NORTH CAROLINA

ORANGE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
10 CVS 149

RIELLE HUNTER,
Plaintiff,

v.

ANDREW YOUNG and
CHERI YOUNG,
Defendants

RESPONSE OF ANDREW YOUNG AND CHERI YOUNG TO THE TEMPORARY RESTRAINING ORDER

Defendants Andrew Young ("Mr. Young") and Cheri Young ("Mrs. Young," and collectively with Mr. Young, the "Youngs"), by and through undersigned counsel respectfully submit this Response to the Temporary Restraining Order (the "Order") issued by this Court on January 28, 2010. As set forth herein, the Youngs respectfully submit that because the Order seeks to alter, rather than preserve, the status quo, the Order is beyond the scope of a permissible temporary restraining order. Furthermore, the Youngs respectfully submit that they are not in possession of any documents specifically identified in the Order. Finally, the Youngs respectfully submit that at least one of the categories of materials which the Court has ordered them to turn over lacks sufficient specificity to enable the Youngs to comply. Therefore, the Youngs respectfully request that the Court vacate the Order, or, in the alternative, rule that the Youngs have complied with the Order, or, in the alternative, modify the Order to meet the requirements of a permissible temporary restraining order.

INTRODUCTION

Mr. Young was a longtime aide to former United States Senator and presidential candidate John Edwards ("Senator Edwards"). In 2006, while Mr. Young was his aide, Senator Edwards began an extramarital affair with Plaintiff Rielle Hunter ("Ms. Hunter"). During the course of this affair, Ms. Hunter eventually became pregnant with Senator Edwards' child and gave birth on February 27, 2008. Senator Edwards initially denied the affair, but eventually acknowledged it on August 8, 2008. Senator Edwards

continued to deny that he had fathered Ms. Hunter's daughter until acknowledging paternity almost two years later on January 21, 2010.

Ms. Hunter acknowledged that she was pregnant to Senator Edwards and to Mr. Young in May 2007. In or about October 2007, at Senator Edwards' insistence, the Youngs agreed to allow Ms. Hunter to move into their home. After a few weeks of living in the Youngs' home, the Youngs rented a separate home in the same community for Ms. Hunter. After Ms. Hunter had moved out, the Youngs found certain property which had been abandoned and/or discarded in their home, including video recordings apparently recorded by Ms. Hunter. Ms. Hunter did not claim or request that any such abandoned property be returned to her until the summer of 2009, nearly two years after she had moved out and abandoned the property.

I. ALTERING THE STATUS QUO IS BEYOND THE SCOPE OF A TEMPORARY RESTRAINING ORDER

A temporary restraining order is not a seizure order. A temporary restraining order is not a mechanism to make final judgments on the ownership of property. The sole purpose of a temporary restraining order is to preserve the status quo. Prior to the issuance of the Order, any materials covered by the Order were inherently in the possession of the Youngs.[1] The Order compels the Youngs "to turn over all copies . . . that are in their possession, custody or control, including electronic copies, to Plaintiff Rielle Hunter, in the care of her attorney of record." There can be no dispute that the Order thereby alters the status quo. The Court of Appeals has held that "[t]he purpose of [a temporary restraining] order, issued *ex parte*, is to preserve the status quo pending a full hearing." Huff v. Huff, 69 N.C. App. 447, 450, 317 S.E.2d 65, 67 (1984) (internal

[1] As set forth in Section II, the Youngs respectfully submit that they have no materials in their possession which are covered by the Order.

citations omitted). Furthermore, temporary restraining orders and preliminary injunctions "serve the same function" which is "to preserve the status quo." Lambe v. Smith, 11 N.C. App. 580, 582, 181 S.E.2d 783, 784 (1971) (internal citations omitted). The fact that temporary restraining orders and preliminary injunctions "serve the same function" is important because the Supreme Court has repeatedly held that the purpose of preliminary injunctions is to preserve the status quo. See State ex rel. Edmisten v. Fayetteville Street Christian School, 299 N.C. 351, 357, 261 S.E.2d 908 (1980) ("The purpose of a preliminary injunction is ordinarily to preserve the *status quo* pending trial on the merits."); Setzer v. Annas, 286 N.C. 534, 537, 212 S.E.2d 154, 156 (1975) (same).

