

1 William J. Becker, Jr., Esq. (SBN 134545)
2 **THE BECKER LAW FIRM**
3 11500 Olympic, Blvd., Suite 400
4 Los Angeles, California 90064
5 Phone: (310) 636-1018
6 Fax: (310) 765-6328

7 Attorneys for Plaintiff, David Coppedge

FILED
LOS ANGELES SUPERIOR COURT

JAN 27 2012

CLARK A. CLARKE, CLERK
BY RAUL SANCHEZ, DEPUTY

8 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

10 **DAVID COPPEDGE**, an individual;

11 Plaintiff,

12 vs.

13 **JET PROPULSION LABORATORY**, form
14 unknown; **CALIFORNIA INSTITUTE OF**
15 **TECHNOLOGY**, form unknown; **GREGO-**
16 **RY CHIN**, an Individual; **CLARK A.**
17 **BURGESS**, an Individual; **KEVIN KLENK**,
an Individual; and **Does 1 through 25**, inclu-
sive,

18 Defendants.

Case No. BC435600

The Honorable Ernest M. Hiroshige, Dept. 54

REQUEST FOR JUDICIAL NOTICE
(PLAINTIFF'S MOTION IN LIMINE
NO. 3)

FSC: February 24, 2012
HEARING TIME: 9:00 a.m.
DEPT: 54

Trial Date: March 7, 2012

19 ///

20 ///

21 ///

BY FAX

1 TO THIS HONORABLE COURT AND TO THE DEFENDANTS AND THEIR ATTORNEYS
2 OF RECORD HEREIN:

3 PLEASE TAKE NOTICE that pursuant to California *Evidence Code* §§ 452(d) and 453,
4 Plaintiff David Coppedge hereby requests that the Court take judicial notice of the following
5 document, which is attached hereto:
6

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
Exhibit "1"	Written Warning attached as Exh. 23 to Becker Decl. in Opposition to Defendant's Motion for Summary Judgment

10 DATED: January 27, 2012

THE BECKER LAW FIRM

11 William J
12 Becker Jr, Esq
By: _____
13 WILLIAM J. BECKER, JR., ESQ.
14 Attorneys for Plaintiff, DAVID COPPEDGE

Digitally signed by William J Becker Jr, Esq
DN: cn=William J Becker Jr, Esq,
o=THE BECKER LAW FIRM, ou,
email=bbeckerlaw@gmail.com, c=US
Date: 2012.01.27 14:35:37 -08'00'

01/27/2012

EXHIBIT 1

EXHIBIT 1

DATE: April 13, 2009
TO: David Coppedge
FROM: Clark Burgess
SUBJECT: Written Warning

The Employee Relations Office has completed an investigation concerning allegations that you approached various co-workers during JPL business hours to discuss your religious and political beliefs. Your actions were reported as harassing in nature. As part of this investigation, you met with Jhertaune Huntley from Employee Relations and were given the opportunity to discuss the allegations and explain your perspective and answer questions.

I have received the results of this investigation and after careful review of all the issues and information obtained, I am in agreement with the following findings:

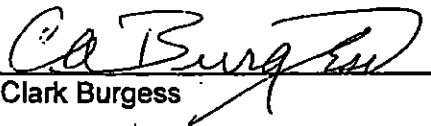
- You acknowledged that you approached various coworkers during work hours to inquire if they were interested in watching your DVDs which clearly express your personal views and you engaged various co-workers in conversations about your personal views. You failed to stop these activities when you were told they were unwelcome and disruptive.
- You violated the Unlawful Harassment policy which states:
 - Harassment is the creation of a hostile or intimidating environment in which verbal or physical conduct, because of its severity and/or persistence, is likely to interfere significantly with an individual's work. Harassment in any form, based on sex, race, color, age, national origin, disability, religion, gender identity, sexual orientation, or any other characteristic protected by state or federal laws, is prohibited, as are all forms of sexual intimidation and exploitation.
- You created disruption in the workplace by approaching a co-worker during work hours to engage in a political debate about a recent controversial issue. When you discovered your co-worker did not share your political views, you became upset and argumentative. Your co-worker had to request that you leave his office in order to cease the conversation.
- You violated JPL's Ethics and Business Conduct Policy which states:
 - JPL employee behaviors shall be consistent with the JPL and NASA Values and the Caltech's JPL honor codes. Specifically, "I will treat my fellow employees fairly, with dignity and respect."

Based on the results of the investigation, it has become apparent that your behavior in the workplace is perceived as unwelcome and unprofessional. This type of behavior is inconsistent with a professional business environment and will not be tolerated in the future.

Due to the seriousness of violating the Unlawful Harassment policy, you are being given a Written Warning. Should another incident of this nature occur, you will be subject to further disciplinary action up to and including termination.

Effective immediately, you must refrain from discussions which are argumentative, disruptive and/or harassing to your co-workers. Today we have talked about what type of conduct is unwelcome or offensive. If you have questions about such conduct, please talk with me immediately. For example, co-workers found your requests to watch your DVDs that express your personal views to be unwelcome.

It is important that you understand that JPL policy prohibits retaliation against any employee who may have participated in this investigation. JPL is committed to a harassment and retaliation free workplace, to investigating complaints promptly, and to taking appropriate corrective action. All participants in this investigation have a right to expect appropriate treatment as a result of bringing this complaint forward. Should you take any actions which JPL believes are retaliatory against any of these individuals, you will be subject to further disciplinary action up to and including termination.


Clark Burgess

4/13/09
Date

This warning has been discussed with me, and I have received a copy. I have read it and understand the consequences of future violations of policy.

David Coppedge

Date

Attachments: Ethics and Business Conduct Policy (DocID# 58572), Unlawful Harassment Policy (DocID# 72112)