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FILED-Central District
SUPERIOR COURT
SAN BERNARDINO COUNTY

JUL 15 2008

7 Ward J. Lott - SBN 211307
8 CALL, JENSEN & FERRELL
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By Stephanie Chandler
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13 Attorneys for Plaintiffs
14 BENCHMARK YOUNG ADULT SCHOOL, INC.
15 AND JAYNE LONGNECKER

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 COUNTY OF SAN BERNARDINO, CENTRAL CIVIL DISTRICT

18 BENCHMARK YOUNG ADULT SCHOOL,)
19 INC., a California corporation; and JAYNE)
20 LONGNECKER, an individual,)

CASE NO.: CIVSS 803920

DECLARATION OF MEGHAN FRAWLEY IN
SUPPORT OF PLAINTIFFS' OPPOSITION TO
SPECIAL MOTION TO STRIKE COMPLAINT
PURSUANT TO CCP §425.16

Plaintiff,

v.

21 MICHAEL CRAWFORD, an individual; and)
22 DOES 1 through 50, inclusive,)

Defendant.

23
24
25 I, Meghan Frawley, declare as follows:

26 1. I am an employee of Plaintiff, Benchmark Young Adult School, Inc. ("BENCHMARK").
27 I make this declaration in support of Plaintiffs' Opposition To Special Motion To Strike Complaint
28 Pursuant To CCP §425.16. I have personal knowledge of, and if called as a witness to testify could and

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14

15 BENCHMARK YOUNG ADULT SCHOOL,)
INC., a California corporation; and JAYNE)
16 LONGNECKER, an individual,)

17 Plaintiff,
18)

19 v.)

20 MICHAEL CRAWFORD, an individual; and)
21 DOES 1 through 50, inclusive,)

22 Defendant.)
23)
24 _____)

CASE NO.: CIVSS 803920
DECLARATION OF MEGHAN FRAWLEY IN
SUPPORT OF PLAINTIFFS' OPPOSITION TO
SPECIAL MOTION TO STRIKE COMPLAINT
PURSUANT TO CCP §425.16

25 I, Meghan Frawley, declare as follows:

- 26 1. I am an employee of Plaintiff, Benchmark Young Adult School, Inc. ("BENCHMARK").
27 I make this declaration in support of Plaintiffs' Opposition To Special Motion To Strike Complaint
28 Pursuant To CCP §425.16. I have personal knowledge of, and if called as a witness to testify could and

1 would testify to, the following facts:

2 2. I have been employed by BENCHMARK as a Resident Counselor/Life Coach for more
3 than one (1) year. In that capacity, my job duties include generally keeping the environment of the
4 school as healthy as possible for the BENCHMARK students. My job entails a wide range of activities,
5 including such things as assisting students in developing life skills, and resolving conflicts.

6 3. I am also a former BENCHMARK STUDENT. I attended BENCHMARK from
7 September 2005 until March 2006. I can say without hesitation that BENCHMARK was an extremely
8 positive experience for me.

9 4. BENCHMARK maintains a residential facility ("RESIDENTIAL PROPERTY") for
10 BENCHMARK students on State Street in Redlands. For most of the BENCHMARK students, the
11 RESIDENTIAL PROPERTY is their home.

12 5. On or about Saturday, November 24, 2007, as I came to work at the RESIDENTIAL
13 PROPERTY on my regular weekend schedule, I noticed two adult male individuals parked in a vehicle
14 directly adjacent to the RESIDENTIAL PROPERTY. One of them was holding a video camera and
15 appeared to be video taping BENCHMARK students and staff. I later learned that one of the individuals
16 was a former student named Michael Crawford ("CRAWFORD").

17 6. During this time, CRAWFORD engaged in numerous activities that were extremely
18 disruptive to the BENCHMARK students and staff and the entire structure of the BENCHMARK
19 program. He was using a handheld video camera to record the students and staff without their
20 permission. Several students remarked to me that it was extremely upsetting to them that CRAWFORD
21 was videotaping them without their permission and believed that their right to privacy was being
22 infringed. Given the fact that I used to be a BENCHMARK student, I am especially aware of how
23 disconcerting CRAWFORD'S presence was to students.

24 7. CRAWFORD was also actively soliciting BENCHMARK students to immediately leave
25 the BENCHMARK program. As an example, CRAWFORD had a large sign that he would immediately
26 provide food money and a free ticket to anywhere in the United States to any student who would at that
27 moment walk away from BENCHMARK.

28

1 8. CRAWFORD engaged in all these actions over several days.

2 **FRIENDSHIP WORKSHOP**

3 9. At the time I was a BENCHMARK student, I personally participated in two FRIENDSHIP
4 WORKSHOP and was aware of how the workshops generally operated. As such, I am personally aware
5 of the schedule and curriculum of the workshop.

6 10. Generally, the FRIENDSHIP WORKSHOP is an opportunity for BENCHMARK students
7 to engage in self examination regarding their actions and decision making dynamics. It usually begins
8 at approximately 9 PM in the evening and lasts overnight .

9 11. During the FRIENDSHIP WORKSHOP , the participants eat, have a nap, and have the use of
10 the bathroom. BENCHMARK provides a variety of food, including fruit, snacks, sandwiches, cookies,
11 drinks and breakfast bars and there are typically two meal breaks. This occurred at both FRIENDSHIP
12 WORKSHOPS I attended as a student.

13 12. The FRIENDSHIP WORKSHOP usually concluded about 10 am the following day. We had
14 free time for the remainder of the day. This was the schedule that occurred at the FRIENDSHIP
15 WORKSHOPS I attended as a student.

16 13. Any assertion that the FRIENDSHIP WORKSHOP lasts for 24 - 36 hours is false. Any
17 assertion that the workshop participants are deprived of food and sleep for "almost the entirety of this
18 period." is false. As set forth above of my own personal knowledge, I know that BENCHMARK
19 provided food, rest, and use of the bathroom facilities during the FRIENDSHIP WORKSHOPS I
20 attended, and all those of which I am aware.

21 14. Any assertion that any aspect of the FRIENDSHIP WORKSHOP is abusive in any way is false.
22 To the contrary, I found the workshops to be a valuable learning experience and the time seemed to go
23 very quickly.

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

26 Executed on July , 2008 in Redlands, California.

27 
28 MEGHAN FRAWLEY