The Order alters, rather than preserves, the status quo. Preservation of the status quo would require that any materials covered by the Order which are in the Youngs' possession remain in the Youngs' possession. Presumably an order which would provide the same protection intended by the present Order, but which preserves the status quo, could enjoin the Youngs from discarding or further disseminating such materials, but an order which compels the Youngs to turn over all such materials to Ms. Hunter's counsel is an unequivocal change in the status quo and, therefore, outside of the scope of a permissible temporary restraining order. Therefore, the Youngs respectfully request that the Court either vacate the Order or modify the Order to one in which the status quo is preserved, rather than altered.

II. BASED UPON THE IDENTIFICATION OF THE SPECIFIC ITEMS IN THE ORDER, THE YOUNGS ARE NOT IN POSSESSION OF ANY SUCH ITEMS

A. The Youngs Are Not In Possession Of The "Video" As That Term Is Defined In The Order

The brunt of Ms. Hunter's Motion for Temporary Restraining Order and/or Preliminary Injunctive Relief (the "Motion"), and the corresponding Order, seem to revolve around the "personal video recording that depicted matters of a very private and personal nature," defined in Ms. Hunter's papers as the "Video." Ms. Hunter claims that she "authored" the Video "[i]n or about September 2006." While it is true that the Youngs are in possession of a copy of a video recording showing Senator Edwards engaged in sexual activities with a woman who, from all indications, is not his wife, and who the Youngs believe to be Ms. Hunter based upon her appearance (the "Edwards Tape"),[2] it is not possible that the Edwards Tape is the Video identified by Ms. Hunter in her Motion. If the woman in the Edwards Tape is not Ms. Hunter, then Ms. Hunter never had any property interest in the Edwards Tape.

In the Edwards Tape, Senator Edwards is engaged in sexual activities with a woman, believed to be Ms. Hunter, who is noticeably pregnant. As Ms. Hunter testified in her affidavit (the "Affidavit") that she authored the Video "[i]n or about September 2006," for the Video to be the Edwards Tape, she would have had to have been pregnant in September 2006. This means that, as a matter of human biology, Ms. Hunter would have given birth no later than June 2007. However, Ms. Hunter gave birth to Senator Edwards' daughter in Santa Barbara, California on February 27, 2008. A

[2] While Ms. Hunter's face is never seen in the Edwards Tape, based upon the circumstances of how the Youngs obtained the Edwards Tape, the jewelry worn by the woman in the Edwards Tape, and the fact that the woman in the Edwards Tape is noticeably pregnant, the Youngs believe that the woman in the Edwards Tape to be Ms. Hunter. There is no question that the man in the Edwards Tape is Senator Edwards.

copy of that child's birth certificate as posted on the website of the Charlotte Observer is attached hereto as Exhibit 1.[3] Upon information and belief, Senator Edwards' daughter is Ms. Hunter's only child. Specifically, Ms. Hunter was not pregnant "[i]n or about September 2006" when she claims that the Video was recorded. As the woman in the Edwards Tape is noticeably pregnant, and because Ms. Hunter gave birth on February 27, 2008, presuming that Ms. Hunter is the woman engaged in sexual activities with Senator Edwards in the Edwards Tape, the Edwards Tape would have been recorded no earlier than May 2007,[4] or eight months after when Ms. Hunter claims to have authored the Video.

Given this incongruity between the Video, as described in Ms. Hunter's Motion, and the Edwards Tape, there are two possibilities for what the Video is, as that term is defined in the Order. The first is that when Ms. Hunter refers to a "personal video recording that depicted matters of a very private and personal nature," she is referring to a video other than the Edwards Tape. If that is the case, the Youngs are not in possession of the Video described in Ms. Hunter's Motion which would be separate and distinct from the Edwards Tape. Under these circumstances, the Youngs would have nothing to turn over with respect to the Video because they do not possess the Video.[5]

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3 While the daughter of Senator Edwards and Ms. Hunter has been repeatedly named by the press, and was named by Senator Edwards in his January 21, 2010, public statement acknowledging paternity, out of an abundance of caution, she will not be named herein and her name has been redacted from the birth certificate.

