

Nicholas Christian Ratekin
24503 NE 128th Street
Brush Prairie, Washington 98606
Phone Number: (360) 583-2950

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
05/31/2022 at 09:53:29 PM
Clerk of the Superior Court
By Ines Quirarte, Deputy Clerk

“In Pro Per” Nicholas Christian Ratekin

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO – CENTRAL DIVISION

NICHOLAS RATEKIN,

Plaintiff,

v.
SAN DIEGO UNIFIED SCHOOL
DISTRICT,

Defendants.

Case No.: 37-2022-00020788-CU-DF-CTL

**COMPLAINT FOR
DEFAMATION OF
CHARACTER
CA CIVIL CODE 45**

jury trial demand

PARTIES

1. Plaintiff, Nicholas Ratekin (“Plaintiff”), at all times relevant hereto, was a resident of the State of California, County of San Diego.
2. Plaintiff is informed and believes, and thereby alleges, that Defendant, San Diego Unified School District, was at all times relevant, a public institution organized under the laws of California and located in San Diego, California.
3. The true names and capacities of the Defendants named herein as DOES 1 through 50, inclusive, whether individual, corporate, school district, associate, or otherwise, are unknown to Plaintiff who therefore sues such Defendants by fictitious names pursuant to

California Code of Civil Procedure § 474. Plaintiff is informed and believes that DOE Defendants are California residents. Plaintiff will amend this Complaint to show such true names and capacities when they have been determined.

4. Plaintiff is informed and believes, and thereby alleges, that each of the Defendants herein (collectively, "Defendants") has or may have been, at all relevant times, the agent, employee, or representative of the remaining Defendants, acting, at least in part, within the scope of such relationship.

FACTS COMMON TO CAUSE OF ACTION

(Defamation of Character San Diego Unified School District Does 1-12, inclusive)

1. On or about August 2019 Plaintiff Nicholas Christian Ratekin began coaching water polo and teaching history in the San Diego Unified School District.
2. On or about January 20th, 2021 Plaintiff Nicholas Christian Ratekin was instructed by Dr. Tracey-Jenkins Martin of Johnson Elementary in the San Diego Unified School District to have his 4th and 5th grade class watch the Presidential Inauguration of Joe Biden January 20th, 2021 for an entire instructional day.
3. On or about February 11th, 2021 Dr. Kathleen Gallagher of Baker Elementary School in the San Diego Unified School District keyed Plaintiff Nicholas Christian Ratekin's car while he was teaching at Baker Elementary resulting in a Police Report Filed with the San Diego Police Department with Tracking Number: T21002193.
4. On or about Tuesday May 4th, 2021 Plaintiff Nicholas Christian Ratekin began coaching the Scripps Ranch Boys and Girls Water Polo Teams at Scripps Ranch High School in the San Diego Unified School District.
5. On or about Friday June 4th, 2021 San Diego Unified School District Employees, Students, Teachers, Administrators, and Staff Members began posting photos, videos, and audio clips of Plaintiff Nicholas Christian Ratekin coaching the Scripps Ranch Water Polo Teams and teaching at Johnson Elementary, Baker Elementary, Wangenheim Middle School, and Lincoln High School in the San Diego Unified School District on social media platforms such as Instagram, Facebook, Tik-Tok, Snapchat, Twitter, Youtube, and others in order to defame Plaintiff Nicholas Christian Ratekin from employment in the education sector in the State of California.
6. On or about June 28th, 2021 Plaintiff Nicholas Christian Ratekin was requested to attend a Zoom Meeting by his supervisor Todd Wilson, Athletic Director at Scripps Ranch High

School, to be terminated as the Head Boys and Girls Water Polo Coach pursuant to social media based defamation of character.

