

MAY 13 2009

JOHN A. CLARKE, CLERK
BY MARY GARCIA, DEPUTY

1 Your name (person asking for protection): John Ratzemberger

Your address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

[Redacted] CA Zip: 90036 [Redacted]-2920

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number):

Nina Ameri, Esq. State Bar Number: [Redacted] [Redacted] CA 90036 [Redacted] 310-300-2920

2 Name of person you want protection from: Lindsay McGrail

Describe the person: Sex: [] M [x] F Weight: 130 Height: 5'7 Race: W Hair Color: Dark Brown Eye Color: Brown Age: 45 Date of Birth: 9/1/1962

Home Address (if you know) [Redacted] City: Los Angeles State: CA Zip: 90043

Work Address (if you know): City: State: Zip:

3 Besides you, who needs protection? (Family or household members)

Table with columns: Full Name, Sex, Age, Lives with you?, How are they related to you? Includes checkboxes for Yes/No.

[] Check here if you need more space. Attach a sheet of paper and write "CH-100, item 3—Describe Protected Persons" at the top of the page.

4 Why are you filing in this court? (Check all that apply):

- [x] The person in (2) lives in this county.
[x] I was hurt (physically or emotionally) by the person in (2) here.
[] Other (specify):

5 How do you know the person in (2)? (Describe):

Former Girlfriend.

Fill in court name and street address: Superior Court of California, County of Los Angeles Stanley Mosk Courthouse 111 North Hill Street Los Angeles, CA 900

Court fills in case number when form is filed. Case Number: BS120656

This is not a Court Order.

Your name: John Ratzenberger

- 6 Describe how the person in 2 has harassed you:
- a. Date of most recent harassment: May 11, 2009
- b. Who was there? The harassment was through E-mail correspondence.
- c. Did the person in 2 commit any acts of violence or threaten to commit any acts of violence against you?
 Yes No
If yes, describe those acts or threats: In a recent telephone call she indicated that it is common in many country western songs for women to set the cars of former boyfriends on fire. This statement insinuates that she may have the capacity to perpetuate this act or similar violent conduct.
- d. Did the person in 2 engage in a course of conduct that harassed you and caused substantial emotional distress? Yes No
If yes, describe: I am deeply disturbed by the harassing and intimidating phonecalls, emails and text messages that I have received and the fact that she has begun contacting my friends, family and business associates making false and defamatory statements about me.
- e. Did the conduct of the person in 2 described above seriously alarm, annoy, or harass you? Yes No
 Check here if you need more space. Attach a sheet of paper and write "CH-100, item 6—Describe Harassment" at the top of the page.

Check the orders you want 7 **Personal Conduct Orders**

I ask the court to order the person in 2 to not do the following things to me or anyone listed in 3:

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. Contact (either directly or indirectly), or telephone, or send messages or mail or e-mail.

The person in 2 will also be ordered not to take any action to get the addresses or locations of any protected persons, their family members, or their caretakers unless the court finds good cause not to make the order.

8 **Stay-Away Orders**I ask the court to order the person in 2 to stay at least (specify): 100 yards away from me and the people listed in 3 and the places listed below: (Check all that apply):

- a. My home
- b. My job or workplace
- c. My children's school or child care
- d. My vehicle
- e. Other (specify): _____

If the court orders the person in 2 to stay away from all the places listed above, will that person still be able to get to his or her home, school, or job? Yes No*If no, explain:* _____

 _____**This is not a Court Order.**

Case Number: _____

Your name: John Ratzenberger

9 **Others to Be Protected**
Should the other people listed in 3 also be covered by the orders described above?
 Yes No Does not apply
If yes, explain: _____

10 **Order About Guns or Other Firearms**
I ask the court to order the person in 2 to be prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive firearms and to sell or turn in any guns or firearms that he or she controls.

11 **Other Orders**
I ask the court to order the person in 2 to (specify): Stop contacting me, my friends, family and business associates either in person, by phone, email or any other form of communication. I am also requesting that they stay away from my property.

12 **Temporary Orders**
Do you want the court to make orders now on the matters listed in 7, through 11 that will last until the hearing? Yes No
If yes, explain why you need these orders right now: Because the threats and harassing conduct are causing emotional distress and are destroying my personal and business relationships.

Check here if you need more space. Attach a sheet of paper and write "CH-100, item 12—Temporary Orders" at the top of the page.

13 **Delivery of Orders to Law Enforcement**
My lawyer or I will give copies of the orders to the following law enforcement agencies:
a. Name of Agency: _____
Address: _____
City: _____ State: _____ Zip: _____
b. Name of Agency: _____
Address: _____
City: _____ State: _____ Zip: _____

14 **Other Court Cases**
Have you ever asked any court for other restraining orders against the person in 2? Yes No
If yes, specify the counties and case numbers if you know them: _____

This is not a Court Order.