4 Presumably the Edwards Tape was actually recorded sometime after May 2007, and most likely during the summer or autumn of 2007, because the woman in the tape, who is presumed to be Ms. Hunter, is noticeably pregnant, and Ms. Hunter would likely not have appeared pregnant in her first month of pregnancy.

5 While the Youngs do not believe that they are in possession of the Video, if the Video is not a mischaracterization of the Edwards Tape, because Ms. Hunter's Motion only refers to the Video as a "personal video recording that depicted matters of a very private and personal nature," the description of the Video is so vague that the Youngs have no way to

The second possibility is that Ms. Hunter mischaracterized the Video as having been recorded "[i]n or about September 2006," when it was actually recorded no earlier than May 2007. As the Order calls for the Youngs to produce a Video created "[i]n or about September 2006, " if the Edwards Tape is the recording contemplated by Ms. Hunter's Motion, then the Order does not presently call for the Youngs to turn over the Edwards Tape. Under these circumstances, the Youngs would have nothing to turn over with respect to the Video because the Edwards Tape does not meet the definition of the Video in the Order.

B. To The Extent That Ms. Hunter May Have Ever Owned The Edwards Tape, She Abandoned Ownership When She Abandoned Her Property

While, as described above, the Order does not refer to the Edwards Tape, even if the Edwards Tape were among the video recordings referred to in the Order, the Youngs would be under no obligation to turn the Edwards Tape over because the Order refers only to "[t]he three video recordings belonging to Hunter." Assuming, *arguendo*, that the Edwards Tape ever belonged to Ms. Hunter, the Youngs respectfully submit that Ms. Hunter abandoned that property. The Youngs found the Edwards Tape in their own house, after Ms. Hunter had briefly lived with them in that house at Senator Edwards' request.[6] Ms. Hunter moved out of the Youngs' home in or about October

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verify that the Video is not in their possession.

[6] This is another indication that the Video, as identified by Ms. Hunter in her Motion, is not the Edwards Tape, and therefore that the Edwards Tape is not part of the Order. In her Affidavit, Ms. Hunter testified that the Video was located in the "Governor's Club residence" which "Andrew Young rented . . . for me." While it is true that the Youngs rented a home in the Governor's Club community for Ms. Young, the residence rented for Ms. Hunter is not where the Edwards Tape was found by the Youngs. Instead, the Edwards Tape was found abandoned and discarded in the Youngs' own home, in which Ms. Hunter had briefly lived for a few weeks, prior to the Youngs' rental of a separate residence for her.

2007. Ms. Hunter abandoned certain property when she moved out and she never requested or demanded the return of such property even while she was in a separate residence in the same community.

In fact, Ms. Hunter never requested the return of anything until the summer of 2009, nearly two years after she moved out of the Youngs' home. Ms. Hunter alleges in her Affidavit that the Video was contained in a "hatbox" which also contained her passport. Ms. Hunter alleges that in August 2008 she requested not the entirety of the contents of the hatbox, but only her passport. Taking Ms. Hunter's allegations on their face, it is respectfully submitted that Ms. Hunter's request for her passport to the exclusion of any other property purportedly contained in the hatbox shows Ms. Hunter's intent to abandon or dispose of the other property purportedly contained in the hatbox. In actuality, the Edwards Tape was not found in the hatbox located in the home which the Youngs rented for Ms. Hunter, but rather was found discarded in the Youngs' own home.