7. On or about June 4th, 2021 to June 1st, 2022 the San Diego Unified School District posted images, photos, text messages, audio clips and an assortment of social media content on social media platforms to defame Plaintiff Nicholas Christian Ratekin from teaching and coaching water polo in the State of California including content that violated Federal Education Law Statutes IDEA (Individuals with Disabilities Education Act) and FERPA (Federal Education Rights and Privacy Act). The social media postings included special education students, high school athletes, and security camera footage from multiple school sites.
8. On or about August 30th, 2021 San Diego Unified Risk Management Specialists Maribel Lozano defamed Plaintiff Nicholas Christian Ratekin to the California Employment Development Department and the San Diego California Unemployment Insurance Appeals Board in an interview with an EDD Representative conducted over the phone. This resulted in financial damages to Plaintiff Nicholas Christian Ratekin and his unemployment insurance being “stalled” for over 6 months pending a CUIAB Hearing.
9. On or about October 7th, 2021 Plaintiff Nicholas Christian Ratekin was informed by his supervisors at Battleground Public Schools in Battleground, Washington that they had heard “rumors from Scripps Ranch High School” on social media platforms such as Facebook, Instagram, Twitter, Tik-Tok, Snapchat, Podcast, Audible, and Others that were defamatory in nature picturing Plaintiff Nicholas Christian Ratekin as a “predator”, “Incompetent”, “drug-addicted”, and even “emotionally abusive”. These social media postings were still being posted by San Diego Unified affiliates that metamorphosed into a global defamation of character campaign against Plaintiff Nicholas Christian Ratekin in the teaching and coaching profession in the State of California.
10. On or about October 17th, 2021 Plaintiff Nicholas Christian Ratekin had his Masters in Education Degree conferred from National University in La Jolla, San Diego where he was denied the opportunity to Student Teach and earn his teaching credential pursuant to the defamation of character on social media from the San Diego Unified School District.
11. On or about January 22nd, 2022 Plaintiff Nicholas Christian Ratekin filed a FERPA Complaint for his University of San Diego Student Records sent to the San Diego Unified School District on or about February 2019 as a “defamatory dossier” to defame Plaintiff Nicholas Christian Ratekin from the teaching profession in San Diego County to the largest public school district in San Diego County and one of the largest in the United States. These student records were posted on social media from on or about June 4th,

2021 to June 1st, 2022 in an effort to publicly humiliate and defame Plaintiff Nicholas Christian Ratekin from the teaching and coaching professions.

12. On or about September 2021 Plaintiff Nicholas Christian Ratekin began seeking medical care for depression and anxiety pursuant to the defamation of character from Dr. Alexander Dreisin of the Vancouver Clinic in Battleground, Washington.

WHEREFORE, Plaintiff requests relief as hereinafter provided.

Prayer

1. For damages according to proof including loss of tuition and fees, loss of education, loss of earnings and earning potential, and value of lost employment benefits;
2. For compensatory damages for losses resulting from humiliation, mental anguish, emotional distress and harm to his reputation according to proof;
3. For punitive damages according to proof as allowed by law;
4. That Defendants, their agents, successors, employees and those acting in concert, be enjoined permanently from engaging in each of the unlawful practices, policies, usages and customs set forth herein;
5. For a declaration that one or more of the Defendants engaged in vis' a vis' Plaintiff Defamation of Character pursuant to the California Civil Code 45.
6. For cost of suit including reasonable attorney's fees; and
7. For such other and further relief as the Court may deem proper.



“In Pro Per” Plaintiff Nicholas Christian Ratekin

DATE: May 31st, 2022

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO	
STREET ADDRESS:	330 W Broadway
MAILING ADDRESS:	330 W Broadway
CITY AND ZIP CODE:	San Diego, CA 92101-3827
DIVISION:	Central
TELEPHONE NUMBER:	(619) 450-7069
PLAINTIFF(S) / PETITIONER(S):	Nicholas Christian Ratekin
DEFENDANT(S) / RESPONDENT(S):	San Diego Unified School District
RATEKIN VS SAN DIEGO UNIFIED SCHOOL DISTRICT [IMAGED]	
NOTICE OF CASE ASSIGNMENT AND CASE MANAGEMENT CONFERENCE (CIVIL)	CASE NUMBER: 37-2022-00020788-CU-DF-CTL

