

Notice of Hearing and Temporary Restraining Order

Clerk stamps date here when form is filed.

FILED

LOS ANGELES SUPERIOR COURT

SEP 10 2010

JOHN A. CLARKE, CLERK

BY SHARRON CHARLES, DEPUTY

Fill in court name and street address:

Superior Court of California, County of Los Angeles
111 North Hill Street
Los Angeles, CA 90012

Court fills in case number when form is filed.

Case Number:

BS128349

1 Name of person asking for protection:
Samuel Barth

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

City: _____ State: _____ Zip: _____

Your telephone number (optional): (_____)

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number): Blair Berk (159087) and David Harris (255557)

Tarlow & Berk, PC

2 Name of person to be restrained:
Osama Lutfi (AKA "Sam Lutfi")

Description of that person:

Sex: M F Height: 5'7" Weight: 180 lbs Race: Arabic
 Hair Color: N/A Eye Color: Brown Age: 36 Date of Birth: 08/ [REDACTED]
 Home Address (if known): [REDACTED]
 City: Los Angeles State: CA Zip: [REDACTED]
 Work Address (if known): N/A
 City: N/A State: N/A Zip: N/A

To the person in ②:

3 **Notice of Hearing**

A court hearing is scheduled on the request for orders against you to stop harassment:

Hearing Date: 9/28/10 Time: 8:30 AM
 Dept.: 75 Rm.: 73C
 Name and address of court if different from above:
 LOS ANGELES SUPERIOR COURT
 111 N. HILL STREET
 LOS ANGELES, CA 90012

If you do not want the court to make orders against you, file Form CH-110. Then go to the hearing and tell the court why you disagree. You may bring witnesses and other evidence. If you do not go to this hearing, the court may make restraining orders against you that could last up to 3 years.

4 **Court Orders**

The court (check a or b):

- a. Has scheduled the hearing stated in ③. No orders are issued against you at this time.
- b. Has scheduled the hearing stated in ③ and has issued the temporary orders against you specified on page 2. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

This is a Court Order.



Your name: Samuel Barth

Case Number: BS128349

Temporary Orders Against the Restrained Person

(Write the name of the person in ②): Osama Lutfi (AKA "Sam Lutfi")

The court has made the temporary orders indicated below against you. You must obey all these orders. These orders will expire on the date of the hearing listed in ③ unless they are extended by the court.

⑤ **Personal Conduct Orders**

You must **not** do the following things to the people listed in ① and ⑩:

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. Contact (directly or indirectly), telephone, send messages, mail, or e-mail.
- c. Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ⑩. (If item c is not checked, the court has found good cause not to make this order.)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this Order.

⑥ **Stay-Away Order**

You must stay at least (specify): 100 yards away from:

- a. The person listed in ①
- b. The people listed in ⑩
- c. The home of the persons in ① and ⑩
- d. Jobs or workplaces of the persons in ① and ⑩
- e. Vehicle of person in ① Vehicles of persons in ⑩
- f. The protected children's school or child care
- g. Other (specify): _____

This stay-away order does not prevent the person in ② from going to or from that person's home or place of employment.

⑦ **No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

⑧ **Turn In or Sell Guns or Firearms**

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24 hours of being served with this order.
- File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use Form CH-145 for this.)

⑨ **Other Orders** (specify): You must not log into or otherwise access online accounts registered to and/or setup by the person listed in (1). This includes, but is not limited to, e-mail, Twitter, and Facebook accounts. You also must not use the Internet to impersonate the person in (1).

This is a Court Order.

Case Number:

BS128349

Your name: Samuel Barth

10 **Other Protected Persons**

List of the full names of all family or household members protected by these orders:

Instructions for the Protected Person

To the person in ①: (Write the name of the person in ①): Samuel Barth

11 **Service of Order on Law Enforcement**

If the court issues temporary restraining orders, by the close of business on the date the orders are made, you or your lawyer should deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below.

Name of Law Enforcement Agency:

Address (City, State, Zip)

LAPD - Pacific Community Police Station

12312 Culver Blvd., L.A., CA 90066

Fairfax County PD - McLean District Station

1437 Balls Hill Road, McLean, VA 22101

12 **Service of Documents**

You must have someone personally deliver to the person in ② a copy of all the documents checked below:

- a. CH-120, *Notice of Hearing and Temporary Restraining Order (CLETS)* (completed and file-stamped)
- b. CH-100, *Request for Orders to Stop Harassment* (completed and file-stamped)
- c. CH-110, *Answer to Request for Orders to Stop Harassment* (blank form)
- d. CH-145, *Proof of Firearms Turned In or Sold* (blank form)
- e. CH-151, *How Can I Answer a Request for Orders to Stop Harassment?*
- f. Other (specify): _____

You must file with the court before the hearing a proof of service of these documents on the person in ②.

13 **Time for Service** (check a, b, or c)

- a. A copy of the documents listed in ⑫ must be served in person to the person in ② at least 5 days before the hearing.
- b. A copy of the documents listed in ⑫ must be served in person to the person in ② at least 2 days before the hearing.
- c. A copy of the documents listed in ⑫ must be served in person to the person in ② at least _____ days before the hearing.

14 **No Fee for Filing**

Filing fees are waived.

This is a Court Order.



Your name: Samuel Barth

Case Number:
BS128349

15 **No Fee for Service of Order by Law Enforcement**

The sheriff or marshal will serve this Order without charge because:

- a. The Order is based on stalking.
- b. The Order is based on a credible threat of violence.
- c. The person in ① is entitled to a fee waiver.

Date: 9-10-10

Carol Goodson
Judicial Officer

Warnings and Notices to the Restrained Person in ②

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item ⑧ above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this Order are subject to criminal penalties.



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Order* (Form MC-410). (Civil Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Notice of Hearing and Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

CH-100

Request for Orders to Stop Harassment

1 Your name (person asking for protection):
Samuel Barth

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

City: _____ State: _____ Zip: _____

Your telephone number (optional): (_____) _____

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

Blair Berk (159087) and David Harris (255557)

Clerk stamps date here when form is filed.

FILED
LOS ANGELES SUPERIOR COURT

SEP 10 2010

JOHN J. CLARKE, CLERK

BY VERONICA CABRERA, DEPUTY

Fill in court name and street address:

Superior Court of California, County of Los Angeles
111 North Hill Street
Los Angeles, CA 90012

Court fills in case number when form is filed.

Case Number:

B5126349

2 Name of person you want protection from:
Osama Lutfi (AKA "Sam Lutfi")

Describe the person: Sex: M F Weight: 180 lbs.

Height: 5'7" Race: Arabic Hair Color: N/A

Eye Color: Brown Age: 36 Date of Birth: 08/

Home Address (if you know):

City: Los Angeles

State: CA Zip:

Work Address (if you know): N/A

City: N/A

State: N/A Zip: N/A

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

Full Name

Sex

Age

Lives with you?

How are they related to you?

Yes No

Yes No

Yes No

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):

The person in 2 lives in this county.

I was hurt (physically or emotionally) by the person in 2 here.

Other (specify):

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

Please see attached Declarations of Samuel Barth, Deborah Barth, Nathan Barth, and Torey Barth.

This is not a Court Order.



Your name: Samuel Barth

Case Number:

BS120349

- 6 Describe how the person in 2 has harassed you:
- a. Date of most recent harassment: 09/09/2010
- b. Who was there? Please see attached Declarations of Samuel Barth, Deborah Barth, Nathan Barth, and Torey Barth.
- 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: Please see attached Declarations of Samuel Barth, Deborah Barth, Nathan Barth, and Torey Barth.
- 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: Please see attached Declarations of Samuel Barth, Deborah Barth, Nathan Barth, and Torey Barth.
- 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.



Your name: Samuel Barth

Case Number: BS126349

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): not log into or otherwise access online accounts registered to and/or setup by me. This includes, but is not limited to, e-mail, Facebook, and Twitter accounts. I also ask the court to order the person in 2 to not use the Internet to impersonate me or pretend to be me.

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: Please see attached Declarations of Samuel Barth, Deborah Barth, Nathan Barth, and Torey Barth.

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: LAPD - Pacific Community Station
Address: 12313 Culver Blvd.
City: Los Angeles State: CA Zip: 90066

b. Name of Agency: Fairfax County Police Department - McLean District Station
Address: 1437 Balls Hill Road
City: McLean State: VA Zip: 22101

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:
BS125349

Your name: _____

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:

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:

| Item | Amount | Item | Amount |
|-------|----------|-------|----------|
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |
| _____ | \$ _____ | _____ | \$ _____ |

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: 09/09/2010

David Harris

Lawyer's name

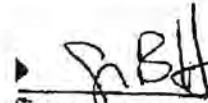

Lawyer's signature

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: 09/09/2010

Samuel Barth

Type or print your name


Sign your name

This is not a Court Order.

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4. Without a restraining order, I fear that there will not be sufficient law enforcement mechanisms to keep Mr. Lutfi away from me or my daughter, especially since he has (1) a history of engaging in obsessive, stalking, and harassing behavior and has previously had multiple restraining orders issued against him with regard to other parties, (2) incessantly contacted me, my family, and my family's friends, (3) purposefully worked to distress and emotionally disturb my family and me, even going so far as to try to disrupt my daughter's personal relationships with high school friends, (4) evinced a willingness to bend and/or break the law, breaking into my son Samuel's Internet accounts, impersonating others online, and obtaining access to my personal emails, (5) repeatedly made threatening statements to and about me, telling my minor daughter, for example, that he hopes I die "the most evil and painful death possible", and (6) continued to escalate in his obsessive, stalking, and harassing behavior. I am particularly concerned about Mr. Lutfi's conduct towards my daughter, Torey, since she is (1) a minor and (2) hoping to attend college in Los Angeles, which is where Mr. Lutfi resides.

3. I firmly believe that Mr. Lutfi will persist in this conduct, and that this conduct will only worsen, unless and until he is ordered by this court to stop.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 9th day of September, 2010, in Mclean, Virginia.


Deborah Barth

