

*Clerk stamps date here when form is filed.*

**Use this form to respond to the Request (form CH-100)**

- Read *How Can I Respond to a Request for Civil Harassment Restraining Orders?* (form CH-120-INFO) to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you**—serve the person in ① or his or her lawyer by mail with a copy of this form and any attached pages. (Use form CH-250, Proof of Service of Response by Mail.)

E-FILED  
 9/27/2019 12:46 PM  
 Superior Court of California  
 County of Fresno  
 By: J. Nelson, Deputy

**① Person Seeking Protection**

Full name of person seeking protection (see form CH-100, item ①):

Natale M. Herrera

*Fill in court name and street address:*

**Superior Court of California, County of**  
 Fresno-Civil Division  
 1130 "O" Street, 4th Floor  
 Fresno, CA. 93724  
 The Honorable Noelle Pebet

**② Person From Whom Protection Is Sought**

a. Your Name: Terry Slatc, Fresno Unified School District Board Trustee

Your Lawyer (if you have one for this case)

Name: Michael A. Goldfeder State Bar No.: 162381

Firm Name: Law Office of Michael A. Goldfeder

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)

Address: 400 Continental Boulevard, 6th Floor

City: El Segundo State: ca Zip: 90245

Telephone: 310-374-7011 Fax: 678-245-4272

E-mail Address: michaelgoldfeder@gmail.com

*Court fills in case number when form is filed.*

**Case Number:**  
 19CECG02608

Present your response and any opposition at the hearing. Write your hearing date, time, and place from form CH-109 item ③ here:

**Hearing Date**

Date: 10-7-2019 Time: 1:30 p.m.

Dept.: 404 Room: \_\_\_\_\_

**If you were served with a Temporary Restraining Order, you must obey it until the hearing.** At the hearing, the court may make orders against you that last for up to five years.

**③ Personal Conduct Orders**

- a.  I agree to the orders requested.
- b.  I do not agree to the orders requested. (Specify why you disagree in item ⑪ on page 3.)
- c.  I agree to the following orders (Specify below or in item ⑪ on page 3.)

**④ Stay-Away Orders**

- a.  I agree to the orders requested.
- b.  I do not agree to the orders requested. (Specify why you disagree in item ⑪ on page 3.)
- c.  I agree to the following orders (specify below or in item ⑪ on page 3):

**⑤ Additional Protected Persons**

- a.  I agree that the persons listed in item ③ of form CH-100 may be protected by the order requested.
- b.  I do not agree that the persons listed in item ③ of form CH-100 may be protected by the order requested.



6 Guns or Other Firearms and Ammunition

If you were served with form CH-110, Temporary Restraining Order, you cannot own or possess any guns, other firearms, or ammunition. (See item 7 of form CH-110.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control within 24 hours of being served with form CH-110. You must file a receipt with the court. You may use form CH-800, Proof of Firearms Turned In, Sold or Stored, for the receipt.

- a. I do not own or control any guns or firearms.
b. I ask for an exemption from the firearms prohibition under Code of Civil Procedure section 527.9(f) because carrying a firearm is a condition of my employment, and my employer is unable to reassign me to another position where a firearm is unnecessary. (Explain):
c. I have turned in my guns and firearms to the police or sold them to or stored them with a licensed gun dealer. A copy of the receipt is attached. has already been filed with the court.

7 Possession and Protection of Animals

- a. I agree to the orders requested.
b. I do not agree to the orders requested. (Specify why you disagree in item 11 on page 3.)
c. I agree to the following orders (specify below or in item 11 on page 3):

8 Other Orders

- a. I agree to the orders requested.
b. I do not agree to the orders requested. (Specify why you disagree in item 11 on page 3.)
c. I agree to the following orders (specify below or in item 11 on page 3):

9 Denial

I did not do anything described in item 7 of form CH-100. (Skip to 11 .)



**10**  **Justification or Excuse**

If I did some or all of the things that the person in **1** has accused me of, my actions were justified or excused for the following reasons (*explain*):

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 10—Justification or Excuse" as a title. You may use form MC-025, Attachment.