Case Number: _____

Your name: John Ratzemberger

15 **Time for Service**

You must have your papers personally served on (notify) the person in **(2)** at least 5 days before the hearing, unless the court orders a different time for service. (Form CH-135 explains "What Is Proof of Service?" Form CH-130 may be used to show the court that the papers have been served.) If your papers cannot be served at least 5 days before the hearing and you need more time, explain why:

At the present time I do not know Lindsay McGrail's home address. I only have a P.O. Box address for Miss McGrail. I am requesting additional time to serve Miss McGrail and the court's assistance in obtaining her current home address.

16 **No Fee for Filing**

I ask the court to waive the filing fee because the person in **(2)** has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence. I am asking for a restraining order to stop this conduct.

17 **No Fee to Serve Orders**

I ask the court to order the sheriff or marshal to serve (notify) the person in **(2)** about the orders for free because:

- a. My request for orders is based on stalking; or
- b. My request for orders is based on a credible threat of violence; or
- c. I am entitled to a fee waiver.

(If you are requesting free service of the orders based on a fee waiver, you must complete and file the Application for Waiver of Court Fees and Costs (Form FW-001).)

18 **Lawyer's Fees and Costs**

I ask the court to order payment of my:

- a. Lawyer's fees
- b. Out-of-pocket expenses

The amounts requested are:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

Check here if you need more space. Attach a sheet of paper and write "CH-100, Item 18 Lawyer's Fees and Costs" at the top of the page.

19 **Additional Relief**

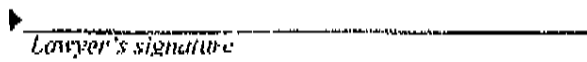
I ask the court for additional relief as may be proper.

20 Number of pages attached to this form, if any: _____

Date: _____

Nina N. Ameri, Esq.

Lawyer's name

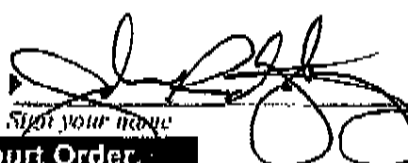

Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: 5/11/09

John Ratzemberger

Type or print your name


Sign your name

This is not a Court Order.

1 MICHAEL J. WEISS, ESQ. SBN 206473



SON, CLERK OF SUPERIOR COURT
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FILED

MAY 13 2009

JOHN A. CLARKE, CLERK
BY N. SANDOVAL, DEPUTY

5 Attorneys for Petitioner, John Ratzenberger

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7 SUPERIOR COURT OF THE STATE OF CALIFORNIA

8 FOR THE COUNTY OF LOS ANGELES

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10 John Ratzenberger,

11 Petitioner,

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13 v.

14 Lindsay McGrail,

15 Respondent.

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BS120656
DECLARATION OF JOHN
RATZENBERGER

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I John Ratzenberger declare as follows:

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1. I have personal knowledge of the following facts and could and would competently testify thereto if called upon as a witness.
2. I am a resident of the State of California.
3. The respondent Lindsay McGrail (hereinafter "McGrail") is my former girlfriend.
4. On or about April 13, 2009 and continuing to the present, I began receiving threatening and intimidating E-mails from McGrail, which are attached hereto as Exhibit A and are to be filed under Seal.

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5. The E-mail's consist of false and defamatory statements about me, my family and my business associates and reflect McGrail's desire to destroy my business and personal relationships.

6. In addition to threatening E-Mail correspondence, McGrail has bombarded me with phone calls, text messages and voicemails of an aggressive and abusive nature. On one occasion, McGrail referenced the fact that in many Country Western songs women set fire to their ex-boyfriends cars all the time. As a result of said statements and harassing conduct, I have resorted to installing surveillance cameras on my property to protect myself, my family and my business associates.

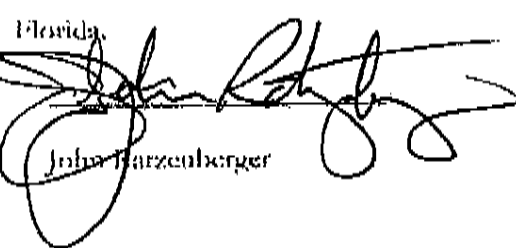
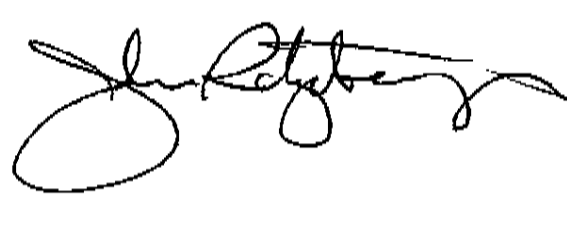
7. In addition to the threats against me, McGrail has begun harassing several of my business associates, family and friends, which are attached hereto as Exhibit B and are to be filed under Seal. In these communications she has made false and defamatory statements about me and my business associates.

8. In a number of E-Mails and Voicemails McGrail has professed her love for me and indicates that she desires to have a romantic relationship again. I did not respond to these communications.

9. As a result of McGrail's irrational, emotional and obsessive behavior, I am deeply concerned about the physical safety of me, my family and my business associates.

10. The filing of the temporary restraining order was necessary to bring this matter before the court and to put an end to McGrail's threatening and harassing conduct.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I executed this declaration on May 11, 2009, at Naples,

Florida

John Katzenberger


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