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Attorneys for Respondents
 LOS ALTOS SCHOOL DISTRICT; BOARD OF
 TRUSTEES OF THE LOS ALTOS SCHOOL
 DISTRICT; and TIM JUSTUS

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 COUNTY OF SANTA CLARA

BULLIS CHARTER SCHOOL,

Petitioner,

v.

LOS ALTOS SCHOOL DISTRICT;
 BOARD OF TRUSTEES OF THE LOS
 ALTOS SCHOOL DISTRICT; and TIM
 JUSTUS, in his capacity as District
 Superintendent,

Respondents.

Case No. 109CV144569

**REQUEST FOR JUDICIAL NOTICE IN
 SUPPORT OF RESPONDENTS'
 OPPOSITION TO MOTION TO COMPEL
 COMPLIANCE WITH JUDGMENT AND
 WRIT**

Date: August 15, 2012
 Time: 9:00 a.m.
 Dept: 2

Judge: Hon. Patricia Lucas

1 Respondents Los Altos School District, Board of Trustees of the Los Altos School District,
2 and Tim Justus, in his capacity as District Superintendent (together, “Respondents”) hereby request,
3 pursuant to California Evidence Code § 452(c), that this Court take judicial notice of the following
4 documents, and the facts reflected therein, in conjunction with Respondent’s Opposition to the
5 Motion of Bullis Charter School (“BCS”) to Compel Compliance With Judgment and Writ:

- 6 • **Exhibit A:** Excerpts from Reporter’s Transcript of the Proceedings before the
7 Honorable Patricia M. Lucas for March 19, 2012 in this action, Santa Clara Superior
8 Court No. 109CV144569.
- 9 • **Exhibit B:** California State Board of Education Statement of Reasons supporting the
10 Proposition 39 regulations.

11 It is well settled that law and motion pleadings may rely in whole or in part upon matters
12 judicially noticed by the trial court. Weil & Brown, Civ. Proc. Bef. Trial, Ch. 9.I, §9:54 (2005); *see*
13 *e.g.*, *Bistawros v. Greenberg*, 189 Cal. App. 3d 189, 192 (1987) (judicial notice of court files in
14 sustaining demurrer).

15 This Court may take judicial notice of “facts and propositions that are not reasonably subject
16 to dispute and are capable of immediate and accurate determination by resort to sources of
17 reasonably indisputable accuracy.” Evid. Code § 452(h). Under this provision, the Court should
18 judicially notice these exhibits because they are official public records, the contents and authenticity
19 of which “cannot reasonably be controverted.” *Evans v. California Trailer Court, Inc.*, 28 Cal. App.
20 4th 540, 549 (1994). For these reasons, judicial notice of these exhibits is proper.

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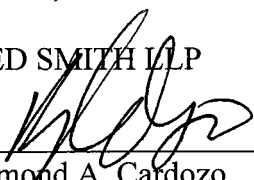
Under Section 453, judicial notice is mandatory “of any matter specified in Section 452 if a party requests it and: (a) Gives each adverse party sufficient notice of the request ... and (b) Furnishes the court with sufficient information to enable it to take judicial notice of the matter.” Evid. Code §453. The parties and this Court have been given sufficient notice and information concerning the exhibits as identified above. This Court therefore must take judicial notice. Evid. Code § 453.

Dated: July 24, 2012

Respectfully submitted,

BURKE, WILLIAMS & SORESENSEN, LLP

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