable Napoleon A. Jones, Jr.

*[Handwritten initials]*

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1 Defendants Robert C. Blackwell, Samme Jo Brady, John R. Dougery, Joseph Melvin  
2 Gagliardi, Harry Walter Gorst, Frederick Gordon Graeber, Michael Calvin Hirsh, Ivars Ralph  
3 Janieks, William Dobson Kilduff, Jane Elizabeth Lamb, Donald Rudolph Laub, Geoffrey O.  
4 Mavis, William Fenton Miller Jr., Robert Marshall Morton, Charles Webb Ott, Ronald George  
5 Speno, Stephen John Wilsey, Peter Francis Zinsli, ("Blackwell Defendants") will and hereby do  
6 oppose Plaintiff The Society of Lloyd's ("Lloyd's") motion for summary judgment in its favor.

7 This opposition is made on grounds that genuine issues of material fact exist as to the  
8 criteria for recognition and enforcement of the English Judgments under California law and  
9 traditional principles of comity; that the Judgments were rendered under circumstances which  
10 deprived Defendants of due process; and that the Judgments violate strong fundamental public  
11 policy of California.

12 This opposition is based upon these accompanying papers:

- 13 ■ Blackwell Defendants Memorandum of Points and Authorities in Opposition to
- 14 Plaintiff the Society of Lloyd's Motion for Summary Judgment;
- 15 ■ Blackwell Defendants Motion to Strike Lloyd's citations to unpublished cases ;
- 16 ■ Blackwell Defendants Separate Statement of Material Facts; Evidentiary
- 17 Objections, Responses and Supporting Evidence;
- 18 ■ The Declaration of Michael D. Freeman;
- 19 ■ The Declarations of Defendants Robert C. Blackwell, Samme Jo Brady, John R.
- 20 Dougery, Joseph Melvin Gagliardi, Harry Walter Gorst, Frederick Gordon
- 21 Graeber, Michael Calvin Hirsh, William Dobson Kilduff, Jane Elizabeth Lamb,
- 22 Donald Rudolph Laub, Geoffrey O. Mavis, William Fenton Miller Jr., Robert
- 23 Marshall Morton, Charles Webb Ott, Ronald George Speno, Peter Francis Zinsli;
- 24 ■ Declaration of Theodore W. Grippo, Jr. in Opposition to Plaintiff the Society of
- 25 Lloyd's Motion for Summary Judgment;

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■ All pleadings and papers on file in this action and all other matters as may be presented to the Court at the time of the hearing.

Respectfully submitted,  
LAW OFFICES OF GREG J. RYAN, APLC

Dated: October 22, 2002

By: Greg J. Ryan  
Greg J. Ryan, Esq.  
Attorneys for Blackwell Defendants

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RALPH JANIEKS, WILLIAM DOBSON KILDUFF, JANE ELIZABETH LAMB, DONALD RUDOLPH LAUB, GEOFFREY  
10 O. MAVIS, WILLIAM FENTON MILLER JR., ROBERT MARSHALL MORTON, RONALD GEORGE SPENO, CHARLES  
WEBB OTT, STEPHEN JOHN WILSEY, PETER FRANCIS ZINSLI,

11 UNITED STATES DISTRICT COURT  
12 SOUTHERN DISTRICT OF CALIFORNIA

13  
14 THE SOCIETY OF LLOYD'S,  
15 Plaintiff,  
16 v.

) Case No. 02 CV 0448 J (AJB)

) **PROOF OF SERVICE**

17 ROBERT C. BLACKWELL, SAMME JO BRADY,  
COCO ALEXANDRA ELIZABETH CARTER, JOHN  
18 R. DOUGERY, JOSEPH MELVIN GAGLIARDI,  
HARRY WALTER GORST, FREDERICK GORDON  
GRAEBER, MICHAEL CALVIN HIRSH, IVARS  
19 RALPH JANIEKS, ROWLAND WLLIAM  
JOHNSTON, WILLIAM DOBSON KILDUFF, JANE  
20 ELIZABETH LAMB, DONALD RUDOLPH LAUB,  
FRANK F. S. LIN, ROBERT KRAMER LOWRY,  
21 GEOFFREY O. MAVIS, WILLIAM FENTON MILLER  
JR., ROBERT MARSHALL MORTON, CHARLES  
22 WEBB OTT, RICHARD DAVID ROSENBLATT,  
RONALD GEORGE SPENO, ROBERT LYNN  
23 SWISHER, STEPHEN JOHN WILSEY, PETER  
FRANCIS ZINSLI, DOES 1-100 AS PERSONAL  
24 REPRESENTATIVES, BENEFICIARIES AND  
TRUSTEES OF THE TRUST OF ALFRED VERNE  
25 BALLARD'S ESTATE, DOES 1-100 AS PERSONAL  
REPRESENTATIVES, BENEFICIARIES AND  
26 TRUSTEES OF THE TRUST OF DELMAR ABSHER  
BRADY'S ESTATE,

) JUDGE: Honorable Napoleon A. Jones  
Presiding

27 Defendants.  
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I, Sheryl D. Adams, declare:

That I am, and was at the time of service of the papers herein referred to, over the age of 18 years, and not a party to this action; and I am employed in the County of San Diego, California, within which county the subject mailing occurred. My business address is 1010 Second Avenue, Suite 2500, San Diego, California 92101.