It is respectfully submitted that such conduct clearly demonstrates "the intention to abandon" the property. Raleigh, C & S. R. Co. v. McGuire, 171 N.C. 277, 281 88 S.E. 337, 339 (1916). Indeed, given that the Video purportedly "depicted matters of a very private and personal nature," it is respectfully submitted that if Ms. Hunter had any intention other than to abandon the Video, she would have taken it with her upon moving out of the Youngs' home, or she would have requested its return immediately upon moving out of the Youngs' home, or, at minimum, she would have requested its return while she was requesting the passport which she alleges was located in the same hatbox as the Video. This conclusion is particularly strengthened if, by the term

"Video," Ms. Hunter meant to refer to the Edwards Tape. It can only be presumed that if Ms. Hunter had any intention other than to abandon a video recording of her engaged in sexual activities with a presidential candidate, she would have taken all possible steps to prevent that tape from being made public years earlier.

It is respectfully submitted that Ms. Hunter's abandonment of the Video at the Youngs' home two years earlier constitutes "the external act by which [her] intention [to abandon the video was] carried into effect." Id. The combination of "both the intention to abandon and the external act by which such intention is carried into effect" is all that is required to establish the abandonment of property. Id. The question of whether property has been abandoned is one for the jury. See Miller v. Teer, 220 N.C. 605, 613, 18 S.E.2d 173, 178 (1942); Kitchen v. Wachovia Bank & Trust Co., N.A., 44 N.C. App. 332, 334, 181 S.E.2d 783, 773 (1979). Thus, as Ms. Hunter has yet to prove to a jury that her property was not abandoned, the Youngs' view is that the property was abandoned, and therefore, even if the Video were the Edwards Tape, it would not be subject to the Order because the Order only covers "video recordings belonging to Hunter." It is respectfully submitted that the campaign videos which Ms. Hunter alleges were stored with the Video and her passport (the "Campaign Videos") were likewise abandoned by Ms. Hunter.[7]

C. The Campaign Videos Do Not Belong to Ms. Hunter Because She Never Had Any Ownership Interest In The Campaign Videos

Among "[t]he three video recordings belonging to Hunter," as described by in the Order, are "videos contain[ing] footage of campaign activities and an interview

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[7] Like the Edwards Tape, the Campaign Videos were not found in the hatbox in the house which the Youngs rented for Ms. Hunter, but rather were found abandoned and discarded in the Youngs' own home.

conducted by Hunter" (*i.e.*, the Campaign Videos). In 2006, Ms. Hunter was retained, through her production company, Midline Groove Productions, by the One America Committee, a political action committee (the "PAC") designed to serve as a springboard to a potential 2008 presidential candidacy for Senator Edwards. As the Campaign Videos referenced were actually created for the PAC, and Ms. Hunter was paid over $100,000 for these Campaign Videos and similar ones, Ms. Hunter has no ownership interest in them. It is well settled that work performed by an agent or employee in the scope of her employment belongs to the employer and not to the employee. See Speck v. N.C. Dairy Foundation, Inc., 311 N.C. 679, 686, 319 S.E.2d 139, 143 (1984) ("The fruit of the labor of one who is hired to invent, accomplish a prescribed result, or aid in the development of products belongs to the employer absent a written contract to assign."). The Youngs' position is that they are the owners of the Campaign Videos based upon the abandonment of the Campaign Videos. However, assuming, *arguendo*, that the Youngs did not become the owners of the Campaign Videos based upon this abandonment, then ownership would presumably remain with either the PAC, which is now believed to be fully dissolved, or the Edwards Campaign, and not with Ms. Hunter. No party purporting to represent either the PAC or the Campaign has made any demand to the Youngs for the return of the Campaign Videos.