CASE ASSIGNED FOR ALL PURPOSES TO:

Judge: Katherine Bacal

Department: C-69

COMPLAINT/PETITION FILED: 05/31/2022

TYPE OF HEARING SCHEDULED	DATE	TIME	DEPT	JUDGE
Civil Case Management Conference	11/04/2022	09:30 am	C-69	Katherine Bacal

Due to the COVID-19 pandemic, all Case Management Conferences (CMCs) are being conducted virtually unless there is a court order stating otherwise. Prior to the hearing date, visit the "virtual hearings" page for the most current instructions on how to appear for the applicable case-type/department on the court's website at www.sdcourt.ca.gov.

A Case Management Statement (JC Form #CM-110) must be completed by counsel for all parties and by all self-represented litigants and timely filed with the court at least 15 days prior to the initial CMC. (San Diego Superior Court (SDSC) Local Rules, rule 2.1.9; Cal. Rules of Court, rule 3.725).

All counsel of record and self-represented litigants must appear at the CMC, be familiar with the case, and be fully prepared to participate effectively in the hearing, including discussions of Alternative Dispute Resolution (ADR) options.

It is the duty of each plaintiff (and cross-complainant) to serve a copy of this Notice of Case Assignment and Case Management Conference (SDSC Form #CIV-721) with the complaint (and cross-complaint), the Alternative Dispute Resolution (ADR) Information Form (SDSC Form # CIV-730), a Stipulation to Use Alternative Dispute Resolution (ADR) (SDSC Form # CIV-359), and other documents on all parties to the action as set out in SDSC Local Rules, rule 2.1.5.

TIME FOR SERVICE AND RESPONSE: The following rules apply to civil cases except for collections cases under California Rules of Court, rule 3.740(a), unlawful detainer actions, proceedings under the Family Code, and other proceedings for which different service requirements are prescribed by law (Cal. Rules of Court, rule 3.110; SDSC Local Rules, rule 2.1.5):

- **Service:** The complaint must be served on all named defendants, and proof of service filed with the court within 60 days after filing the complaint. An amended complaint adding a defendant must be served on the added defendant and proof of service filed within 30 days after filing of the amended complaint. A cross-complaint against a party who has appeared in the action must be accompanied by proof of service on that party at the time it is filed. If it adds a new party, the cross-complaint must be served on all parties and proof of service on the new party must be filed within 30 days of the filing of the cross-complaint.
- **Defendant's appearance:** Unless a special appearance is made, each defendant served must generally appear (as defined in Code of Civ. Proc. § 1014) within 30 days of service of the complaint/cross-complaint.
- **Extensions:** The parties may stipulate without leave of court to one 15-day extension beyond the 30-day time period prescribed for the response after service of the initial complaint (SDSC Local Rules, rule 2.1.6). If a party fails to serve and file pleadings as required under this rule, and has not obtained an order extending time to serve its pleadings, the court may issue an order to show cause why sanctions shall not be imposed.

JURY FEES: In order to preserve the right to a jury trial, one party for each side demanding a jury trial shall pay an advance jury fee in the amount of one hundred fifty dollars (\$150) on or before the date scheduled for the initial case management conference in the action.

COURT REPORTERS: Official Court Reporters are not normally available in civil matters, but may be requested in certain situations no later than 10 days before the hearing date. See SDSC Local Rules, rule 1.2.3 and Policy Regarding Normal Availability and Unavailability of Official Court Reporters (SDSC Form #ADM-317) for further information.

ALTERNATIVE DISPUTE RESOLUTION (ADR): The court discourages any unnecessary delay in civil actions; therefore, continuances are discouraged and timely resolution of all actions, including submitting to any form of ADR is encouraged. The court encourages and expects the parties to consider using ADR options prior to the CMC. The use of ADR will be discussed at the CMC. Prior to the CMC, parties stipulating to the ADR process may file the Stipulation to Use Alternative Dispute Resolution (SDSC Form #CIV-359).

