

AUG 09 2012

ALAN CARLSON, Clerk of the Court

1 DANIEL D. DYDZAK
2 PLAINTIFF IN PRO PER
3 4265 MARINA CITY DRIVE
4 SUITE 407W
5 MARINA DEL REY, CA 90292
6 TELEPHONE: (310) 867-1289

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF ORANGE
9 CENTRAL JUSTICE CENTER

10 DANIEL D. DYDZAK,)	CASE NO. 30-2012-00558031
)	
)	
11 Plaintiff,)	NOTICE OF RULING
)	RE: JULY 26, 2012 HEARING
)	
12 Vs.)	
)	
13 JOSEPH LAWRENCE DUNN, aka JOE DUNN,)	
14 et al.,)	
)	
15 Defendants.)	
)	
)	
)	(C.C.P. Section 473)
)	UNLIMITED
)	ASSIGNED TO JUDGE GREGORY
)	MUNOZ (DEPT. C13)

16 TO THIS HONORABLE COURT AND ALL PARTIES AND COUNSEL OF
17 RECORD:
18 NOTICE IS HEREBY GIVEN that on July 26, 2012, Plaintiff In
19 Pro Per, DANIEL D. DYDZAK, moved to disqualify the Honorable
20 Gregory Munoz, Orange County Superior Court Judge. A true and
21 correct copy of the filed Verified Disqualification Statement
22 is marked and attached hereto as Exhibit "A" and made a part
23 hereof by reference.

1 Because of the presentation of Exhibit "A", argument
2 pertaining thereto, and agreement between Plaintiff and counsel
3 of record appearing at the hearing, Mark R. Beckington, Esq. and
4 Danielle A. Lee, Esq., the Court continued the Demurrer to First
5 Amended Complaint by Defendant CARLOS MORENO, to August 30,
6 2012, at 2:00 p.m. in Department C 13, as well
7 as all other August Motions to said date, time and in said
8 Department. A true and correct copy of the Minute Order
9 pertaining thereto is marked and attached hereto as Exhibit "B"
10 and made a part hereof by reference.

11 Plaintiff agreed to and was ordered to give notice.

12
13
14 Dated: August 7, 2012

BY: 

DANIEL D. DYDZAK
Plaintiff In Pro Per

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of
4 California. I am over the age of 18 and not a party to the
5 within action. My service address is 4265 Marina City Drive,
6 Suite 407W, Marina del Rey, California 90292.

7 On August 9, 2012, I served the following:

8 NOTICE OF RULING RE: JULY 26, 2012 HEARING

9 on the following interested parties by placing a true copy
10 thereof in a sealed envelope to each such party or his/her
11 counsel of record:

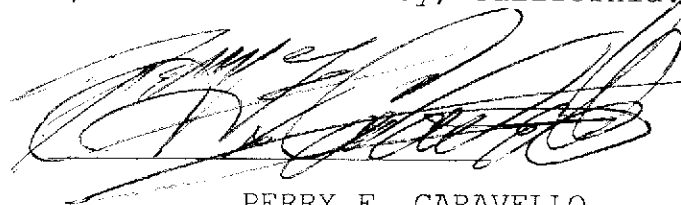
12 See Attached SERVICE LIST

13 [BY MAIL] I am readily familiar with the business' practice
14 for collection and processing of correspondence for mailing with
15 the United States Postal Service, pursuant to which practice
16 correspondence will be deposited with the United States Postal
17 Service this same day in the ordinary course of business. That
18 with postage thereon fully prepaid, the envelope was either
19 deposited in the United States Postal Service or placed for
20 collection and mailing on the above date following the ordinary
21 business practices.

22 [] (BY FAX) I faxed a copy of the above-entitled document
23 to the interested parties.

24 [X] (State of California) I declare under penalty of
25 perjury under the laws of the State of California that the above
26 is true and correct.

27 Executed on August 9, 2012, at Marina del Rey, California.

28 

PERRY F. CARAVELLO

1 SERVICE LIST

2 DANIELLE A. LEE, ESQ.
3 OFFICE OF GENERAL COUNSEL
4 THE STATE BAR OF CALIFORNIA
5 180 HOWARD STREET
6 SAN FRANCISCO, CA 94104

7 JOAN MACK, ESQ.
8 CALDWELL, LESLIE, PROCTOR
9 1000 WILSHIRE BLVD., SUITE 600
10 LOS ANGELES, CA 90017

11 LISA VON ESCHEN, ESQ.
12 ABELSON, HERRON LLP
13 333 SOUTH GRAND AVENUE
14 SUITE 1550
15 LOS ANGELES, CA 90071

16 MARK BECKINGTON, ESQ.
17 ATTORNEY GENERAL OF CALIFORNIA
18 300 S. SPRING STREET
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21 1126 WILSHIRE BLVD.
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15 DAVID WERDEGAR
16 3575 GEARY BLVD.
17 SAN FRANCISCO, CA 94118
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EXHIBITS

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JUL 26 2012

ALAN CALUSON, Clerk of the Court

B. Garcia
BY GARCIA

1 DANIEL D.DYDZAK
2 PLAINTIFF IN PRO PER
3 4265 MARINA CITY DRIVE
4 SUITE 407W
5 MARINA DEL REY, CA 90292
6 TELEPHONE: (310) 867-1289

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA

8 FOR THE COUNTY OF ORANGE

9 DANIEL D.DYDZAK,

10 Plaintiff,

11 vs.

