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9 Attorneys for Defendant,  
NICHOLAS BEHUNIN

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF SAN FRANCISCO**

12 CHARLES R. SCHWAB, an individual,  
13 Plaintiff,

14 vs.

15 LEONARD STEINER, an individual;  
STEINER & LIBO, P.C., a California  
16 professional corporation; NICHOLAS  
BEHUNIN, an individual; DOES 1-10,  
17 inclusive,

18 Defendants.

**Case No. CGC-14-542436**

**DEFENDANT NICHOLAS BEHUNIN'S  
REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF NOTICE OF MOTION  
AND SPECIAL MOTION TO STRIKE  
STRATEGIC LAWSUIT AGAINST  
PUBLIC PARTICIPATION**

[Filed concurrently with Notice of Motion and  
Special Motion to Strike Strategic Lawsuit  
Against Public Participation]

Date: February 5, 2015  
Time: 9:30 a.m.  
Dept: 302  
Judge: Hon. Ernest H. Goldsmith  
Reservation Number 121614-01

22 **TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF**  
23 **RECORD:**

24 Pursuant to California *Evidence Code* Sections 450-452, Defendant Nicholas Behunin  
25 ("Behunin" or "Defendant") hereby submits this Request for Judicial Notice in support of his  
26 Special Motion to Strike Strategic Lawsuit Against Public Participation, and requests that the  
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1 Court take judicial notice of the following facts and exhibits, which are attached to the Declaration  
2 of Regina Ashkinadze:

3 1. Nicholas Behunin’s Complaint filed against Charles Schwab, et al. in the Los  
4 Angeles Superior Court, case number BC546928, attached as Exhibit “1” to the Declaration of  
5 Regina Ashkinadze.

6 2. Charles Schwab’s Complaint filed against Leonard Steiner, et al. in the San  
7 Francisco Superior Court, case number CGC-14-542436, attached as Exhibit “2” to the  
8 Declaration of Regina Ashkinadze.

9 3. The fact that Charles Schwab is a public figure.

10 4. The fact that Charles Schwab is the spokesperson for the Charles Schwab  
11 Corporation.

12 5. The fact that Charles Schwab appears in television commercials advertising the  
13 services of the Charles Schwab Corporation, which air on network television and which are  
14 publically accessible on the internet, on websites such as YouTube.com.

15 6. The fact that Charles Schwab holds himself out to the general public as an expert in  
16 investment.

17 7. The fact that Charles Schwab emphasizes trust and integrity in his advertisements.

18 8. The fact that General Suharto was President of Indonesia between 1967 and 1998.

19 9. The fact that while he was President, General Suharto committed atrocities in  
20 Indonesia.

21 10. The fact that General Suharto was a dictator during his presidency of Indonesia.

22 11. The fact that Panji Suharto is the grandson of General Suharto.

23 12. The fact that Tommy Suharto is the son of General Suharto.

24 13. The fact that Tommy Suharto was convicted of murder.

25 14. The fact that Bambang Suharto is the son of General Suharto.

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1 DATED: December 16, 2014

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RESPECTFULLY SUBMITTED,


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ELKIN GAMBOA & ASHKINADZE LLP

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By:   
REGINA ASHKINADZE  
Attorneys for Defendant NICHOLAS BEHUNIN

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15 LEONARD STEINER, an individual;  
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BEHUNIN, an individual; DOES 1-10,  
17 inclusive,

18 Defendants.  
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Case No. CGC-14-542436

**PROOF OF SERVICE**

Complaint Filed: October 30, 2014

Date: February 5, 2015

Time: 9:30 a.m.