NOTICE OF E-FILING REQUIREMENTS AND IMAGED DOCUMENTS

Effective April 15, 2021, e-filing is required for attorneys in represented cases in all limited and unlimited civil cases, pursuant to the San Diego Superior Court General Order: In Re Procedures Regarding Electronically Imaged Court Records, Electronic Filing and Access to Electronic Court Records in Civil and Probate Cases. Additionally, you are encouraged to review CIV-409 for a listing of documents that are not eligible for e-filing. E-filing is also encouraged, but not mandated, for self-represented litigants, unless otherwise ordered by the court. All e-filers are required to comply with the e-filing requirements set forth in Electronic Filing Requirements (Civil) (SDSC Form #CIV-409) and Cal. Rules of Court, rules 2.250-2.261.

All Civil cases are assigned to departments that are part of the court's "Imaging Program." This means that original documents filed with the court will be imaged, held for 30 days, and then destroyed, with the exception of those original documents the court is statutorily required to maintain. The electronic copy of the filed document(s) will be the official court record, pursuant to Government Code § 68150. Thus, original documents should not be attached to pleadings filed with the San Diego Superior Court, unless it is a document for which the law requires an original be filed. Any original documents necessary for a motion hearing or trial shall be lodged in advance of the hearing pursuant to California Rules of Court, rule 3.1302(b).

It is the duty of each plaintiff, cross-complainant, or petitioner to serve a copy of this Notice of Case Assignment and Case Management Conference (Civil) (SDSC Form #CIV-721) with the complaint, cross-complaint, or petition on all parties to the action.

On all pleadings filed after the initial case originating filing, all parties must, to the extent it is feasible to do so, place the words "IMAGED FILE" in all caps immediately under the title of the pleading on all subsequent pleadings filed in the action.

The official court file will be electronic and accessible at one of the kiosks located in the Civil Business Office and may be found on the court's website at www.sdcourt.ca.gov.

Nicholas Christian Ratekin
24503 NE 128th Street
Brush Prairie, Washington 98606
Phone Number: (360) 583-2950

“In Pro Per” Nicholas Christian Ratekin

ELECTRONICALLY FILED
Superior Court of California,
County of San Diego
06/01/2022 at 07:29:36 PM
Clerk of the Superior Court
By Taylor Crandall, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO – CENTRAL DIVISION

NICHOLAS RATEKIN,

Plaintiff,

v.
SAN DIEGO UNIFIED SCHOOL
DISTRICT,

Defendants.

Case No.: 37-2022-00020940-CU-DF-CTL

**COMPLAINT FOR
DEFAMATION OF
CHARACTER
CA CIVIL CODE 45**

jury trial demand

PARTIES

1. Plaintiff, Nicholas Ratekin (“Plaintiff”), at all times relevant hereto, was a resident of the State of California, County of San Diego.
2. Plaintiff is informed and believes, and thereby alleges, that Defendant, San Diego Law Groups, was at all times relevant, a private business organized under the laws of California and located in San Diego, California.
3. The true names and capacities of the Defendants named herein as DOES 1 through 12, inclusive, whether individual, corporate, private business, associate, or otherwise, are unknown to Plaintiff who therefore sues such Defendants by fictitious names pursuant to

California Code of Civil Procedure § 474. Plaintiff is informed and believes that DOE Defendants are California residents. Plaintiff will amend this Complaint to show such true names and capacities when they have been determined.

4. Plaintiff is informed and believes, and thereby alleges, that each of the Defendants herein (collectively, “Defendants”) has or may have been, at all relevant times, the agent, employee, or representative of the remaining Defendants, acting, at least in part, within the scope of such relationship.