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**11**  **Reasons I Do Not Agree to the Orders Requested**

*Explain your answers to each order requested that you do not agree with.*

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 11—Reasons I Disagree" as a title. You may use form MC-025, Attachment.

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12  No Fee for Filing

- a.  I request that I not be required to pay the filing fee because the person in ① claims in form CH-100 item ⑬ to be entitled to free filing.
- b.  I request that I not be required to pay the filing fee because I am eligible for a fee waiver. (Form FW-001, Request to Waive Court Fees, must be filed separately.)

13  Lawyer's Fees and Costs

- a.  I ask the court to order payment of my  Lawyer's fees  Court costs.  
The amounts requested are:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
Attorney's fees	\$ 3000.00		\$
_____	\$	_____	\$
_____	\$	_____	\$

- Check here if there are more items. Put the items and amounts on the attached sheet of paper and write "Attachment 13—Lawyer's Fees and Costs" for a title. You may use or form MC-025, Attachment.
- b.  I ask the court to deny the request of the person asking for protection that I pay his or her lawyer's fees and costs.

14 Number of pages attached to this form, if any: 8

Date: September 27, 2019

Michael A. Goldfeder: efile signature /s/  
Lawyer's name (if any)

\_\_\_\_\_  
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: September 27, 2019

Michael A. Goldfeder: efile signature  
Type or print your name

\_\_\_\_\_  
Sign your name

SHORT TITLE:  	CASE NUMBER:  
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**ATTACHMENT** (Number): \_\_\_\_\_

*(This Attachment may be used with any Judicial Council form.)*

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page \_\_\_\_\_ of \_\_\_\_\_

*(Add pages as required)*

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**DECLARATION OF MICHAEL A. GOLDFEDER**

I, Michael A. Goldfeder, declare and state as follows:

1. I am over the age of 18 and Co-Counsel of record for Respondent Terrence “Terry” Slatc in the within action titled: Natale M. Herrera v. Terry Slatc, Case No. 19CECG02608 filed in the Fresno Superior Court-Civil Division.

2. I make this declaration in support of the opposition response to the Petitioner’s request for a civil harassment restraining order.

3. The facts stated in this declaration are based upon my personal knowledge and if called to appear as a witness in this matter I would testify to the following:

4. Attached as **Exhibit A** are five (“5”) pages taken from the 2019-2020 “Bullard High School Pep and Cheer Sideline Handbook.”

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed this 27<sup>th</sup> day of September, 2017 at El Segundo, California.

*efile signature /s/* \_\_\_\_\_  
Michael A. Goldfeder

# Exhibit A

2019-2020  
Bullard High School

Pep & Cheer  
Sideline Handbook

**Mission Statement:**

Involvement in the Bullard Pep and Cheer program shall provide members with educational experiences and learning outcomes that contribute toward the development of the attributes of academic success, self-discipline, and good citizenship. The educational process should be enhanced, not compromised through participation in Bullard Pep and Cheer. Our spirit teams shall serve as a support group for the interscholastic athletic program and play a very important role in the administration of athletics/activities contests. Squads will strive to boost school spirit, promote good sportsmanship, develop positive crowd involvement and help student participants and spectators achieve the most worthwhile educational objectives of the interscholastic program. In being one of the most visible and recognizable representatives of the school, Bullard Pep and Cheer members shall be dedicated to demonstrating the highest standards of conduct through positive personal behavior and squad cohesiveness.

Cheerleaders are expected to be mentally and physically fit and athletically skilled in the field of cheerleading. They are first and foremost representatives of their school. Because of these responsibilities, members of the cheerleading squad will be expected to maintain a higher standard of behavior both on and off campus than that of their peers. In or out of uniform, cheerleaders are representatives of BHS Pep & Cheer program and the school.

The BHS Pep & Cheer coaching staff is looking forward to a successful 2019/2020 season.

GO KNIGHTS!

Sincerely,



Alvarado



1. Derogatory language or remarks that may harm my teammates or coaches; other Bullard High student athletes, teachers, or coaches; and student-athletes, coaches, or representatives of other schools, including comments that may disrespect any opponents.
2. Incriminating photos or statements depicting violence; hazing; sexual harassment; full or partial nudity; inappropriate gestures; vandalism, stalking; underage drinking, smoking, selling, possessing, or using controlled substances; possessing, or using illegal weapons; or any other inappropriate behaviors.
3. Creating a serious danger to the safety of another person or making a credible threat of serious physical or emotional injury to another person.
4. Indicating knowledge of an unreported school or team violation—regardless if the violation was unintentional or intentional.

**Disciplinary Action:**

Demerits will be issued to squad members who fail to abide by the rules as specified in the BHS pep and cheer handbook cheer. Director and coaches have the sole responsibility for assigning demerits. The cheerleader will sign off on each demerit given, and it will be the cheerleader's responsibility to tell the parent and keep up with the number of demerits that she has obtained. The director and coaches reserve the right to issue demerits for unacceptable situations which are not outlined in the BHS Pep and Cheer handbook. Final decisions regarding demerits will be made by the director and school administration.

priority with proof. Please attempt to take all family vacations during the "time off slots" listed or as calendar lists additional days off. Your team counts on you to be there. Should you have an injury, you are to sit sideline or sit at practice or competition fully dressed out and support your team until you have been cleared to return to activity. A no call no show is grounds for a minimum of 4 demerits and or up to immediate removal from the squad.

### **Social Media:**

Bullard High School, and the BHS Athletic Department recognize and support the athletes' rights to freedom of speech, expression, and association, including the use of social networks. In this context, however, each athlete must remember that being a member of the BHS pep and cheer squads is a privilege. As an athlete, you represent Bullard High School. Our school and the Bullard Community are expecting you to portray yourself, your team, and the School District in a positive manner at all times. In short, do not have a false sense of security about your rights to freedom of speech. Understand that freedom of speech is not unlimited. The online social network sites are NOT a place where you can say and do whatever you want without repercussions. The information you post on a social networking site is considered public information. Protect yourself by maintaining a self-image of which you can be proud for years to come. The following are social networking guidelines which are provided for usage of social media outlets such as Twitter, Facebook, Tumblr, Snapchat, Instagram, etc.

1. Everything you post is public information - any text or photo placed online is completely out of your control the moment it is placed online - even if you limit access to your site. Information (including pictures, videos, and comments) may be accessible even after you remove it. Once you post a photo or comment on a social networking site, that photo or comment becomes the property of the site and may be searchable even after you remove it.
2. What you post may affect your future. Many employers and college admissions officers review social networking sites as part of their overall evaluation of an applicant. Carefully consider how you want people to perceive you before you give them a chance to misinterpret your information (including pictures, videos, comments, and posters).
3. Similar to comments made in person, the Bullard High School Pep and Cheer program will not tolerate disrespectful comments and behavior online, such as:

indicating knowledge of an unreported school or team violation—regardless if the violation was unintentional or intentional.

### **Disciplinary Action:**

Demerits will be issued to squad members who fail to abide by the rules as specified in the BHS pep and cheer handbook cheer. Director and coaches have the sole responsibility for assigning demerits. The cheerleader will sign off on each demerit given, and it will be the cheerleader's responsibility to tell the parent and keep up with the number of demerits that she has obtained. The director and coaches reserve the right to issue demerits for unacceptable situations which are not outlined in the BHS Pep and Cheer handbook. Final decisions regarding demerits will be made by the director and school administration.

### **BHS PEP & CHEER Demerit System**

1. warning
2. warning, meeting with coach & director
3. warning, meeting with coach & director, parent contact
4. meeting with admin, parent contact, 1 week probation
5. meeting with parent & admin, 2 weeks probation
6. removal from squad

No call no show is grounds for a minimum of 4 demerits and or up to immediate removal from the squad.