12 JOSEPH LAWRENCE DUNN, et al.,

13 Defendants.

) CASE NO. 30-2012-00558031
)
) PLAINTIFF'S
) NOTICE OF FILING VERIFIED
) STATEMENT OF
) DISQUALIFICATION OF JUDGE
) GREGORY MUNOZ

14)
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UNLIMITED

PRESENTLY ASSIGNED TO
JUDGE GREGORY MUNOZ (DEPT
C 13)

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28 DYDZAK V. DUNN

1 TO THIS HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF
2 RECORD:

3 **PLEASE TAKE NOTICE** that Plaintiff, DANIEL D. DYDZAK
4 hereby files a verified Statement of Disqualification of
5 Judge Gregory Munoz, Orange County Superior Court Judge.

6 Respectfully Submitted,

7
8 Dated: July 26, 2012

9 BY:

10 
11 DANIEL D. DYDZAK
12 Plaintiff In Pro Per

DECLARATION OF DANIEL D. DYDZAK AND VERIFIED
STATEMENT OF DISQUALIFICATION

I, DANIEL D. DYDZAK, DECLARE:

1. I am the Plaintiff in the above-referenced case, an adult over eighteen years old, and a resident of Los Angeles County, State of California.

2. The facts herein are personally known to me and true and correct. If called as a witness, I could and would competently testify thereto under oath.

3. I believe that I cannot obtain a fair hearing and other proceedings before Judge Gregory Munoz ("MUNOZ") because of his conflicts of interest and his relationships, professional and personal, with material witnesses and parties in this case. There are grounds for disqualifying Superior Court Judge Gregory Munoz in this action and I move for his disqualification for cause pursuant to C.C.P. Section 170.3, C.C.P. Section 170.1(a)(6)(c), Canon 3E of the Code of Judicial Ethics, the holding of Caperton v. AT Massey Coal Co., 129 S.Ct 2252(2009), the holding of Soldberg v. Superior Court, 19 Cal.3d 182, 193, n. 10 (1977), C.C.P. Sections 170.1 through 170.6, and other applicable law. Bias and conflicts of interest, or the appearance of same, mandate MUNOZ's ^{or} disqualification.

4. MUNOZ has unethically to date not disclosed on the record information that is or could be viewed as relevant to his disqualification and lack of fairness in this case.

5. I recently researched the background of MUNOZ. He

1 did not disclose to me that he has a long-time personal and
2 professional relationship with THOMAS V. GIRARDI JOSEPH LAWRENCE
3 DUNN and MARK P. ROBINSON, JR., all of whom have been and are
4 active and associated with the California Judicial Council.
5 MUNOZ was on the Judicial Council and partook in Administration
6 of the Court activities. MUNOZ has actively supported the prior
7 candidacy of JOSEPH LAWRENCE DUNN for political office in Orange
8 County. He may have given monetary contributions in the past to
9 Mr. Dunn His long-time friend and former employee, MARK P.
10 ROBINSON, has contributed thousands of dollars to the past
11 political campaigns of Mr. Dunn, and so ^{for OO} his other long-time
12 personal acquaintance, THOMAS V. GIRARDI. They all know one
13 another from being actively involved with the American Board of
14 Trial Advocates. Mr. Dunn and MUNOZ know one another from being
15 involved in the Hispanic-American organization, Somos Primos.
16 Robinson is an active delegate to the Judicial Council. MUNOZ
17 has been involved with and active with the California Judges
18 Association which, unlike the California Alliance Judges, has in
19 the past disregarded the corruption in the Administration of the
20 Courts. Robinson and Girardi have been involved in major
21 litigation together. MUNOZ is a former District Attorney for
22 Los Angeles County and knows Ronald M. George from this
23 association.

24 6. Judge MUNOZ's actions show a bias or appearance of
25 same. A Request to transfer this case to complex litigation was
26 not acted on, and the pleading was delayed numerous days before
27 it was filed on the docket, even though he was sent a courtesy

1 copy. The recent denial of the ex parte application for
2 continuance was not satisfactorily explained. MUNOZ has allowed
3 Ms. Lee's clients to participate in this case even though
4 neither she nor them have paid the required statutory filing
5 fees, and there are grounds for disqualifying her and her
6 office.