Dept: 302

Judge: Hon. Ernest H. Goldsmith

Reservation Number 121614-01

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21 **PROOF OF SERVICE**

22 I am employed in the County of Los Angeles, State of California. I am over the age of  
23 eighteen and not a party to the within action. My business address is 144 N. Glendale Avenue,  
24 Suite 333, Glendale, CA 91206. On December 16, 2014, I served the foregoing document(s)  
described as

- 25 1. **DEFENDANT NICHOLAS BEHUNIN'S NOTICE OF SPECIAL MOTION AND**  
26 **SPECIAL MOTION TO STRIKE STRATEGIC LAWSUIT AGAINST PUBLIC**  
27 **PARTICIPATION; MEMORANDUM OF POINTS AND AUTHORITIES IN**  
28 **SUPPORT THEREOF; DECLARATION OF NICHOLAS BEHUNIN AND**  
**EXHIBITS IN SUPPORT THEREOF; DECLARATION OF REGINA**  
**ASHKINADZE AND EXHIBITS IN SUPPORT THEREOF; DECLARATION OF**  
**JAMES A. OTTO IN SUPPORT OF THE FEE REQUEST**

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- 2. **DEFENDANT NICHOLAS BEHUNIN’S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF SPECIAL MOTION TO STRIKE STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION**
- 3. **DECLARATION OF JAMES A. OTTO IN SUPPORT OF DEFENDANT NICHOLAS BEHUNIN’S SPECIAL MOTION TO STRIKE STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION**
- 4. **DECLARATION OF REGINA ASHKINADZE IN SUPPORT OF DEFENDANT NICHOLAS BEHUNIN’S SPECIAL MOTION TO STRIKE STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION**
- 5. **DECLARATION OF NICHOLAS BEHUNIN IN SUPPORT OF DEFENDANT NICHOLAS BEHUNIN’S SPECIAL MOTION TO STRIKE STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION**
- 6. **VOLUME OF EXHIBITS IN SUPPORT OF DEFENDANT NICHOLAS BEHUNIN’S SPECIAL MOTION TO STRIKE STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION**
- 7. **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANT NICHOLAS BEHUNIN’S SPECIAL MOTION TO STRIKE STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION**

on the interested parties in this action as follows:

Robert R. Moore, Esq. Michael J. Betz, Esq. Allen Matkins Three Embarcadero Center, 12 <sup>th</sup> Floor San Francisco, CA 94111	<i>Attorneys for Plaintiff, Charles Schwab</i> Tel: 415-837-1515 Fax: 415-837-1516
Craig J. Mariam, Esq. Christina M. Vander Werf, Esq. Gordon & Rees LLP 633 W. Fifth Street, 52nd Floor Los Angeles, CA 90071	<i>Attorneys for Defendants, Leonard Steiner and Steiner &amp; Libo, P.C.</i> Tel: 213-576-5000 Fax: 877-306-0043

BY MAIL: By placing ( **a true and correct copy** [  **an original**) thereof enclosed in a sealed envelope addressed as above, with postage thereon fully prepaid, in the U.S. Mail at Los Angeles, California. I am readily familiar with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on the same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing as stated in the affidavit.

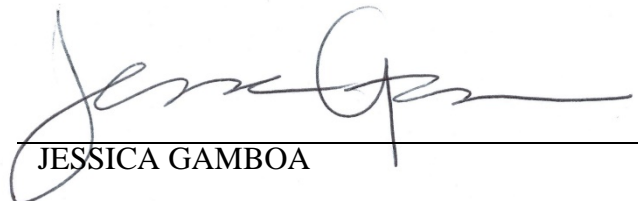
BY OVERNIGHT MAIL: I placed the above-mentioned document(s) in sealed envelope(s) designated by the carrier, with delivery fees provided for, and addressed as set forth above, and deposited the above-described document(s) with FedEx in the ordinary course of business, by depositing the document(s) in a facility regularly maintained by the carrier or delivering the document(s) to an authorized driver for the carrier.

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[X] BY ELECTRONIC SERVICE: by electronically serving the document(s) described above via File & ServeXpress on the recipients designated on the Transaction Receipt that is located on the File & ServeXpress website and as set forth below. □

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

Executed on December 16, 2014, at Los Angeles, California.

By:   
JESSICA GAMBOA