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5	Facsimile: (949) 553-7539	
6	Attorneys for Defendant MICHAEL PLANET, IN HIS OFFICIAL	J.
7	CAPACITY AS COURT EXECUTIVE OFFICER/CLERK OF THE VENTURA	
8	COUNTY SUPERIOR COURT	
10	UNITED STATES DISTRICT COURT	
11	CENTRAL DISTRIC	CT OF CALIFORNIA
12		
13	COURTHOUSE NEWS SERVICE,	Case No. CV11-08083 R (MANx)
14	Plaintiff,	Assigned for all purposes to Hon. Manuel L. Real
15	V.	SUPPLEMENTAL
16	MICHAEL PLANET, IN HIS OFFICIAL CAPACITY AS COURT	DECLARATION OF ERICA L. REILLEY IN SUPPORT OF <i>EX</i>
17	EXECUTIVE OFFICER/CLERK OF THE VENTURA COUNTY	PARTE APPLICATION FILED OCTOBER 10, 2011, TO
18	SUPERIOR COURT,	CONTINUE HEARING ON PLAINTIFF'S MOTION FOR
19	Defendant.	PRELIMINARY INJUNCTION
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22 23		
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		Reilley Supp. Decl., I/S/O Ex Parte Application, filed October 10, 2011 Case No. CV 11-08083 R (MANx)

DECLARATION OF ERICA L. REILLEY

I, Erica L. Reilley, declare as follows:

- 1. I am an attorney at law, duly admitted to practice before all Courts of the State of California and before this Court, and am a partner with the law firm of Jones Day, attorneys of record for Defendant Michael Planet, in his official capacity as Court Executive Officer/Clerk of the Ventura County Superior Court. I make this supplemental declaration in support of the Defendant's *Ex Parte* Application to Continue Hearing on Plaintiff's Motion for Preliminary Injunction, filed October 10, 2011. As one of the attorneys responsible for the defense of this action, I have personal knowledge of the facts stated in this Declaration and if called as a witness I could and would testify competently to them.
- 2. On October 10, 2011, at 10:53 a.m., I emailed counsel for Plaintiff Courthouse News Service (Rachel Matteo-Boehm and David Greene of the Holme Roberts & Owen LLP) and gave them written notice of Defendant's intent to file an *ex parte* application seeking a continuance of Plaintiff's Motion for Preliminary Injunction. Defendant's Application was filed later that afternoon.
- 3. As we were preparing the *ex parte* papers for filing, Mr. Greene emailed me back requesting more detail on why Defendant's motion to dismiss should be heard before the preliminary injunction.
- 4. Shortly after Defendant's Application was filed, I responded to Mr. Greene's request. A copy of my emailed response is attached hereto as Exhibit A. As I stated therein, Defendant has serious questions concerning the propriety of the federal court's jurisdiction over Plaintiff's claims and the viability of certain of Plaintiff's claims individually. Under those circumstances, I noted that it made sense to have those threshold issues decided before dealing with the underlying merits of Plaintiff's claimed constitutional right to same-day access to

1	all newly filed complaints. I further noted that Defendant appreciates Plaintiff's	
2	willingness to provide a brief extension of time on the hearing on Plaintiff's Motion	
3	for Preliminary Injunction (and would consider it if this ex parte Application is	
4	denied), but that the offered extension would not address the primary purpose	
5	behind Defendant's request for relief, which is to conserve the already stretched	
6	resources of the Superior Court of California, County of Ventura.	
7	I declare under penalty of perjury under the laws of the United States and the	
8	State of California that the foregoing is true and correct.	
9		
10	Executed on October 11, 2011, at Los Angeles, California.	
11	/s/ Erica L. Reilley Erica L. Reilley	
12	Effica L. Remey	
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