7 7. Mr. Robinson is being added in as a defendant and
8 material witness through DOE Amendment. Therefore, MUNOZ cannot
9 act fairly and impartially towards Plaintiff since he is one ^{of his} his
10 best friends and professional acquaintances. In fact, Robinson
11 worked for him at his law firm as either an associate or
12 partner. They continue to have a long-standing friendship.

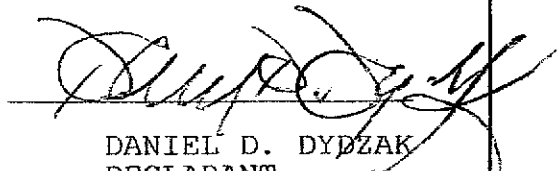
13 8. When the original Complaint was filed, there was a
14 lengthy delay when the male Clerk went to find out whom the
15 assigned trial judge would be. The male Clerk did not simply
16 pick a random judge. It therefore appears that the result of
17 this case has been rigged to go to Judge MUNOZ through improper
18 ex parte communications with third persons. Judge Franz Miller
19 who occupies the department next to MUNOZ has shown outright
20 hostility and misconduct in the litigation matter of Ms. Baldwin
21 which involves major corruption by State Bar defendants and
22 other government officials.

23 9. Judge MUNOZ's conduct towards me in not granting
24 appropriate ex parte relief which he demonstrated at a
25 hearing, as well as his relationship with material witnesses and
26 parties, warrant his disqualification.

27 10. MUNOZ has also allowed Eric George's attorneys to file

1 pleadings which have been redacted in numerous places without
2 permission from the Court. MUNOZ's allowing Ms. Lee to argue and
3 appear in court at the recent ex parte hearing when her clients
4 have not even paid the required statutory filing fees raises
5 major ethical concerns. Nonetheless, MUNOZ has not barred her
6 from participating, an indication of his pro-government bias.
7 The Attorney General's Office should be disqualified, yet MUNOZ
8 showing his pro-government bias is allowing its attorneys to
9 argue motions before the disqualification matter is ruled upon.
10 MUNOZ has allowed Thomas V. Girardi to file a joinder to the
11 special motion to strike even though he did not pay all the
12 required filing fees. MUNOZ's unsettling pattern of allowing
13 illegal actions by the aforementioned defendants shows
14 a bias or appearance of bias on the part of MUNOZ.

15 I declare under penalty of perjury under the laws of the
16 State of California that the foregoing is true and correct, and
17 that this Declaration was executed on July 26, 2012, at
18 Marina del Rey, California.

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22 DANIEL D. DYDZAK
23 DECLARANT
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VERIFICATION

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I have read DECLARATION OF DANIEL D. DYDZAK AND
VERIFIED STATEMENT OF DISQUALIFICATION and know its contents. I have
reviewed the within pleading and it is true and correct.

Executed on July 26, 2012, at Marina del Rey, California, I verify and
declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct.



DANIEL D. DYDZAK
DECLARANT

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of
4 California. I am over the age of 18 and not a party to the
5 within action. My service address is 4265 Marina City Drive,
6 Suite 407W, Marina del Rey, California 90292. On July 26, 2012,
7 I served the following:

8 **PLAINTIFF'S NOTICE OF FILING VERIFIED STATEMENT OF**
9 **DISQUALIFICATION OF JUDGE GREGORY MUNOZ**

10 on the following interested parties by placing a true copy
11 thereof in a sealed envelope to each such party or his/her
12 counsel of record:

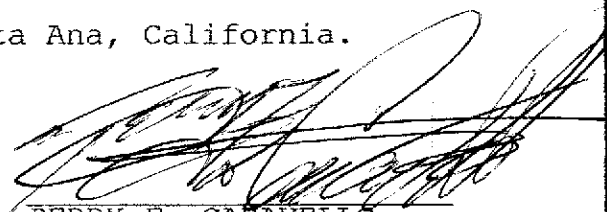
13 SEE ATTACHED SERVICE LIST

14 [X] (BY MAIL) I am readily familiar with the business'
15 practice for collection and processing of correspondence for
16 mailing with the United States Postal Service, pursuant to which
17 practice correspondence will be deposited with the United States
18 Postal Service this same day in the ordinary course of business.
19 That with postage thereon fully prepaid, the envelope was either
20 deposited in the United States Postal Service or placed for
21 collection and mailing on the above date following the ordinary
22 business practices. **NOTE: PERSONAL SERVICE ON MARK BECKINGTON,**
23 **ESQ. IN DEPT. C 13 ON JULY 26, 2012**

24 [] (BY FAX) I faxed a copy of the above-entitled document
25 to the interested parties.

26 [X] (State of California) I declare under penalty of
27 perjury under the laws of the State of California that the above
28 is true and correct.

