

1 Craig A. Sherman, Esq. (SBN 171224)  
2 CRAIG A SHERMAN, A PROFESSIONAL LAW CORP.  
3 1901 First Avenue, Suite 219  
4 San Diego, CA 92101  
5 Tel: (619) 702-7892  
6 Fax: (619) 702-9291  
7 [CraigShermanAPC@gmail.com](mailto:CraigShermanAPC@gmail.com)

8 Attorney for Plaintiff and Petitioner  
9 UNITED WALNUT TAXPAYERS

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF LOS ANGELES – STANLEY MOSK COURTHOUSE**

12 UNITED WALNUT TAXPAYERS, a )  
13 California Nonprofit Fictitious Business )  
14 Entity, )  
15 Plaintiff and Petitioner, )  
16 v. )

17 MT. SAN ANTONIO COMMUNITY )  
18 COLLEGE DISTRICT; WILLIAM )  
19 SCROGGINS, in his official capacity as )  
20 President and CEO of Mt. San Antonio )  
21 Community College and DOES ONE )  
22 through TEN, inclusive, )

23 Defendants and Respondents, )

24 AND ALL REAL PARTIES IN )  
25 INTERESTS and DOES ELEVEN )  
26 through THIRTY. )

27 **Case No.:** BC 639908

28 [action filed: November 7, 2016]

**DECLARATION OF LAYLA**  
**ABOU-TALEB IN RESPONSE TO**  
**DEFENDANT MT. SAN ANTONIO**  
**COMMUNITY COLLEGE’S**  
**OPPOSITION TO MOTION FOR**  
**PRELIMINARY INJUNCTION**

**RESERVATION ID NO.:** 171219275729

Hearing Date: April 11, 2018

Time: 8:30 a.m.

Dept.: 42

I/C Judge: Hon. Holly E. Kendig

29 I, LAYLA ABOU-TALEB, declare as follows:

30 1. I am the president of the nonprofit public interest group UNITED WALNUT  
31 TAXPAYERS (“UWT”), the plaintiff and petitioner in this action. I make this declaration in  
32 response to the opposition papers filed by defendants Mt. San Antonio Community College  
33 District, and its President and CEO William Scroggins (collectively “Mt. Sac” or “Defendant”)  
34 of United Walnut Taxpayers’ motion for preliminary injunction.

1           2.    If called upon, I could and would competently provide testimony of the facts set  
2 forth herein which are true and correct, and which are within my personal knowledge.

3 A. Public Interest and Private Attorney General Standing

4           3.    UWT has been found by this Superior Court, in an adopted preliminary injunction  
5 ruling that I have read, to have public interest and private attorney general standing to bring  
6 lawsuits such as this in the public interest. (*See* Supp. RFJN Ex. W, Preliminary Injunction  
7 Tentative Decision, adopted and ruled, on December 6, 2016, by Judge Chalfant in Case No. BC  
8 576587)

9           4.    United Walnut Taxpayers was formally created and formed as a California  
10 nonprofit corporation for the purpose of uniting and litigating improper Measure RR bond  
11 spending and improper timing of Mt. Sac’s review and official approvals of its master plan  
12 projects.

13           5.    In conjunction with incorporation with California Secretary of State on or about  
14 February 17, 2015, UWT became a registered federal 501(c)(3) tax exempt nonprofit  
15 organization under filings made and approved in both state and federal jurisdictions. UWT  
16 remains an organization in good standing with all state and federal authorities. UWT has and  
17 continues to be a duly registered and operating California nonprofit corporation based in Los  
18 Angeles, California and has been in good standing since first being registered and incorporated.

19           6.    Prior to the November 7, 2016 initial filing of this lawsuit, UWT formally created  
20 and formed United Walnut Taxpayers as a California nonprofit corporation because it desired to  
21 litigate this and other actions to promote and protect the use and enjoyment of the wide-spread  
22 Mt. Sac campus project area and district-wide community, which encompasses the necessary  
23 challenge to Measure RR expenditures on projects that UWT believes to be unauthorized and  
24 unlawful, just like the currently litigated Stadium Project.

25           7.    Our members and supporters, most of whom reside within or adjacent to the City of  
26 Walnut and Mt. Sac campus community, have collectively formed and united for the purpose of  
27 preserving the environment and quality of life in and around the City of Walnut and Mt. Sac  
28 campus. UWT’s goals include, but are not limited to, monitoring and ensuring that laws are

1 faithfully and fully complied with during the planning, implementation and spending of school  
2 bond money for Mt. Sac campus, in and around the greater City of Walnut community.