On October 23, 2002, I served the following document(s):

**PLEASE SEE ATTACHED "LIST OF DOCUMENTS"**

**BY MAIL:** I declare that I am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service; that the correspondence shall be deposited with the United States Postal Service this same day in the ordinary course of business; and that a true copy was placed in a separate envelope, with postage thereon fully prepaid for each addressee named hereafter:

Steven D. Alexander, Esq.  
Susan Chun, Esq.  
Fried, Frank, Harris, Shriver  
and Jacobson  
350 South Grand Avenue  
Two California Plaza, Suite 3200  
Los Angeles, CA 90071-5438  
(213) 473-2000  
**Attorney for Plaintiff**  
**THE SOCIETY OF LLOYD'S**

Kenneth R. Chiate, Esq.  
Pillsbury Winthrop, LLP  
725 South Figueroa Street, Ste. 2800  
Los Angeles, CA 90017  
(213) 488-7111  
**Attorneys for JOHNSTON**  
**DEFENDANTS**

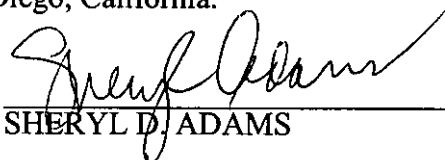
**BY PERSONAL SERVICE:** I placed a true copy of the above documents in a sealed envelope clearly labeled to identify the attorney for the party being served, and personally caused said such envelope to be personally delivered by hand by DLS Attorney Service, leaving a copy with the receptionist or other person in charge at the office of each addressee named hereafter:

**BY FACSIMILE:** I declare that upon the prior agreement of the party being served, I served the above named documents by facsimile transmission during usual office hours **from facsimile number (619) 239-5601**, to a facsimile machine maintained by the person on whom it is served and that the transmission was reported as complete and without error. Thereafter, I mailed (by first-class mail, postage prepaid) a true copy to each addressee named hereafter:

**STATE:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on October 23, 2002.

**FEDERAL:** I hereby certify that I am employed in the office of a member of the Bar of the Court at whose direction this service was made.

Executed **October 23, 2002**, at San Diego, California.

  
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SHERYL D. ADAMS

LIST OF DOCUMENTS

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1. **BLACKWELL DEFENDANTS OPPOSITION TO PLAINTIFF THE SOCIETY OF LLOYD'S MOTION FOR SUMMARY JUDGMENT**
2. **BLACKWELL DEFENDANTS MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO PLAINTIFF THE SOCIETY OF LLOYD'S MOTION FOR SUMMARY JUDGMENT**
3. **BLACKWELL DEFENDANTS MOTION TO STRIKE PLAINTIFF LLOYD'S CITATION TO UNPUBLISHED CASES**
4. **BLACKWELL DEFENDANTS SEPARATE STATEMENT OF MATERIAL FACTS IN OPPOSITION TO PLAINTIFF THE SOCIETY OF LLOYD'S MOTION FOR SUMMARY JUDGMENT**
5. **DECLARATION OF MICHAEL DAVID FREEMAN IN SUPPORT OF BLACKWELL DEFENDANTS OPPOSITION TO PLAINTIFF THE SOCIETY OF LLOYD'S MOTION FOR SUMMARY JUDGMENT**
6. **DECLARATIONS OF DEFENDANTS ROBERT C. BLACKWELL, SAMME JO BRADY, JOHN R. DOUGERY, JOSEPH MELVIN GAGLIARDI, HARRY WALTER GORST, FREDERICK GORDON GRAEBER, MICHAEL CALVIN HIRSH, WILLIAM DOBSON KILDUFF, JANE ELIZABETH LAMB, DONALD RUDOLPH LAUB, GEOFFREY O. MAVIS, WILLIAM FENTON MILLER JR., ROBERT MARSHALL MORTON, CHARLES WEBB OTT, RONALD GEORGE SPENO, PETER FRANCIS ZINSLI;**
7. **DECLARATION OF THEODORE W. GRIPPO, JR. IN OPPOSITION TO LLOYD'S MOTION FOR SUMMARY JUDGMENT**