

LAW OFFICES OF STEFFENY HOLTZ

Steffeny Holtz (SBN 177412)
222 N. Pacific Coast Highway, Suite 2000
El Segundo, California 90245
Tel.: (323) 864-3227
Fax: (323) 940-4021
steffeny@sholtzlaw.com

*Counsel for Defendants The Broadus Collection, LLC;
Casa Verde Capital, LLC; Merry Jane Events, Inc.;
and Snoop Dogg's LLC (the "Entity Defendants")*

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

JANE DOE, an Individual Woman,

Plaintiff,

v.

CALVIN BROADUS AKA "SNOOP
DOGG", individually; DONALD
CAMPBELL AKA "BISHOP DON
MAGIC JUAN", individually; SNOOP
DOGG'S, LLC; THE BROADUS
COLLECTION, LLC; CASA VERDE
CAPITAL, LLC; and MERRY JANE
EVENTS, INC.,

Defendants.

Case No. 2:22-cv-00900-GW-AS

**ENTITY DEFENDANTS' REQUEST
FOR JUDICIAL NOTICE ISO
THEIR MOTION TO DISMISS
PLAINTIFF'S FIRST AMENDED
COMPLAINT**

[Fed. R. Civ. P. 12(b)(6)]

The Hon. George H. Wu

Hearing Date: April 21, 2022

Time: 8:30 a.m.

TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

In connection with their Motion to Dismiss Plaintiff's First Amended Complaint, Defendants The Broadus Collection, LLC; Casa Verde Capital, LLC; Merry Jane Events, Inc.; and Snoop Dogg's LLC (collectively, the "Entity Defendants") respectfully request that the Court take judicial notice, under Rule 201(b) of the Federal Rules of Evidence, of the publicly-filed documents attached as Exhibits 1, 2, 3, 4, and 5 to the Declaration of Steffeny Holtz. These documents, as stated in that declaration, were obtained from the California Secretary of State's website:

Exhibit 1 is the Articles of Organization for Defendant The Broadus Collection LLC, filed on March 23, 2020, with the California Secretary of State and available on the Secretary of State's website. Based on Exhibit 1, this Defendant was formed as an LLC on March 23, 2020.

Exhibit 2 is the Articles of Incorporation for Defendant Merry Jane Events, Inc., filed on September 26, 2018, with the California Secretary of State and available on the Secretary of State's website. Based on Exhibit 2, this Defendant was incorporated on September 26, 2018.

Exhibit 3 is the Application to Register a Foreign Limited Liability Company for Defendant Casa Verde Capital, LLC, filed on May 1, 2015, with the California Secretary of State and available on the Secretary of State's website. Based on Exhibit 3, this Defendant was formed as a Delaware limited liability company on November 24, 2014.

Exhibit 4 and **Exhibit 5** are the Articles of Organization and Amendment to Articles of Organization for Defendant Snoop Dogg's LLC, filed on January 24, and January 29, 2020, with the California Secretary of State and available on the Secretary of State's website. Exhibit 4 reflects that this Defendant was named "Snoopy's Clothing LLC" for less than one week before being renamed "Snoop Dogg's LLC,"

1 as reflected in Exhibit 5. Based on Exhibits 4 and 5, this Defendant was formed as
2 an LLC on January 24, 2020.

3 This request is made on the grounds that the above are proper subjects for
4 judicial notice because their contents are not subject to reasonable dispute and they
5 are capable of accurate and ready determination by resort to sources whose accuracy
6 cannot reasonably be questioned.

7 A court may consider judicially noticeable materials beyond the pleadings, and
8 doing so does not convert a Rule 12(b)(6) motion into a Rule 56 motion for summary
9 judgment. *Khoja v. Orexigen Therapeutics, Inc.*, 899 F.3d 988, 998 (9th Cir. 2018);
10 *Coto Settlement v. Eisenberg*, 593 F.3d 1031, 1038 (9th Cir. 2010) (“On a motion to
11 dismiss, we may consider materials incorporated into the complaint or matters of
12 public record.”); *Lee v. City of Los Angeles*, 250 F.3d 668, 688 (9th Cir. 2001)
13 (discussing that a court may take judicial notice of matters of public record without
14 converting a motion to dismiss into a motion for summary judgment). Judicial notice
15 under Federal Rule of Evidence 201 permits a court to take judicial notice of
16 undisputed facts in matters of public record. *See, e.g., Khoja*, 899 F.3d at 999.

