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5 Attorneys for Plaintiffs
BENCHMARK YOUNG ADULT SCHOOL, INC.
6 AND JAYNE LONGNECKER
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF SAN BERNARDINO, CENTRAL CIVIL DISTRICT

10 BENCHMARK YOUNG ADULT SCHOOL,)
INC., a California corporation; and JAYNE)
11 LONNECKER, an individual,)

12)
13 Plaintiff,)

14 v.)

15)
16 MICHAEL CRAWFORD, an individual; and)
DOES 1 through 50, inclusive,)

17)
18 Defendant.)
19 _____)

CASE NO.: CIVSS 803920

**DECLARATION OF FRANCINE McCULLY IN
SUPPORT OF PLAINTIFFS' OPPOSITION TO
SPECIAL MOTION TO STRIKE COMPLAINT
PURSUANT TO CCP §425.16**

20 I, Francine McCully, declare as follows:

21 1. I am a parent of a child who attends Benchmark Young Adult School ("Benchmark"). I
22 make this declaration in support of Plaintiffs' Opposition To Special Motion To Strike Complaint
23 Pursuant To CCP §425.16. I have personal knowledge of, and if called as a witness to testify could and
24 would testify to, the following facts:

25 2. I am married to James McCully. Our son is a resident student at Benchmark. During this
26 past Thanksgiving weekend, my husband and I visited our son at the Benchmark facilities in Redlands,
27 California. As detailed below, during that visit we were confronted by a young man who we now know
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1 to be Michael Crawford (“Crawford”).

2 3. While we were at the Benchmark offices on our arrival, I noticed a young man who was
3 thin, with off-blond hair, slightly taller than average, and had a nervous and pre-occupied manner.
4 Neither I nor my husband had any contact with him on that occasion. When we were leaving the offices
5 later I saw the local police interviewing him and his companion.

6 4. Approximately a day or two later, my husband and I were dropping our son off at the
7 Benchmark State Street facility when we observed the same car and the same two individuals, including
8 Crawford, loitering around the car.

9 5. As we were preparing to depart after our visit with our son, we left the building and began
10 walking toward our car. As we did so, I saw Crawford approaching us. He intercepted us before we
11 got to our car, interrupting our path toward our car.

12 6. As Crawford closed the distance between us to approximately 10 - 15 feet, he said “Do
13 you have a student at Benchmark?” My husband replied that we did. Crawford immediately began
14 making a series of specific factual comments attacking Benchmark, including “Do you know the abuse
15 that occurs here?”, and, “Do you want your child in an environment where there is abuse and they lie?”

16 7. I interrupted Crawford and commented that he must like Benchmark as I had seen him at
17 the Benchmark facility earlier. Crawford continued making derogatory statements regarding Benchmark
18 to us. He said that Benchmark was untrustworthy and that it was a “dangerous” place for our son.

19 8. I began to walk away from the situation. As I did, I heard my husband say that he believed
20 Benchmark was a positive place for our son. Crawford then broke off and began walking back toward
21 his car. My husband and I continued to our car and left the location.

22 9. During the entire time that Crawford was confronting us, I understood him to be making
23 specific and direct factual claims regarding Benchmark. He did not give any indication that the
24 statements he was making about Benchmark were based on his personal experience or that they were
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1 opinions. To the contrary, within the context of the situation he was clearly presenting all of his
2 statements as factual claims about Benchmark and its staff.

3 I declare under penalty of perjury under the laws of the State of California and The United States
4 of America that the foregoing is true and correct.

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6 Executed on June , 2008 in .

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FRANCINE McCULLY

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