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9 BENCHMARK YOUNG ADULT SCHOOL, INC.
10 AND JAYNE LONGNECKER

 FILED-Central District
SUPERIOR COURT
SAN BERNARDINO COUNTY

JUL 15 2008

By *Stephanie Chandler*
Deputy

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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 COUNTY OF SAN BERNARDINO, CENTRAL CIVIL DISTRICT

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

17 Plaintiff,)

18 v.)

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

21 Defendant.)

CASE NO.: CIVSS 803920

DECLARATION OF ELIZABETH SEFAMI
MAUSER IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO SPECIAL MOTION TO
STRIKE COMPLAINT PURSUANT TO CCP
§425.16

22 I, Elizabeth Sefami Mauser Emus, declare as follows:

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

27 2. I am the mother of Marcos Sefami Mauser ("MARCOS"). MARCOS became a student
28 at BENCHMARK on or about January 15, 2007. I decided to enroll MARCOS at BENCHMARK

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1 related to his impulsivity, ADD, and hyperactivity issues. MARCOS was twenty one (21) years old
2 when he began at BENCHMARK.

3 3. While at BENCHMARK, MARCOS broke into the Benchmark Educational Center and was
4 subsequently charged with a crime in the San Bernardino Superior Court in October 2007. Because I
5 was very concerned about a proper resolution of the case and wanted to take whatever steps I could to
6 ensure that MARCOS appeared at all court hearings and complied with all requirements of the court and
7 Probation Department, I requested that BENCHMARK assist MARCOS in complying with the
8 requirements of the court and Probation Department on the pending criminal matter.

9 4. One of the BENCHMARK employees, Ed Pinedo, was responsible to attend all court hearings
10 with MARCOS. MARCOS was also attending A.I.T. Automotive School ("SCHOOL"). Mr. Pinedo
11 also drove MARCOS to and from SCHOOL.

12 5. On or about November 2, 2007, MARCOS pleaded guilty to the charges. As part of the
13 pending disposition of the case, MARCOS was required to maintain his current residence and notify
14 Probation if he changed his residence. MARCOS was also prohibited from leaving California.

15 6. From November 2, 2007, until Thanksgiving, MARCOS complied with those conditions.

16 7. On the Saturday night just after Thanksgiving in 2007, I received a telephone call from Jayne
17 Longnecker ("LONGNECKER"). LONGNECKER informed me that a former student named Michael
18 Crawford ("CRAWFORD") was contacting students at BENCHMARK and attempting to convince them
19 to leave the BENCHMARK program. She explained that CRAWFORD had been standing at the
20 BENCHMARK facilities yelling at student and staff and offering enticements including money and
21 cigarettes to students if they would leave the program.

22 8. LONGNECKER told me that CRAWFORD had somehow contacted MARCOS and that
23 MARCOS had disappeared from his residence. This was of grave concern to me because of the court
24 ordered release conditions on MARCOS. MARCOS was extremely vulnerable and easily manipulated.
25 CRAWFORD had now disappeared with him. I was also concerned about the possibility that
26 CRAWFORD might have taken MARCOS involuntarily from BENCHMARK.

27 9. I was extremely worried both for MARCOS' personal safety and for his situation, specifically
28 that he might be in violation of his court ordered release conditions relating to either his residence or

1 not leaving California. I obtained CRAWFORD's cell phone number from LONGNECKER and
2 immediately called him.

3 10. A male adult answered the phone. He identified himself as CRAWFORD. I told him who I
4 was and that it was imperative that I speak to my son immediately. CRAWFORD refused to let me
5 speak with MARCOS, was extremely sarcastic to me and made mocking comments to me.

6 11. I clearly and directly explained to CRAWFORD that MARCOS had a pending criminal case,
7 that the conditions of his release required him to maintain his residence and that if he changed residence
8 he was required to notify the Probation Department, that he was prohibited from leaving California. I
9 told CRAWFORD that if MARCOS did not immediately return home he would be at great risk in his
10 criminal case.

11 12. CRAWFORD still flatly refused to allow me to even speak to my son and told me that I could
12 only speak to him, CRAWFORD. CRAWFORD then began attacking BENCHMARK, saying that it
13 "lies to parents", and that I had to remove MARCOS from BENCHMARK. I again told him that I
14 wanted to speak to MARCOS directly. I pleaded with him to allow me to speak to my son. He refused
15 and then hung up the cell phone.

16 13. I immediately attempted to call CRAWFORD again several times. There was no answer and
17 the phone went to voicemail. I left a message stating several times that I desperately needed to speak
18 to my son and reiterating that MARCOS had a pending criminal case with restrictions.

19 14. I then went home. The phone was ringing as I entered my home. I answered the phone. The
20 caller identified himself as CRAWFORD and immediately again began mocking me, demanding that
21 I "say please" to him if I wanted to talk with my son. He reiterated several times that I "say please" if
22 I wanted to talk with my son. Initially I refused to give in to these mocking demands.

23 15. Eventually, I did say "please, may I talk to my son". Although I had complied with his
24 demands, CRAWFORD still refused to allow me to speak to my son. He now demanded that I listen
25 to him talk. His voice was rising and speaking in an angry manner. Since CRAWFORD was refusing
26 to allow me to speak to my son, I became increasingly concerned that CRAWFORD might be holding
27 MARCOS against his will.

28 16. It also became clear to me that CRAWFORD was just attempting to manipulate the situation.

1 I told him that I would not listen to him and that I wanted to speak to my son. CRAWFORD now said
2 that MARCOS refused to speak to me. I then told CRAWFORD that I did not want to speak to him
3 (CRAWFORD) any more. I hung up the phone.

4 17. By now, it was approximately midnight. My telephone now began to ring every five (5)
5 minutes. The calls continued at varying intervals from approximately midnight until 6 am the next
6 morning. I did not answer the calls.

7 18. I am totally disabled, suffer from a congenital malformation in my spinal cord and use a
8 wheelchair for mobility. CRAWFORD's continuing pattern of harassment throughout the night was a
9 nightmare for me and caused me a huge amount of stress.

10 19. The next morning I contacted BENCHMARK and learned that MARCOS had returned. For
11 the first time since CRAWFORD had disappeared with MARCOS, I was finally able to speak with
12 MARCOS directly.

13 20. MARCOS told me that he had initially gone with CRAWFORD because CRAWFORD had
14 offered him cigarettes, and that after going with CRAWFORD, CRAWFORD's actions had frightened
15 him.

16 21. The following Monday, I obtained the telephone number of the parents of CRAWFORD. I
17 contacted William Crawford and spoke to him. I explained to him what CRAWFORD had done with
18 MARCOS the previous weekend.

19 22. Mr. Crawford said, "I have nothing to do with Michael". He told me he would speak to
20 CRAWFORD and tell him to stop doing these things.

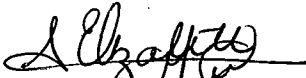
21 I declare under penalty of perjury under the laws of the State of California and the United States
22 of America that the foregoing is true and correct.

23 Executed on July , 2008 in DF, Mexico.

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ELIZABETH SEFAMI MAUSER EMUS

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