

COPY

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FILED

AUG 13 2007

KIM TURNER
Court Executive Officer
MARIN COUNTY SUPERIOR COURT
By: L. Murga Deputy

4 Attorney and Elector

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA,**
9 **COUNTY OF MARIN**

10 AYLSWORTH CRAWFORD GREENE aka
11 FORD GREENE, an individual elector,

12 Plaintiff,

13 vs.

14 MARIN COUNTY FLOOD CONTROL AND
15 WATER CONSERVATION DISTRICT, a body
corporate and politic,

16 Defendant.

Case No. CV 073767

**APPLICATION FOR ORDER SETTING
HEARING ON ELECTION CONTEST;
DECLARATION OF FORD GREENE;
[Proposed] ORDER**

Date:
Time:
Place:
Dept: L [Hon. Lynn Duryee]

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21 DECLARATION OF FORD GREENE

22 Ford Greene declares:

23
24 I am an attorney licensed to practice law in the State of California and am the elector and plaintiff
25 herein. By this application and pursuant to Elections Code section 16500, I hereby I apply for an Order
26 from the Court setting a hearing on the Election Contest which I filed herein on August 9, 2007.
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28

1
APPLICATION FOR ORDER SETTING HEARING
ON ELECTION CONTEST;
DECLARATION OF FORD GREENE; [Proposed] ORDER

1 I am informed and believe and allege thereon that on August 10, 2007 the Clerk notified
2 Presiding Judge Lynn Duryee of the filing of the Election Contest and that the Court advised of its
3 requirement of an appropriate application and order which was communicated in turn to me.
4

5 Under the laws of the State of California and under penalty of perjury I hereby declare the
6 foregoing is true and correct. This declaration is executed on August 13, 2007 at San Anselmo,
7 California.

8
9 
10 Ford Greene

11 MEMORANDUM OF POINTS AND AUTHORITIES

12 Elections Code section 16500 states:

13
14 Within five days after the end of the time allowed for filing statements of contest, the
15 clerk of the superior court shall notify the superior court of the county of all statements
16 filed. The presiding judge shall forthwith designate the time and place of hearing, which
17 time shall be not less than 10 nor more than 20 days from the date of the order.

18 Since the election contest was filed on August 9, 2007, the Clerk has until August 14, 2007 to
19 notify the Court thereof.

20 The terms of the statute state that upon receipt of notice from the Clerk, the Court must
21 "forthwith designate the time and date for hearing."

22 The instant application is in compliance with the foregoing statute.

23 DATE: August 13, 2007

24 HUB LAW OFFICES

25
26 By: 

27 Ford Greene
28 Attorney and Elector

1 PROOF OF SERVICE

2 I am employed in the County of Marin, State of California. I am over the age of
3 eighteen years and am ~~not~~ a party to the above entitled action. My business address is 711
4 Sir Francis Drake Boulevard, San Anselmo, California. I served the following documents:
5

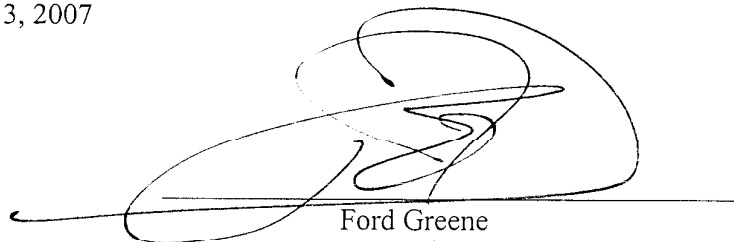
6 APPLICATION FOR ORDER SETTING HEARING ON ELECTION CONTEST; DECLARATION
7 OF FORD GREENE; [Proposed] ORDER

8 on the following person(s) on the date set forth below, by personal delivery at the indicated addresses at
9 my direction:

10
11 Jim Flageollet, Esq.
12 COUNTY COUNSEL
13 Marin County Courthouse
14 3501 Civic Center Drive
15 San Rafael, CA 94903

- 16 (By Mail) I caused such envelope with postage thereon fully prepaid to be
17 placed in the United States Mail at San Anselmo, California.
- 18 (Personal Service) I caused such envelope to be delivered by hand
19 to the person of the addressee.
- 20 (State) I declare under penalty of perjury under the laws of the State of
21 California that the above is true and correct.
- 22 (Federal) I declare that I am employed in the office of a member of the bar of
23 this court at whose direction the service was made.

24 DATED: August 13, 2007

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