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[Additional Plaintiffs' Counsel on Signature Page]

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ALAMEDA
UNLIMITED JURISDICTION

DAVID ADELSON, et al.,
Plaintiffs,

v.

PACIFICA FOUNDATION, et al.,
Defendants.

PEOPLE OF THE STATE OF
CALIFORNIA, ex rel. CAROL
SPOONER, et al.,

Plaintiffs,

v.

PACIFICA FOUNDATION, et al.,
Defendants.

) Consolidated Case No.: 814461-0
) [Consolidated with No. 831252-3
) and No. 831286-0]

) **NOTICE OF MOTION AND MOTION BY**
) **PLAINTIFFS AND CROSS-**
) **COMPLAINANTS' FOR PRELIMINARY**
) **INJUNCTION PROHIBITING ELECTION**
) **OR REMOVAL OF DIRECTORS**

) Date: September 13, 2001
) Time: 9:00 a.m.
) Dept.: 22
) Judge: Hon. Ronald M. Sabraw

)

1 ROBERT ROBINSON, et al.,)
 Plaintiffs,)
 2 v.)
 PACIFICA FOUNDATION, et al.,)
 3 Defendants.)
 4)
 _____)
 5 TOMAS MORAN, et al.,)
 Cross-Complainants,)
 6 v.)
 PACIFICA FOUNDATION, et al.,)
 7 Cross-Defendants.)
 _____)
 8)

9 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

10 PLEASE TAKE NOTICE that on September 13, 2001, at 9:00 a.m., or as soon thereafter as
 11 the matters may be heard in Department 22 of the above-entitled court, plaintiffs/relators Carol
 12 Spooner, et al., in the *People ex. Rel. Spooner* action, plaintiffs Robinson, et al., in the *Robinson*
 13 action and cross-complainants Moran, et al. in the *Moran* action (collectively “Plaintiffs and Cross-
 14 Complainants”) will move this Court for an order of preliminary injunction restraining and enjoining
 15 defendants Pacifica Foundation, Valrie Chambers, Wendell Johns, Bertram Lee, John Murdock,
 16 Robert Farrell, and Ken Ford (“Defendants”), their agents, servants, employees, and attorneys, and
 17 all those in active concert or participation with them be restrained and enjoined from electing any
 18 new directors to or removing any directors from the Board of Directors of the Pacifica Foundation
 19 during the pendency of this action. This motion is based on Cal. Civ. Proc. Code § 526(a), the
 20 attached Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction
 21 Prohibiting Election or Removal of Directors, the attached Declarations and exhibits thereto of Carol
 22 Spooner, Peter Franck, Leslie Cagan, Terry Gross, and Tim Fox, on all pleadings had herein, and on
 23 all evidence to be adduced at any hearing.

24 This application is made on the grounds that Plaintiffs and Cross-Complainants are suffering
 25 and will suffer irreparable injury from Defendants’ actions in holding a Special Meeting of the
 26 Pacifica Foundation’s Board of Directors to elect new directors; Defendants will suffer no injury
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7 from the requested preliminary injunction; the preliminary injunction will maintain the status quo;
8 and Plaintiffs and Cross-Complaints have a substantial likelihood of success on the merits on their
9 claims.

10 Dated: August 23, 2001

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