FACTS COMMON TO CAUSE OF ACTION

(Defamation of Character San Diego Law Groups Does 1-12, inclusive)

1. On or about June 23rd, 2021 San Diego Law Groups Attorney Dustin Pinder with CA State Bar #326056 called Plaintiff Nicholas Christian Ratekin requesting to review “potential material evidence” for Case “Ratekin v. University of San Diego” with Case No. 37-2020-00040983-CU-BC-CTL and billed Plaintiff Nicholas Christian Ratekin for this call on the “Fee Entry List by Client-San Diego Law Groups”.
2. On or about June 24th to June 25th 2021 San Diego Law Groups Attorney Dustin Pinder CA State Bar #326056 reviewed and billed Plaintiff Nicholas Christian Ratekin for a series of recordings taken at the University of San Diego and billed Plaintiff Nicholas Christian Ratekin for his review on the “Fee Entry List by Client-San Diego Law Groups”.
3. On or about July 2021 San Diego Law Groups, and its attorneys, Dennis Brady CA State Bar #118461 and Dustin Pinder CA State Bar #326056 starting sending a series of letters to Plaintiff Nicholas Christian Ratekin to seek a “criminal attorney” pursuant to their review of “potential material evidence” and “audio recordings” as part of their representation of Plaintiff Nicholas Christian Ratekin in “Ratekin v. University of San Diego” with Case No. 37-2020-00040983-CU-BC-CTL.
4. On or about October 2021 San Diego Law Groups, and its attorneys, Dennis Brady CA State Bar #118461 and Dustin Pinder CA State Bar #326056 starting defaming Plaintiff Nicholas Christian Ratekin to the California State Bar with full knowledge that Plaintiff Nicholas Christian Ratekin intended on arbitrating attorneys fees charged by San Diego Law Groups at the California State Bar Mandatory Fee Arbitration Program pursuant to a request to the California State Bar Fee Arbitration Program at address 180 Howard Street, 8th Floor San Francisco, CA 94105 on October 2021 by Plaintiff Nicholas Christian Ratekin and Ron Ratekin.

5. On or about October 22nd, 2021 at a Case Management Conference for “Ratekin v. University of San Diego” with Case No. 37-2020-00040983-CU-BC-CTL San Diego Law Groups, and its attorneys, Dennis Brady CA State Bar #188461 and Dustin Pinder CA State Bar #326056 defamed Plaintiff Nicholas Christian Ratekin to the Honorable Judge Eddie C. Sturgeon in Department C-67 of the San Diego Superior Court on a Civil Unlimited Case regarding a “material matter” for their recusal as counsel based upon their own determination.
6. On or about October 1st, 2021 Plaintiff Nicholas Christian Ratekin filed complaints with the California State Bar regarding the professional negligence and misconduct of San Diego Law Groups and its Attorneys Dustin Pinder CA State Bar #326056 and Attorney Dennis Brady #118461 with complaint numbers: 21-O-11642 and 21-O-11643. These complaints detailed the defamation of character of San Diego Law Groups towards their client Plaintiff Nicholas Christian Ratekin being called a “criminal” for taking audio recordings of lectures at the University of San Diego as a graduate student in their teaching program.
7. On or about January 24th, 2022 San Diego Law Groups Attorney Dennis Brady CA State Bar #118461 defamed Plaintiff Nicholas Christian Ratekin to the San Diego County Bar Association as being a “criminal” having taken a legal recording of his previous employers at the San Dieguito Union High School District, Canyon Crest Academy Principal Brett Killeen and former Canyon Crest Academy Athletic Director Dustin Lackey, and a series of lectures as a student at the University of San Diego.
8. On or about April 2022 Plaintiff Nicholas Christian Ratekin issued a San Diego County Bar Association Fee Arbitration Committee Subpoena via USPS Certified Mail with USPS Tracking Number: 7022-0410-0001-6647-3049 signed and dated by the presiding SDCBA Arbitrator Jacqueline Vinnacia April 26th, 2022 calling University of San Diego Counsel Joanne Buser CA State Bar #295191 as a witness to SDCBA Arbitration “Ratekin v. Brady” with Case No. 256451 while she was representing the University of San Diego as part of Paul, Plevin, and Sullivan LLP in “Ratekin v. University of San Diego” with Case No. 37-2020-00040983-CU-BC-CTL. Attorney Joanne Buser asked to be excused from testifying pursuant to a “conflict of interest” as well as presumably her direct knowledge of an audio recording taken by Plaintiff Nicholas Christian Ratekin of San Dieguito Union High School District employees Brett Killeen and Dustin Lackey.
9. On or about April 2022 Plaintiff Nicholas Christian Ratekin issued a San Diego County Bar Association Fee Arbitration Committee Subpoena via USPS Certified Mail with USPS Tracking Number: 7022-0410-0001-6647-3063 to San Diego Law Groups Attorney Dustin Pinder CA State Bar #326056 signed and dated by the presiding SDCBA