D. The Youngs Are Not In Possession Of Any Photographs Belonging To Ms. Hunter

Ms. Hunter requested in her Motion, and received an Order, compelling the Youngs to produce "[t]he photographs belonging to Hunter of Hunter's daughter." The Youngs have no such photographs. The Youngs are in possession of certain photographs of the daughter of Ms. Hunter and Senator Edwards which the Youngs

themselves took and, therefore, are the owners. The Youngs may also possess certain photographs which were *given* to the Youngs by Ms. Hunter, such as photographs taken by Ms. Hunter which she herself uploaded to the Youngs' personal computer. The Youngs absolutely did not download or otherwise obtain copies of any photographs from either Ms. Hunter's laptop computer or her digital camera, as alleged by Ms. Hunter in her Affidavit. To the extent that the Youngs are in possession of any such photographs, it is because *Ms. Hunter gave the photographs to the Youngs.* Accordingly, the Youngs are not in possession of any "photographs belonging to Hunter." Therefore, the Youngs have no photographs which they are obligated to produce in response to the Order.

E. The Youngs Are Not In Possession Of Any Video Recordings Of Ms. Hunter That Were Made Surreptitiously Or Without Her Knowledge Or Consent

The Youngs are also in possession of the Campaign Videos. Those videos likewise were recorded by Ms. Hunter who inherently was aware of and consented to the recordings. Finally, the Youngs are in possession of certain home videos which they themselves recorded during their experiences with Ms. Hunter. Some of those videos were featured on the ABC television network program "20/20" on Friday, January 29, 2010. To the extent that Ms. Hunter is in those videos, she was clearly aware of and consenting to her recording, frequently even showing off for the camera. Thus, none of the video recordings of Ms. Hunter in the Youngs' possession "were made surreptitiously or otherwise without Hunter's knowledge and/or consent." Accordingly, the Youngs have no recordings to produce in response to this portion of the Order.

III. THE YOUNGS CANNOT PRODUCE ANYTHING UNDER THE VAGUE FINAL CATEGORY OF ITEMS THEY HAVE BEEN ORDERED TO PRODUCE

A. The Youngs Have No Basis To Determine What Would Constitute "Matters Of a Private And Personal Nature With Respect To Hunter"

While, for the aforementioned reasons, the Youngs are not in possession of any of the items specifically requested by the Order, the fourth and final category of items requires the Youngs to produce "[a]ny video recordings or photographs that depict matters of a private and personal nature with respect to Hunter." The Youngs have no basis to determine whether any items in their possession meet this requirement. A temporary restraining order may only issue if the order is "specific in terms" and "describe[s] in reasonable detail . . . the act or acts enjoined or restrained." N.C. Gen. Stat. § 1A-1, Rule 65(d). See also Gibson v. Cline, 28 N.C. App. 657, 659, 222 S.E.2d 478 (1976) (vacating a temporary restraining order because, *inter alia*, the order "does not describe in detail the acts enjoined.").

The Court of Appeals has held that a court order is "fatally vague" if it does not provide a clear basis for compliance. Cox v. Cox, 133 N.C. App. 221, 228, 515 S.E.2d 61, 66 (1999). In Cox, the Court of Appeals reviewed a civil contempt order directing the defendant "not to punish either of the minor children in any manner that is stressful, abusive, or detrimental to that child." Id. at 226. The Court of Appeals held that "[t]his condition does not clearly specify what the defendant can and cannot do to the minor children in order to purge herself of the civil contempt." Id. Thus, the Court of Appeals "reversed the trial court's . . . civil contempt order because the vague condition made it impossible for defendant to purge herself of contempt." Id. See also Scott v. Scott, 157 N.C. App. 382, 393-94, 579 S.E.2d 431, 438-439 (2003) (striking down another civil contempt order which directed defendant to "not interfer[e] with the Plaintiff's custody of the minor children," on the basis that the "requirements of the court's disposition order

concerning interference are impermissibly vague. Like the order in Cox, these conditions do not clearly specify what the defendant can and cannot do . . . in order to purge himself of the civil contempt.") (internal citations omitted).

