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9 Attorneys for Defendant SUE ANZILOTTI

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11 **UNITED STATES DISTRICT COURT**  
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 ANN MARIE BORGES and CHRIS  
14 GURR, individually and doing business  
15 as GOOSE HEAD VALLEY FARMS,

16 Plaintiffs,

17 v.

18 COUNTY OF MENDOCINO, SUE  
19 ANZILOTTI, and DOES 1-25,

20 Defendants,  
21 \_\_\_\_\_ /

3:20-cv-04537 SI

*ERRATA* BY DEFENDANT SUE  
ANZILOTTI RE REPLY BRIEF ON  
MOTION TO DISMISS COMPLAINT  
PURSUANT TO F.R.C.P. 12(b)(6)

Date: September 25, 2020  
Time: 10:00 a.m.  
Ctrm: 1, 17<sup>th</sup> Floor, 450 Golden Gate Ave.,  
San Francisco

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1 Counsel for Sue Anzilotti has belatedly discovered that Anzilotti’s Reply brief (Reply;  
2 Dkt. #22), filed herein on September 3, 2020, does not include the bolding that was intended  
3 and supplied, as indicated by the multiple statements therein re “bolding supplied”.

4 This omission was inadvertent and may have deprived the court, counsel and parties of  
5 components of Anzilotti’s argument. This *errata* is therefore filed at this late date to provide  
6 clarity to the extent possible.

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8 Specifically, at 6:11 of the Reply, the “bolding supplied” statement was intended to  
9 reference the following language on 6:10 that was supposed to have been bolded: “to deprive  
10 one’s constitutional rights.”

11  
12 At 6:13 of the Reply, the “bolding supplied” statement was intended to reference the  
13 following language on 6:12-13 that was supposed to have been bolded: “an agreement or  
14 ‘meeting of the minds’ to violate constitution rights must be shown.”

15  
16 At 8:10 of the Reply, the “bolding supplied” statement was intended to reference the  
17 following language on 8:6-7 that was supposed to have been bolded: “A relationship of cause  
18 and effect between the complaint and the prosecution is not sufficient, or every citizen who  
19 complained to a prosecutor would find himself in a conspiracy.”

20  
21 At 9:15 of the Reply, the “bolding supplied” statement was intended to reference the  
22 following language on 8:28 that was supposed to have been bolded: “plaintiff must state  
23 specific facts to support the existence of the claimed conspiracy”, and also to the following  
24 language on 9:2 that was supposed to have been bolded: “the mere furnishing of information  
25 to police officers does not constitute a conspiracy or “joint action” under color of state law.”

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27 And at 9:26 of the Reply, the “bolding supplied” statement was intended to reference  
28 the following language on 9:23 that was supposed to have been bolded: “fair prosecution

1 would not violate the boys' constitutional rights.”

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3 Copies of corrected/intended pages 6, 8 and 9 are attached hereto.

4

5 Counsel for Anzilotti apologizes for the confusion caused by this error/oversight and  
6 the late discovery thereof.

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8 Dated: September 25, 2020

/s/ Brian C. Carter  
CARTER RICH PC  
By: Brian C. Carter, Esq.

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Attorneys for Defendant SUE ANZILOTTI

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**PROOF OF SERVICE BY ELECTRONIC DELIVERY**

(Borges v. County of Mendocino, Case No.: 3:10-cv-04537 SI)

I am employed in the County of Mendocino, State of California. I am over the age of eighteen years and not a party to the within action. My business address is 305 N. Main Street, Ukiah, California, 95482.

On September 25, 2020, I served the attached document, entitled **ERRATA BY DEFENDANT SUE ANZILOTTI RE REPLY BRIEF ON MOTION TO DISMISS COMPLAINT PURSUANT TO F.R.C.P. 12(b)(6)** on the interested parties BY ELECTRONIC MAIL at the addressee(s) listed below, as follows:

John Houston Scott, Esq.  
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on September 25, 2020, at Ukiah, California.

\_\_\_\_\_  
*/s/ Brian C. Carter*  
Brian C. Carter