Arbitrator Jacqueline Vinnacia April 26th, 2022 calling Dustin Pinder as a witness to SDCBA Arbitration “Ratekin v. Brady” with Case No. 25645 presumably to his direct knowledge of an audio recording taken by Plaintiff Nicholas Christian Ratekin of San Dieguito Union High School District employees Brett Killeen and Dustin Lackey as well as a series of lectures at the University of San Diego for Plaintiff Nicholas Christian Ratekin’s University of San Diego School of Leadership and Education Sciences Program to become a teacher in the State of California.

10. On or about May 3rd, 2022 University of San Diego Counsel Matthew Mushamel with CA State Bar #334771 of Paul, Plevin and Sullivan LLP, representing the University of San Diego, threatened to take the “Canyon Crest Academy Recording” produced by San Diego Law Groups Attorney’s Dennis Brady and Dustin Pinder to the Honorable Judge Eddie C. Sturgeon in Department C-67 of the San Diego Superior Court pursuant to San Diego Law Groups defamation of character of Plaintiff Nicholas Christian Ratekin as a “criminal” for making a legal recording in the State of California pursuant to California Penal Code 632. This also constituted a flagrant violation of Plaintiff Nicholas Christian Ratekin’s Attorney Client Privilege under CA Evidence Code 954 pursuant to the defamation of character by San Diego Law Groups leading up to SDCBA Arbitration “Ratekin v. Brady” Case No. 256451.
11. On or about May 18th, 2022 San Diego County Bar Association Arbitrator Jacqueline Vinnacia issued an arbitration award to Attorney Dennis Brady CA State Bar #118461 pursuant to his defamation of character of Plaintiff Nicholas Christian Ratekin making “illegal recordings” that were respondent material evidence to a series of form interrogatories issued by University of San Diego Counsel Joanne Buser CA State Bar #295191 and Matthew Mushamel CA State Bar #334771 of Paul, Plevin and Sullivan LLP as well as deposition questions at Plaintiff Nicholas Christian Ratekin’s deposition August 13th, 2021 at Paul, Plevin and Sullivan LLP. During cross examination as part of Arbitration “Ratekin v. Brady” with Case No. 256451 Attorney Dustin Pinder CA State Bar #326056 and Attorney Dennis Brady CA State Bar #1128461 clearly and emphatically stated that they “could not say with certainty” that the audio recordings of lectures were respondent materials as aforementioned in the discovery process of “Ratekin v. University of San Diego” with Case No. 37-2020-00040983-CU-BC-CTL. Despite their “uncertainty” they were certain in their defamation of Plaintiff Nicholas Christian Ratekin as a “criminal” for recording lectures as a graduate student at the University of San Diego.
12. Pursuant to San Diego Law Groups defamation of character of Plaintiff Nicholas Christian Ratekin this “unduly influenced” the San Diego County Bar Association Arbitration “Ratekin v. Brady” with Case No. 256451 on May 13th, 2022 via Zoom with

the presiding arbitrator, Jacqueline Vinnacia, providing direct testimony on cross examination by San Diego Law Groups of Plaintiff Nicholas Christian Ratekin on the Canyon Crest Academy recording as well as “her belief” in her written decision signed and dated May 18th, 2022 that Plaintiff Nicholas Christian Ratekin’s recordings of lectures as a graduate student at the University of San Diego constituted a “criminal violation” of the California Penal Code 632 and resulted in a financial award of attorney fees to Attorney Dennis Brady CA State Bar #118461. Additionally the “Fee Arbitration Specialist”, Gloria Varela, of the San Diego County Bar Association has a direct, personal relationship with University of San Diego faculty Professor Ricardo Medina which furthers the defamation of Plaintiff Nicholas Christian Ratekin’s recording to “unduly impact” pending litigation with the University of San Diego in “Ratekin v. University of San Diego” with Case No. 37-2020-00040983-CU-BC-CTL as particularized by University of San Diego Counsel Matthew Mushamel’s email to Plaintiff Nicholas Christian Ratekin May 3rd, 2022 detailing a threat to take the recording to Judge Eddie C. Sturgeon of Department C-67 in the San Diego Superior Court via a Discovery Conference.