Profanity in uniform is not tolerated and will result in a minimum 3 demerits. All of the following

infractions will result in 1 demerit: gum chewing, forgetting bow, forgetting a required uniform item,

jewelry, not showing up ready at a game, tardy, dress coded at school, not wearing correct game day

attire, skirt pulled up, failing to listen to direction, failing to put away cheer items, disrespecting school

property, bra straps showing, poor sportsmanship, not turning in required paperwork, dishonesty about

absence or tardiness, excessive PDA in uniform,

### **Immediate Removal**

*Offenses that may result in immediate removal from any squad (on or off campus):*

- No call No show
- Use and/or possession of alcohol, drugs, or tobacco

- stealing or possession of stolen goods
- Use and/or possession of weapons
- Defiance of advisor, coach, teacher, or administrator
- Two grading periods below a 2.0 GPA
- Passing less than 20 credits during one grading period.
- Fighting on or off campus.
- Any suspendable offense
- Any violation of the athletic code of ethics.
- Anything deemed inappropriate posted on Twitter, Instagram, Facebook, Snapchat, etc.

#### **Fundraising:**

All squad members are expected to assist in fundraising events provided throughout the year. Through equipment needs, supplies, awards, choreography, maintenance, and other unforeseen costs. The following fundraisers have taken place in the past year and are currently being planned for the coming year: cheerleading clinics and camps, corporate sponsorships, t-shirt sales, spirit item sales, car wash(es), as well as any other team mandated fundraisers.

#### **Spirit of BHS:**

The needs of the Bullard Pep and Cheer Program are financially supported by the Spirit of BHS, a program booster's organization. This group is formed by the parents of Pep and Cheer Squad members. General meetings are held throughout the year. It is imperative that ALL parents of squad members attend ALL meetings in order to provide for the needs of the program and to be well informed by the advisor. More information will be available at the first Pep and Cheer Parent meeting to be held in May. The Spirit of BHS is currently raising money to support the needs of the program including but not limited to: transportation and maintenance of equipment (sound system/trailer), spirit room improvements, end of the year banquet, special coaching needs, etc.

#### **Parent Involvement:**

Although it is the student who ultimately signs up to participate in Bullard Pep and Cheer, we gladly welcome and encourage parents to assist with various facets of the program. Parent volunteers and committees will be established to help ensure that all events and activities run smoothly. These groups will be organized at meetings held in May and August. At this time, parents might be thinking of what area(s) of assistance may be of strength or interest. Some examples are as follows: transportation/carpools, chaperones, trailer transportation (JV & Varsity), equipment maintenance, large projects, refreshments, senior night, end of the year banquet, etc. There is an open line of communication between the advisor and parents. Recommendations are always welcome. Please contact the advisor at the onset of any questions, comments, or concerns.

1 PROOF OF SERVICE BY MAIL - 1013A, 2015.5 C.C.P.

2 STATE OF CALIFORNIA )  
3 )  
4 COUNTY OF LOS ANGELES )

5 I am employed in the county aforesaid; I am over the age of eighteen years and  
6 not a party to the within entitled action; my business address is 400 Continental  
7 Boulevard, 6th Floor, El Segundo, CA. 90245.

8 On September 27, 2019 I served the within document described as:

9  
10 **Response to Request for Civil Harassment Restraining Order CH-120**

11 On interested parties in this action by placing a true copy thereof enclosed in a  
12 sealed envelope addressed as follows:

13 Natale M. Herrera US First Class Mail  
14 5142 N. Polk Avenue  
15 Fresno, CA. 93722

16 I am readily familiar with the firm's practice of collection and processing  
17 correspondence for mailing. Under that practice it would be deposited with U.S.  
18 postal service on that same day with postage thereon fully prepaid at Los Angeles,  
19 California in the ordinary course of business. I am aware that on motion of the  
20 party served, service is presumed invalid if postal collection date or postage meter  
21 date is more than one day after date of deposit for mailing in affidavit.

22 I declare, under penalty of perjury, under the laws of the State of California,  
23 that the foregoing is true and correct.

24 Executed on September 27, 2019 at El Segundo, California.

25 \_\_\_\_\_  
26 Efile signature /s/  
27 Michael A. Goldfeder