17 District Courts in California routinely take judicial notice of corporate filings
18 with the California Secretary of State. *See, e.g., Martinez-Sanchez v. Anthony*
19 *Vineyards, Inc.*, 2020 WL 469341, *4 (E.D. Cal. Jan. 29, 2020) (taking judicial notice
20 of “defendants’ corporate filings” publicly filed with the California Secretary of
21 State); *Maggiulli v. Wells Fargo & Co.*, 2018 WL 2021435, *2 (C.D. Cal. Apr. 26,
22 2018) (taking judicial notice of “a document submitted to the California Secretary of
23 State” as “a matter of public record” (*citing Lee*, 250 F.3d at 689)); *Juneau v. Kenner*,
24 2009 WL 10673055, *2 (C.D. Cal. May 14, 2009).¹

25
26 ¹ *See also Gerritsen v. Warner Bros. Entm't Inc.*, 112 F.Supp.3d 1011, 1034 (C.D.
27 Cal. 2015) (taking judicial notice of facts in a business entity profile on the California
28 Secretary of State’s website); *Penn-Star Ins. Co. v. Parties Fantastic, LLC*, 2020 WL
8024860, *1, n.2 (C.D. Cal. Aug. 7, 2020) (granting judicial notice of LLC’s articles
of incorporation); *Clark v. Transamerica Life Ins. Co.*, 2020 WL 5110295, *2 (E.D.

“Public records are properly the subject of judicial notice because the contents of such documents contain facts that are not subject to reasonable dispute, and the facts therein can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” *Martinez-Sanchez*, 2020 WL 469341, *4 (citing Fed.R.Evid. 201(b); internal quotations omitted). “[T]he accuracy of the source of the records—the websites of the California Secretary of State . . . cannot reasonably be questioned.” *Id.* See also *Smelt v. City of Orange*, 447 F.3d 673, 676 n.4 (9th Cir. 2006) (describing filings with the California Secretary of State as appropriate subjects of judicial notice).

Further, under Rule 201(e) of the FRE, if the Court is not inclined to take judicial notice of these items and their contents, the Entity Defendants respectfully request to be heard as the propriety of taking judicial notice.

Dated: March 24, 2022

LAW OFFICES OF STEFFENY HOLTZ

By: /s/ Steffeny Holtz

Steffeny Holtz

222 N. Pacific Coast Highway, Suite 2000

El Segundo, California 90245

Tel.: (323) 864-3227

Fax: (323) 940-4021

steffeny@sholtzlaw.com

Counsel for Entity Defendants The Broadus Collection, LLC; Casa Verde Capital, LLC; Merry Jane Events, Inc.; and Snoop Dogg’s LLC

Cal. Aug. 28, 2020) (taking judicial notice of the records from the California Secretary of State “as these are all matters of public record”); *New Box Solutions, LLC v. Davis*, 2018 WL 4562764, *4 (C.D. Cal. Sept. 18, 2018) (taking judicial notice of articles of organization and related documents from California Secretary of State’s website; “California Secretary of State filings and its website are matters of public record, and are thus proper for judicial notice.”).

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am over the age of 18 and not a party to the within action. My business address is 222 N. Pacific Coast Highway, Suite 2000, El Segundo, California 90245. On March 24, 2022, I served the foregoing document described as

**ENTITY DEFENDANTS' REQUEST FOR JUDICIAL NOTICE ISO THEIR
MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT**

on the following-listed attorneys who are not on the list to receive e-mail notices for this case (who therefore require manual notice) by the following means of service:

SERVED BY U.S. MAIL: There are currently no individuals on the list to receive mail notices for this case.

SERVED BY CM/ECF: I certify that, on March 24, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. The filing of the foregoing document will send copies to the following CM/ECF participants:

The following are those who are currently on the list to receive e-mail notices for this case.

Matt Evan Orellana Finkelberg
matt@dereksmithlaw.com

Jesse Asher Gessin
jesse@gessin.ltd; admin@gessin.ltd

Jennifer L. Keller
jkeller@kelleranderle.com, cmckinney@kelleranderle.com,
lcano@kelleranderle.com

Jeremy W. Stamelman
jstamelman@kelleranderle.com

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on March 24, 2022, at El Segundo, California.

/s/ Steffeny Holtz

Steffeny Holtz