WHEREFORE, Plaintiff requests relief as hereinafter provided.

Prayer

1. For damages according to proof including loss of tuition and fees, loss of education, loss of earnings and earning potential, and value of lost employment benefits;
2. For compensatory damages for losses resulting from humiliation, mental anguish, emotional distress and harm to his reputation according to proof;
3. For punitive damages according to proof as allowed by law;
4. That Defendants, their agents, successors, employees and those acting in concert, be enjoined permanently from engaging in each of the unlawful practices, policies, usages and customs set forth herein;
5. For a declaration that one or more of the Defendants engaged in vis’ a vis’ Plaintiff Defamation of Character pursuant to the California Civil Code 45.
6. For cost of suit including reasonable attorney’s fees; and
7. For such other and further relief as the Court may deem proper.



“In Pro Per” Plaintiff Nicholas Christian Ratekin

DATE: June 1st, 2022

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO	
STREET ADDRESS:	330 W Broadway
MAILING ADDRESS:	330 W Broadway
CITY AND ZIP CODE:	San Diego, CA 92101-3827
DIVISION:	Central
TELEPHONE NUMBER:	(619) 450-7064
PLAINTIFF(S) / PETITIONER(S):	Nicholas Ratekin
DEFENDANT(S) / RESPONDENT(S):	San Diego Unified School District
RATEKIN VS SAN DIEGO UNIFIED SCHOOL DISTRICT [IMAGED]	
NOTICE OF CASE ASSIGNMENT AND CASE MANAGEMENT CONFERENCE (CIVIL)	CASE NUMBER: 37-2022-00020940-CU-DF-CTL

CASE ASSIGNED FOR ALL PURPOSES TO:

Judge: John S. Meyer

Department: C-64

COMPLAINT/PETITION FILED: 06/01/2022

TYPE OF HEARING SCHEDULED	DATE	TIME	DEPT	JUDGE
Civil Case Management Conference	11/04/2022	09:45 am	C-64	John S. Meyer

Due to the COVID-19 pandemic, all Case Management Conferences (CMCs) are being conducted virtually unless there is a court order stating otherwise. Prior to the hearing date, visit the "virtual hearings" page for the most current instructions on how to appear for the applicable case-type/department on the court's website at www.sdcourt.ca.gov.

A Case Management Statement (JC Form #CM-110) must be completed by counsel for all parties and by all self-represented litigants and timely filed with the court at least 15 days prior to the initial CMC. (San Diego Superior Court (SDSC) Local Rules, rule 2.1.9; Cal. Rules of Court, rule 3.725).

All counsel of record and self-represented litigants must appear at the CMC, be familiar with the case, and be fully prepared to participate effectively in the hearing, including discussions of Alternative Dispute Resolution (ADR) options.

It is the duty of each plaintiff (and cross-complainant) to serve a copy of this Notice of Case Assignment and Case Management Conference (SDSC Form #CIV-721) with the complaint (and cross-complaint), the Alternative Dispute Resolution (ADR) Information Form (SDSC Form # CIV-730), a Stipulation to Use Alternative Dispute Resolution (ADR) (SDSC Form # CIV-359), and other documents on all parties to the action as set out in SDSC Local Rules, rule 2.1.5.