I declare under penalty of perjury under the laws of the
State of California that the foregoing is true and correct.
Executed on July 26, 2012, at Santa Ana, California.


PERRY F. CARAVELLO
DECLARANT

SERVICE LIST

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4 OFFICE OF GENERAL COUNSEL
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25 RONALD M. GEORGE, ESQ.
26 9880 CARMELITA AVENUE
27 BEVERLY HILLS, CA 90292

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29 GIRARDI KEESE
30 1126 WILSHIRE BLVD.
31 LOS ANGELES, CA 90017

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33 HOWARD L. DICKSTEIN, ESQ.
34 1530 J. STREET
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36 SACRAMENTO, CA 95814

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38 WILLIAM M. WARDLAW
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44 KEKER & VAN NEST
45 633 BATTERY STREET
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1 ARNOLD & PORTER
7TH FLOOR
2 THREE EMBARCADERO CENTER
SAN FRANCISCO, CA 94111-4024

3 SANDOR E. SAMUELS, ESQ.
4 BET TZEDEK LEGAL SERVICES
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5 LOS ANGELES, CA 90036

6 SARAH OVERTON, ESQ.
7 CMDA
3801 UNIVERSITY AVENUE
8 SUITE 560
RIVERSIDE, CA 92501

9 WILLIAM VICKREY
10 RONALD OVERHOLT
455 GOLDEN GATE AVENUE
11 SAN FRANCISCO, CA 94102

12 DAVID J. PASTERNAK, ESQ.
13 PASTERNAK, PASTERNAK & PATTON
1875 CENTURY PARK EAST
14 SUITE 2200
LOS ANGELES, CA 90067

15 DAVID WERDEGAR
3575 GEARY BLVD.
16 SAN FRANCISCO, CA 94118

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

MINUTE ORDER

DATE: 07/26/2012

TIME: 02:00:00 PM

DEPT: C13

JUDICIAL OFFICER PRESIDING: Gregory Munoz

CLERK: SUSIE GARCIA

REPORTER/ERM: Edward V. Serrano-7469 CSR# 7469

BAILIFF/COURT ATTENDANT: Lorena Mendez

CASE NO: 30-2012-00558031-CU-PO-CJC CASE INIT.DATE: 03/29/2012

CASE TITLE: **Dydzak vs. Dunn**

CASE CATEGORY: Civil - Unlimited CASE TYPE: PI/PD/WD - Other

EVENT ID/DOCUMENT ID: 71498189

EVENT TYPE: Demurrer to Amended Complaint

MOVING PARTY: Carlos Moreno

CAUSAL DOCUMENT/DATE FILED: Demurrer to Amended Complaint, 06/08/2012

APPEARANCES

Daniel D Dydzak, self represented Plaintiff, present.

Mark R. Beckington, from Kamala D. Harris, Attorney General of California, present for Defendant(s).

Danielle A Lee, State Bar of California Office of General Counsel, from Danielle A Lee, State Bar of California Office of General Counsel, present for Defendant(s).

Tentative Ruling posted on the Internet and outside the courtroom.

Plaintiff submitted in the courtroom for filing a Notice of filing Verified Statement of Disqualification of Judge Munoz.

The Court has contacted the legal department regarding the Notice of Disqualification pursuant to 170.3, and orders the Demurrer continued.

Upon request of counsel, all currently scheduled motions will also be continued to the same date and time as follows:

Demurrer to Amended Complaint continued to 08/30/2012 at 02:00 PM in this department.

Motion to Strike continued to 08/30/2012 at 02:00 PM in this department.

Motion to Strike continued to 08/30/2012 at 02:00 PM in this department.

Motion - Other continued to 08/30/2012 at 02:00 PM in this department.

Demurrer to Amended Complaint continued to 08/30/2012 at 02:00 PM in this department.

Joinder continued to 08/30/2012 at 02:00 PM in this department.

DATE: 07/26/2012

DEPT: C13

MINUTE ORDER

-17-

Page 1
EXHIBIT "B" Calendar No.

Joinder continued to 08/30/2012 at 02:00 PM in this department.

Motion to Disqualify Attorney of Record continued to 08/30/2012 at 02:00 PM in this department.

Demurrer to Amended Complaint continued to 08/30/2012 at 02:00 PM in this department.

Motion to Appoint Receiver continued to 08/30/2012 at 02:00 PM in this department.

Demurrer to Amended Complaint continued to 08/30/2012 at 02:00 PM in this department.

Motion to Quash Service of Summons continued to 08/30/2012 at 02:00 PM in this department.

Demurrer to Amended Complaint continued to 08/30/2012 at 02:00 PM in this department.

Upon request, the Court granted defendant's counsel an additional 8 days to submit the response to plaintiff's motion currently set for 8-2-2012.

Court orders plaintiff to give notice.