This is the situation in which the Youngs find themselves. The Order does not specify what constitutes "matters of a private and personal nature with respect to Hunter." The Youngs are left only to speculate as to what may be "of a private and personal nature" for Ms. Hunter. Indeed, based upon Ms. Hunter's actual abandonment of certain property, the Youngs could reasonably conclude that Ms. Hunter did not believe that anything she abandoned was "of a private and personal nature."[8] Furthermore, this portion of the Order makes no reference to ownership. Thus, it is unclear whether the Youngs are being ordered to even produce video recordings or photographs which they themselves took and of which they are the undisputed owners. While there is no dispute as to the ownership of such video recordings and photographs, Ms. Hunter could arguably contend that such photographs and video recordings are "of a private and personal nature," thereby bringing them within the scope of the Order and compelling the Youngs to turn over to Ms. Hunter's counsel certain items which are undisputedly the property of the Youngs. Accordingly, the Youngs respectfully submit that this portion of the Order is impermissibly vague and respectfully request that the Court vacate the Order.

B. Ms. Hunter Had No Reasonable Expectation Of Privacy In Property That She Abandoned In Another's Home

As noted above, to the extent that the Youngs are in the possession of any materials which were formerly the property of Ms. Hunter, the Youngs came to possess

[8] As set forth below, this would be a logical conclusion as Ms. Hunter has no reasonable expectation of privacy in property which she abandoned.

those materials because they were abandoned by Ms. Hunter in the Youngs' own home. There are numerous instances in which courts have held that no reasonable expectation of privacy exists when an individual abandons property and there is no indication that they intend to return for it. See State v. McKinney, 361 N.C. 53, 56-57, 637 S.E.2d 868, 871 (2006); State v. Johnson, 98 N.C. App. 290, 296, 390 S.E.2d 707, 711 (1990); State v. Cromartie, 55 N.C. App. 221, 225, 284 S.E.2d 728, 730 (1981). Furthermore, an individual has no reasonable expectation of privacy in another's home if that individual was never a guest or is no longer a guest in that home. See State v. McNeil, 165 N.C. App. 777, 783-84, 600 S.E.2d 31, 35-36 (2004); State v. McMillian, 147 N.C. App. 707, 712, 557 S.E.2d 138, 142 (2001); State v. Sanchez, 147 N.C. App. 619, 626-27, 556 S.E.2d 602, 608 (2001).

Ms. Hunter abandoned certain property at the Youngs' former home when a separate residence was rented for her in or about October 2007.[9] She left these materials in the Youngs' home while they were living there but while she was not. Furthermore, she left these materials in the Youngs' home while that home was being shown by real estate agents to potential purchasers. It is respectfully submitted that under no circumstances can she claim to have had a reasonable expectation of privacy in these abandoned materials. Accordingly, while it is unclear what video recordings or photographs would suffice to "depict matters of a private and personal nature with

[9] If Ms. Hunter's allegations that the Video and the Campaign Videos were located in a hatbox in the home which the Youngs rented for her are taken on their face (in fact, the Edwards Tape and the Campaign Videos were found discarded in the Youngs' own home), this further establishes that Ms. Hunter had no reasonable expectation of privacy. Ms. Hunter requested her passport from the hatbox in August 2008 when she knew that the Youngs were not in town. Thus, the Youngs had to ask a third party to locate the passport. Clearly Ms. Hunter would have no reasonable expectation of privacy in property she abandoned and which she specifically made a request that would require a third party to rummage through that abandoned property.

respect to Hunter," no reasonable definition could include either the Edwards Tape or the Campaign Videos based upon Ms. Hunter's abandonment of these materials in the Youngs' home.

CONCLUSION

For the foregoing reasons, the Youngs respectfully submit that:

a) by altering the status quo, the Order is outside the scope of a permissible temporary restraining order;

b) they are not in possession of any materials specifically identified by the Order; and

c) the Order is impermissibly vague.

Therefore, the Youngs respectfully request that the Court vacate the Order, or, in the alternative, rule that the Youngs have complied with the Order, or, in the alternative, modify the Order.

Respectfully submitted, this the 4th day of February 2010.

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CERTIFICATE OF SERVICE

On February 4, 2010, the undersigned counsel delivered a copy of the above document to Wade Barber by hand-delivering a copy to his office.

Copies were also provided to Alan W. Duncan and Allison O. Van Laningham by faxing a copy of the document to their office at fax number 336-378-5400.

