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9

10 UNITED STATES DISTRICT COURT
 11 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
 12

13 CORY SPENCER, an individual;
 14 DIANA MILENA REED, an
 individual; and COASTAL
 PROTECTION RANGERS, INC., a
 15 California non-profit public benefit
 corporation,

16 Plaintiffs,

17 vs.

18 LUNADA BAY BOYS; THE
 19 INDIVIDUAL MEMBERS OF THE
 LUNADA BAY BOYS, including but
 20 not limited to SANG LEE, BRANT
 BLAKEMAN, ALAN JOHNSTON
 21 AKA JALIAN JOHNSTON,
 MICHAEL RAE PAPAYANS,
 22 ANGELO FERRARA, FRANK
 FERRARA, CHARLIE FERRARA;
 23 and N.F. ; CITY OF PALOS
 VERDES ESTATES; CHIEF OF
 24 POLICE JEFF KEPLEY, in his
 representative capacity; and DOES
 25 1-10,

26 Defendants.

CASE NO. 2:16-cv-02129-SJO (RAOx)

Assigned District Judge Hon. S. James Otero, Courtroom 10C

Discovery Assigned to Magistrate Judge Hon. Rozella A. Oliver

**DEFENDANT SANG LEE'S
 SEPARATE STATEMENT OF
 UNCONTROVERTED FACTS AND
 EVIDENCE IN SUPPORT OF
 MOTION FOR PARTIAL
 SUMMARY JUDGMENT**

[Filed concurrently with Notice, Motion and Points and Authorities for Partial Summary Judgment; Declaration of Tera A. Lutz; Notice of Lodging; [Proposed] Statement of Uncontroverted Facts; [Proposed] Order lodged herewith]

Date: August 21, 2017
 Time: 10:00 a.m.
 Crtrm.: 10C

Complaint filed: March 29, 2016
 Trial Date: None Set

1 **TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Defendant Sang Lee (“Lee”) hereby respectfully submits the following
 3 Separate Statement of Uncontroverted Facts in support of his Motion for Partial
 4 Summary Judgment.

5 Defendant’s Statement of 6 Uncontroverted Facts	Evidence in Support of Statement of Uncontroverted Facts
7 1. Before January 2016, Cory 8 Spencer (“Spencer”) visited 9 Lunada Bay on at least eight to ten 10 occasions.	1. October 11, 2016 Deposition of Plaintiff Cory Eldon Spencer (“Spencer Deposition”) 59: 9-12; 64: 13-25; 65: 1-8.
11 2. Since January 29, 2016, Spencer 12 has visited Lunada Bay on at least 13 three to five occasions.	2. Spencer Deposition 170:9-21.
14 3. Spencer has only seen Lee on one 15 occasion.	3. Spencer Deposition 307: 11-14.
16 4. During a visit to Lunada Bay on 17 January 29, 2016, Spencer saw 18 Lee communicating with 19 Christopher Taloa.	4. Spencer Deposition 121:18-25; 122; 123; 124: 1-22.
20 5. Lee has never spoken to Spencer.	5. Spencer Deposition 308: 11-12.
21 6. Lee never threatened Spencer.	6. Spencer Deposition 308: 13-14
22 7. Lee has never made any physical 23 contact with Spencer.	7. Spencer Deposition 309: 4-9.
24 8. Spencer has never seen Lee injure 25 anyone at Lunada Bay or engage 26 in the destruction of anyone’s 27 property.	8. Spencer Deposition 313: 6-14.

<p>Defendant’s Statement of Uncontroverted Facts</p>	<p>Evidence in Support of Statement of Uncontroverted Facts</p>
<p>9. Plaintiff Diana Milena Reed (“Reed”) has visited Lunada Bay on at least four occasions- January 6, 2016, January 29, 2016; February 5, 2016; and February 13, 2016</p>	<p>9. October 24, 2016 Deposition of Diana Milena Reed, 105: 13-15; 103: 19-25; 104: 1-9; 146: 11-15; 156: 23-25; 157: 1-5.</p>
<p>10. Reed has never had any interaction with Lee and did not see him during any of her visits to Lunada Bay.</p>	<p>10. October 25, 2016 Deposition of Diana Milena Reed, 366: 23-25; 367: 1-18.</p>

DATED: July 21, 2017

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Tera A. Lutz

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