TIME FOR SERVICE AND RESPONSE: The following rules apply to civil cases except for collections cases under California Rules of Court, rule 3.740(a), unlawful detainer actions, proceedings under the Family Code, and other proceedings for which different service requirements are prescribed by law (Cal. Rules of Court, rule 3.110; SDSC Local Rules, rule 2.1.5):

- **Service:** The complaint must be served on all named defendants, and proof of service filed with the court within 60 days after filing the complaint. An amended complaint adding a defendant must be served on the added defendant and proof of service filed within 30 days after filing of the amended complaint. A cross-complaint against a party who has appeared in the action must be accompanied by proof of service on that party at the time it is filed. If it adds a new party, the cross-complaint must be served on all parties and proof of service on the new party must be filed within 30 days of the filing of the cross-complaint.
- **Defendant's appearance:** Unless a special appearance is made, each defendant served must generally appear (as defined in Code of Civ. Proc. § 1014) within 30 days of service of the complaint/cross-complaint.
- **Extensions:** The parties may stipulate without leave of court to one 15-day extension beyond the 30-day time period prescribed for the response after service of the initial complaint (SDSC Local Rules, rule 2.1.6). If a party fails to serve and file pleadings as required under this rule, and has not obtained an order extending time to serve its pleadings, the court may issue an order to show cause why sanctions shall not be imposed.

JURY FEES: In order to preserve the right to a jury trial, one party for each side demanding a jury trial shall pay an advance jury fee in the amount of one hundred fifty dollars (\$150) on or before the date scheduled for the initial case management conference in the action.

COURT REPORTERS: Official Court Reporters are not normally available in civil matters, but may be requested in certain situations no later than 10 days before the hearing date. See SDSC Local Rules, rule 1.2.3 and Policy Regarding Normal Availability and Unavailability of Official Court Reporters (SDSC Form #ADM-317) for further information.

ALTERNATIVE DISPUTE RESOLUTION (ADR): The court discourages any unnecessary delay in civil actions; therefore, continuances are discouraged and timely resolution of all actions, including submitting to any form of ADR is encouraged. The court encourages and expects the parties to consider using ADR options prior to the CMC. The use of ADR will be discussed at the CMC. Prior to the CMC, parties stipulating to the ADR process may file the Stipulation to Use Alternative Dispute Resolution (SDSC Form #CIV-359).

NOTICE OF E-FILING REQUIREMENTS AND IMAGED DOCUMENTS

Effective April 15, 2021, e-filing is required for attorneys in represented cases in all limited and unlimited civil cases, pursuant to the San Diego Superior Court General Order: In Re Procedures Regarding Electronically Imaged Court Records, Electronic Filing and Access to Electronic Court Records in Civil and Probate Cases. Additionally, you are encouraged to review CIV-409 for a listing of documents that are not eligible for e-filing. E-filing is also encouraged, but not mandated, for self-represented litigants, unless otherwise ordered by the court. All e-filers are required to comply with the e-filing requirements set forth in Electronic Filing Requirements (Civil) (SDSC Form #CIV-409) and Cal. Rules of Court, rules 2.250-2.261.

All Civil cases are assigned to departments that are part of the court's "Imaging Program." This means that original documents filed with the court will be imaged, held for 30 days, and then destroyed, with the exception of those original documents the court is statutorily required to maintain. The electronic copy of the filed document(s) will be the official court record, pursuant to Government Code § 68150. Thus, original documents should not be attached to pleadings filed with the San Diego Superior Court, unless it is a document for which the law requires an original be filed. Any original documents necessary for a motion hearing or trial shall be lodged in advance of the hearing pursuant to California Rules of Court, rule 3.1302(b).

It is the duty of each plaintiff, cross-complainant, or petitioner to serve a copy of this Notice of Case Assignment and Case Management Conference (Civil) (SDSC Form #CIV-721) with the complaint, cross-complaint, or petition on all parties to the action.

On all pleadings filed after the initial case originating filing, all parties must, to the extent it is feasible to do so, place the words "IMAGED FILE" in all caps immediately under the title of the pleading on all subsequent pleadings filed in the action.

The official court file will be electronic and accessible at one of the kiosks located in the Civil Business Office and may be found on the court's website at www.sdcourt.ca.gov.