3 8. Examples of UWT's past and current involvement and projects throughout the  
4 Walnut community include, but are not limited to: (a) disseminating information to the public  
5 regarding the legal issues and factual implications of Mt. Sac's actions – as they affect the local  
6 community and state laws in general; (b) objecting, challenging, and litigating the decisions and  
7 actions of Mt. Sac that are not in strict compliance with law; (c) monitoring, appearing,  
8 testifying, and advising on issues before Proposition 39 bond measures oversight committees to  
9 promote better functionality of statutory watchdog committees (Cal. Education Code sec 15264);  
10 (d) participating in community organization forums to discuss and represent local issues to  
11 groups such as Chinese American Association of Walnut and San Gabriel Valley Rotary Club;  
12 (e) hosting community events on the "Do's and Don'ts of School Bonds"; and (f) disseminating  
13 important public information and results of UWT's efforts through TV coverage on local  
14 Channels 4 and 7, and in numerous reported news articles in the San Gabriel Valley Tribune.

15 B. Lack of Funding Source, Income, and Inability to Pay a Premium or Cash Deposit  
16 in Excess of \$25,000 for a Bond or Undertaking

17 9. UWT has to raise funds through the use of mailers, door-to-door canvassing,  
18 website postings, communication from local area community and planning groups, and other  
19 community outreach efforts. UWT has no government funding source and has not received any  
20 grants or contribution from any private (or corporate) philanthropic organization or government  
21 entity.

22 10. UWT is composed of members and supporters located throughout various  
23 communities of the City of Walnut and surrounding Mt. Sac. These individuals mostly reside in  
24 the City of Walnut, however we also have many from our surrounding cities of Rowland  
25 Heights, Diamond Bar, Covina, and West Covina.

26 11. While we have no formal membership requirements, we have over 500 individuals  
27 that have participated and/or donated to our organization. Despite the widespread size and  
28

1 involvement of members and supporters, the common donations to UWT's efforts average  
2 approximately \$100.

3 C. Knowledge of the ACE Project Name and Filing

4 12. When UWT was first formed and filed its initial lawsuit in March of 2015, the  
5 **Parking Garage** project was the first of three identified major facilities master plan (FMP)  
6 projects (of the parking garage, athletics complex east, and west parcel solar projects) that Mt.  
7 Sac was beginning to "officially" move forward on. (*See* RFJN Ex. O, Case No. BC 576587)

8 13. In March of 2015, although there was no verifiable information or official approval  
9 or disclosure about what (and when) the **Athletics Complex East** (ACE) would be, it was  
10 decided by UWT to include that named ACE project in the 2015 initially-filed lawsuit because  
11 Mt. Sac was untrustworthy and was alleged to be illegally proceeding with projects and project  
12 approvals. (*Id.*) Therefore, UWT included the ACE project in the 2015 Lawsuit to put Mt. Sac  
13 on notice about both (a) lack of disclosed notice about project definition, contents, and approvals  
14 for its ACE project, as well as (b) Measure RR spending on one or more aspects of the  
15 undisclosed ACE project that may not be properly listed and authorized Measure RR project.  
16 (*Id.*) While the Measure RR spending claims were severed and stayed (upon the request of Mt.  
17 Sac), ultimately it was proven at the March 2017 trial, the judgments and rulings of which I have  
18 read, that Mt. Sac was not disclosing, reviewing, and approving its master plan projects in  
19 accordance with law. (RFJN Exs. Q & R [judgment and ruling in Case No. BC 576587].)

20 14. In my three years of experience in litigation against Mt. Sac (as an officer of UWT),  
21 I believe that Mt. Sac continues to be untrustworthy and is further violating the law in  
22 proceeding with the grading and expenditures of Measure RR funds as quickly as possible on the  
23 Stadium Project as an attempt to impair UWT's legal rights and remedies.

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

26 Executed on April 3, 2018 in the County of Los Angeles, California.

27   
28 \_\_\_\_\_  
LAYLA ABOU-TALEB

## Proof of Service

*United Walnut Taxpayers v. Mt. San Antonio Community College District, et al.*  
Los Angeles Superior Court Case No.: BC 639908

I, the undersigned, declare under the penalty of perjury that I am over the age of eighteen years, my place of business is in the County of San Diego, located at 1901 First Avenue, San Diego, CA; and I served the below-named person(s) the following document(s):

### **DECLARATION OF LAYLA ABOU-TALEB IN RESPONSE TO DEFENDANT MT. SAN ANTONIO COMMUNITY COLLEGE'S OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION**

on April 4, 2018 on the following person(s) in a sealed envelope or package, addressed as follows:

Sean B. Absher, Esq.  
Shana Inspektor, Esq.  
STRADLING YOCCA CARLSON & RAUTH  
44 Montgomery Street, Suite 4200  
San Francisco, CA 94104  
[sabsher@sycr.com](mailto:sabsher@sycr.com)

O: 415-283-2240  
F: 415-283-2255

**Counsel for Mt. San Antonio  
Community College District**

in the following manner:

- 1)  By placing a copy in a separate envelope, with postage fully pre-paid, for each person and address named above and depositing each with the Overnight Carrier Golden State Overnight at San Diego, CA.
- 2)  By sending to each person named above via electronic service at the above electronic notification addresses.

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

Executed on April 4, 2018 at San Diego, California.

  
\_\_\_\_\_  
Paul Best