Mark E. Edwards

EXHIBIT 1

STATE OF CALIFORNIA

CERTIFICATION OF VITAL RECORD

SANTA BARBARA COUNTY

SANTA BARBARA, CALIFORNIA

CERTIFICATE OF LIVE BIRTH

STATE OF CALIFORNIA

USE BLACK INK ONLY

STATE FILE NUMBER

LOCAL REGISTRATION NUMBER 1200842001026

THIS CHILD	1A. NAME OF CHILD - FIRST [redacted]	1B. MIDDLE [redacted]	1C. LAST [redacted]		
	2. SEX: FEMALE	3A. THIS BIRTH, SINGLE, TWIN, ETC.: SINGLE	3B. IF MULTIPLE, THIS CHILD 1ST, 2ND, ETC.: -	4A. DATE OF BIRTH - MM/DD/CCYY: 02/27/2008	4B. HOUR - 24 HOUR CLOCK TIME: 0000
PLACE OF BIRTH	5A. PLACE OF BIRTH - NAME OF HOSPITAL OR FACILITY: COTTAGE HOSPITAL	5B. STREET ADDRESS - STREET AND NUMBER, OR LOCATION: PUEBLO AT BATH STREET			
	5C. CITY: SANTA BARBARA	5D. COUNTY: SANTA BARBARA			
FATHER/PARENT	6A. NAME OF FATHER/PARENT - FIRST: -	6B. MIDDLE: -	6C. LAST: -	7. BIRTHPLACE - STATE/COUNTRY: -	8. DATE OF BIRTH - MM/DD/CCYY: -
MOTHER/PARENT	9A. NAME OF MOTHER/PARENT - FIRST: RIELLE	9B. MIDDLE: JAVA JAMES	9C. LAST - BIRTH NAME: DRUCK	10. BIRTHPLACE - STATE/COUNTRY: FL	11. DATE OF BIRTH - MM/DD/CCYY: 03/20/1964
INFORMANT AND CERTIFICATION	12A. I CERTIFY THAT I HAVE REVIEWED THE STATED INFORMATION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. 12B. PARENT OR OTHER INFORMANT - SIGNATURE: Rielle Druck			12B. RELATIONSHIP TO CHILD: MOTHER	12C. DATE SIGNED - MM/DD/CCYY: 03/02/2008
	13A. I CERTIFY THAT THE CHILD WAS BORN ALIVE AT THE DATE, HOUR, AND PLACE STATED. 13C. ATTENDANT/CERTIFIER - SIGNATURE AND DEGREE OR TITLE: Diana Panzarella			13B. LICENSE NUMBER: G-32295	13D. DATE SIGNED - MM/DD/CCYY: 03/02/2008
	13D. TYPED NAME, TITLE AND MAILING ADDRESS OF ATTENDANT: JOHN VANDERHEIDE, MD, 515 W PUEBLO, SANTA BARBARA			14. TYPED NAME AND TITLE OF CERTIFIER IF OTHER THAN ATTENDANT: D. Panzarella, HIM Manager	
LOCAL REGISTRAR	15A. DATE RECEIVED - MM/DD/CCYY:	15B. STATE FILE NO. - STATE USE ONLY:	16. LOCAL REGISTRAR - SIGNATURE: ELLIOT SCHULMAN, M.D.		17. DATE ACCEPTED FOR REGISTRATION - MM/DD/CCYY: 03/04/2008

CERTIFIED COPY OF VITAL RECORDS

STATE OF CALIFORNIA
COUNTY OF SANTA BARBARA } SS

DATE ISSUED JUL 30 2008

000092549

This is a true and exact reproduction of the document officially registered and placed on file in the office of the SANTA BARBARA COUNTY CLERK, RECORDER and ASSESSOR.

JOSEPH E. HOLLAND
COUNTY CLERK, RECORDER and ASSESSOR
SANTA BARBARA, CALIFORNIA

This copy not valid unless prepared on engraved border displaying seal and signature of County Clerk, Recorder and Assessor.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE