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6
7 ATTORNEYS FOR PLAINTIFF
SOUTHERN CALIFORNIA DARTS ASSOCIATION

8
9 UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION

12 SOUTHERN CALIFORNIA DARTS
13 ASSOCIATION, a California
14 unincorporated association,

15 Plaintiff,

16 vs.

17 SOUTHERN CALIFORNIA DARTS
18 ASSOCIATION, INC., a California
19 corporation, DINO M. ZAFFINA, an
20 individual, and DOES 1-10,

21
22 Defendants.
23
24
25
26
27
28

CASE NO. 2:12-CV-01899RGK

**DECLARATION OF NAOMI
STRAUS IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

[PLAINTIFF'S MOTION;
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
PLAINTIFF'S MOTION;
DECLARATION OF L. DAVID
IRETE; DECLARATION OF
MATTHEW CANALE; APPENDIX
OF AUTHORITIES FILED
CONCURRENTLY HEREWITH;
[PROPOSED] ORDER LODGED
CONCURRENTLY HEREWITH]

Date: April 16, 2012

Time: 9:00 a.m.

Courtroom: 850

1 **DECLARATION OF NAOMI STRAUS**

2 I, Naomi Straus, declare as follows:

3 1. I am an adult resident of the State of California. I am a law clerk at
4 Kawahito Shraga & Westrick LLP, counsel of record for Plaintiff Southern
5 California Darts Association (SCDA) in this action. I make this declaration in
6 support of Plaintiff's Motion for Preliminary Injunction. If called as a witness, I
7 would testify truthfully to the matters set forth herein. Unless the context
8 indicates otherwise, I have personal knowledge of the facts stated in this
9 declaration and if called as a witness, I could and would competently testify.

10 2. On March 2, 2012, I accessed the Sports Illustrated Vault, an online
11 archive of the magazine Sports Illustrated, available at
12 <http://sportsillustrated.cnn.com/vault/>. A true and correct copy of "Scorecard,"
13 Sports Illustrated (October 21, 1968) is attached hereto as Exhibit "A." This
14 article may also be found at
15 <http://sportsillustrated.cnn.com/vault/article/magazine/MAG1081701/index/index>
16 .htm. On page 2, under the heading "Serious Darts," there is a discussion of
17 SCDA's activities.

18 3. On February 17, 2012, I accessed the Sports Illustrated Vault, an
19 online archive of the magazine Sports Illustrated, available at
20 <http://sportsillustrated.cnn.com/vault/>. A true and correct copy of "The 19th
21 Hole: The Readers Take Over," Sports Illustrated (September 29, 1969) is
22 attached hereto as Exhibit "B." This article may also be found at
23 <http://sportsillustrated.cnn.com/vault/article/magazine/MAG1082861/index.htm>.
24 On pages 3-4 there is a letter from Dick Mitruen, then President of SCDA,
25 responding to an article about darts and encouraging readers needing assistance
26 in forming darts leagues to contact SCDA. A true and correct copy of
27 "Scorecard," Sports Illustrated (October 12, 1970) is attached hereto as Exhibit
28

1 “C.” This article may also be found at
2 <http://sportsillustrated.cnn.com/vault/article/magazine/MAG1084151/index/index>
3 [.htm](#). On page 2, under the heading “Appetizing,” there is a report of SCDA’s
4 First Annual North American Open Dart Tournament. A true and correct copy of
5 “A Point Man for Darts,” Sports Illustrated (November 15, 1993) is attached
6 hereto as Exhibit “D.” This article may also be found at
7 <http://sportsillustrated.cnn.com/vault/article/magazine/MAG1137911/index.htm>.
8 This article reports that darts promoter Lamont Carr sat on the SCDA board.

9
10 4. On February 17, 2012, I accessed www.phillydarts.com, a website
11 for Philadelphia area darts enthusiasts. A true and correct copy of “On Point,”
12 Dan William Peek (October 2003) is attached hereto as Exhibit “E.” This is a
13 history of SCDA.

14 5. On March 15, 2012, I accessed www.vcda.org, the website of the
15 Ventura County Darts Association (VCDA). A true and correct copy of an
16 announcement of an All Star match between VCDA and SCDA, Sunday,
17 September 12, 2010 that was posted on the website is attached hereto as Exhibit
18 “F.”

19 6. On March 2, 2012, I accessed www.laweekly.com, the website of the
20 print newspaper LA Weekly. A true and correct copy of “Dastardly Deeds in
21 Darts,” LA Weekly (February 2, 2012) is attached hereto as Exhibit “G.”

22 7. On March 13, 2012, I accessed the website of the California
23 Secretary of State, and ran a business entity search for “Southern California Darts
24 Association.” A true and correct copy of the Business Entity Detail for Southern
25 California Darts Association, Inc. is attached hereto as Exhibit “H.”

26 8. On March 13, 2012, I accessed the website who.pho.to, which
27 provides information about domain name registrations, and searched for the
28 domain name southerncaliforniadartsassociation.com. A true and correct copy of

1 the results of that search are attached hereto as Exhibit "I."

2 9. On February 17, 2012, I accessed the website
3 www.southerncaliforniadartsassociation.com. A true and correct copy of the
4 homepage of www.southerncaliforniadartsassociation.com is attached hereto as
5 Exhibit "J."

6
7 I declare under penalty of perjury under the laws of the United States that
8 the foregoing is true and correct. Executed on 3/16, 2012 at Los Angeles,
9 California.

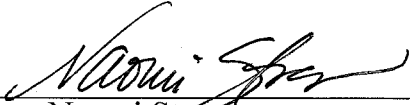
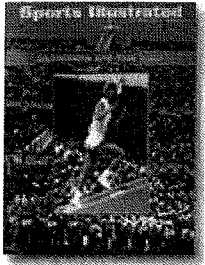
10 
11 _____
12 Naomi Straus

EXHIBIT A



October 21, 1968

Scorecard

WILD IN THE STREETS

The expression "We may have lost the game, but we are going to win the party" conveys a venerable sporting sentiment, but the annual commemoration of the Texas-Oklahoma game in Dallas has gone beyond that. For one thing, the Texas-OU blowout takes place the night before the game, before either college's supporters should feel obligated to take anything out on anyone. For another thing, few of the thousands of assorted remora who cram themselves into a four-square-block area of downtown Dallas every year have any relation to either school. They just welcome an opportunity to hoot, holler, choke intersections, break windows, fight, watch topless dancers on the sidewalks and get arrested. Last year police hauled in 466 on charges ranging from drunkenness to "assault to murder." Only 22 were college students.

This year—Friday night, October 11—Dallas was ready. Some 800 regular and reserve policemen were on duty—300 of them in plain clothes and the rest outfitted as though they were expecting the Democratic Convention. It was the biggest show of police force in the city's history, but just to be on the safe side merchants along Commerce Street boarded up their windows and hotels locked their doors, unlocking them only for registered guests.

The result was what might in comparison with other years be called law and order. A policeman and two other people were seriously injured in the clogged traffic, and another policeman had his helmet blown off when someone threw what was believed to be an artillery simulator toward the Police and Courts Building. Otherwise, there were 643 arrests—a record—but they were largely preventive.

Civic leaders Saturday praised the police for averting chaos. But police officials, privately, have said they would like to arrest so many revelers that Dallas would be abandoned as the game site. Most people in Dallas, however, seem to favor keeping the game. They would just like to see the riot moved.

FROG POLL

At a recent jumping contest in Marksville, La., a frog named Humphrey jumped 2'11"; a frog named Nixon, 4'9"♦; and a frog named Wallace, 5'2". But an outsider named Sally beat them all with a jump of 11'11"♦. She is our candidate.

BACK TO SCHOOL

Eight of the 11 black trackmen who lost their scholarships at the University of Texas at El Paso last spring after refusing to compete against Brigham Young (SI, July 15) are back at UTEP this fall, on different scholarships.

The athletes—Bob Beamon (who at the moment is in Mexico City representing the U.S. in the long jump), Robert Bethea, Robert Boalts, Chuck McPherson, Dave Morgan, Kelly Myrick, John Nichols and Jimmy Rodgers—have been aided by the efforts of the Disassociated Students Fund Coordinating Committee in El Paso. Since the committee was formed—just after school let out last summer—by athletes, other students and faculty members at UTEP, it has raised \$5,200—enough for a year's books and tuition and emergency housing and food assistance.

Local businessmen and other El Pasoans have lent support to the drive, and they now make up about half the committee, which is about half white and half black. The committee has formed a corporation, which pays bills for the athletes as required. Three of the eight have part-time jobs and the others are looking for work.

Committee Co-Chairman Arnold Sparks, a Negro and a retired Army master sergeant now working at the White Sands Missile Range and attending UTEP part-time, says 90% of the money raised so far has come in from people around the country who had read of the athletes' stand. The bulk of the fund, in fact, was provided by one anonymous out-of-towner's check for \$2,800. Sparks says a greater effort to drum up local donations is now being made. A recent fund-raising dance sponsored by a local Negro social club brought a few hundred people and \$275.

Hurdler Myrick, who is the committee's co-treasurer, expresses some disappointment in the results so far. "We're set for another year," he says. "We've got more money coming in. But it could have been, should have been, better. We need as much money as it takes to send us through school."

None of the eight plan to go out for track at UTEP. "We've been told we can't," says Myrick.

SERIOUS DARTS

America does not have dart professionals, as England does—a few British stars are paid to carry the colors of dart or beer firms in pub exhibitions—but in Southern California, at least, darts is becoming a serious sport.

There are 600 members in the Southern California Dart Association, and 38 eight-man teams are currently competing in SCDA events. The matches are held on Friday nights in various sponsoring bars, and are attended by devoted statisticians and capacity crowds. Quiet prevails before every throw, and all lights are extinguished at the windup except the one spotlighting the board.

"Every board is different in play," notes Dick Mitruen, an eight-year veteran of the league. "Lighting differs, the background provides a different perspective, and even the air conditioner has an effect." The amount of suds a competitor consumes also must be considered in handicapping the field. Says Mitruen. "Some guys, sober, are so nervous they can't hit a thing. I've seen them miss the board entirely, and after three or four beers they plunk the bull's-eye."

But that doesn't mean that darts is all beer and skittles. A leading player known as "Thermometer" (because he is so thin) sees it this way. "If you're a hungry tiger, you're a hustling dart player, and you're tough in competition."

But apparently it helps to be a thirsty tiger as well.

KNEES

Knees are big these days. More than 300 physicians from 37 states and Canada considered knees all one day at Niagara Falls last week, and they learned, for one thing, that knees cost pro football teams \$500,000 a year.

The source of this statistic was Dr. James A. Nicholas, team physician for the New York Jets and the man who operated on Joe Namath. There is one knee operation per eight men per squad per year in pro football, said Dr. Nicholas. And below the professional level, nearly 50,000 football knees are operated on every year.

The speakers at the seminar—part of the American Academy of Orthopaedic Surgeons' three-day course in sports medicine—seemed to agree that knee trouble generally begins in high school and that there has been more and more of it in recent years. "Suddenly kids who never did anything rough or built up their bodies in any way come out for football," says Dr. Fred L. Allman Jr. of Atlanta. "Their anatomy can't make the change." Dr. Allman says boys are less likely to be injured if they start playing contact sports earlier. And he recommends that coaches spend less time on game plans and more on conditioning.

There was also general agreement that artificial turf cuts down on knee injuries. And one participant suggested, controversially, that the taping of knees before games is an unnecessary fetish. But at any rate, observed Dr. Nicholas, we know that "the loose-jointed type of athlete" is more susceptible to hurt joints. Some 30% of the American population is loose-jointed. Joe Namath is. (Also E. J. Holub, who has had eight knee operations, and Steve Tensi, who has hurt a knee in each of his three pro seasons.) Such people "can do many things that ordinary persons can't," explains Dr. Nicholas, and they are less likely to pull or strain muscles, but their flexible joints won't withstand so much force. "In pro football now, we try to make the flexible ones stronger and the strong ones more flexible. The ideal person has great strength to control the flexibility. Jimmy Brown is this type."

So a great pair of knees is going to waste in Hollywood.

HELPING HORSES

The Florida Legislature Subcommittee on Pari-Mutuel Affairs has recommended that Butazolidin, the drug that disqualified Dancer's Image in the Kentucky Derby, be legalized in Florida.

"The weight of evidence," said a spokesman for the committee, "is that Butazolidin is neither a stimulant nor a depressant and that it cannot make a horse run beyond his natural potential. It is an analgesic."

But that is not the whole point. Butazolidin may not soup a horse up, but the lack of it can slow one down. If a horse can be run under the influence of Butazolidin, it can be run "hot and cold"—medicated when someone wants to bet on the horse, and unmedicated when someone wants to bet against it.

That, no matter what the legislators of Florida feel, would not be good for pari-mutuel affairs—or for horses.

PAY THE MAN

When the Chicago Black Hawks opened their season last week at home, Bobby Hull was holding out. His fans, meanwhile, were doing their best to enter into his negotiations with the club.

"Give Bobby 100 Grand—Don't Be Cheap," read one banner rolled out in the stands. "No Bobby, No Fans, No Money," read another, and outside the stadium was a sign saying, in reference to Black Hawk Owner Arthur M. Wirtz, "Wertz [sic] is Cheap."

Two days later the club, perhaps shamed, signed Hull, reportedly for 100 grand.

BOXED IN

The latest thing in Texas football accommodations will cost you \$50,000. That's the price of an Inner Circle private box in the stadium to be built in suburban Irving for the Dallas Cowboys.

Eventually, say the Cowboys, the Inner Circle investor will get his money back. He puts it into stadium bonds over 35 years, and it entitles him to a 12-seat box for that period. By comparison, the Skyboxes in Houston's Astrodome, which hold as many as 24 seats, cost \$18,000 a year. In both cases the price of tickets is extra.

The boxes will be insulated against heat or cold, but not against crowd noises, by a wall of air. Each box will be fitted with two television sets, one presenting the game at hand by closed circuit and the other receiving the NFL telecast for common folks.

PREDATORS' FRIEND

"Birds of prey have a bad reputation," says Ernst C. F. Jocher, the falconer, "and this is utterly wrong." Jocher has just finished a three-week engagement in the courtyard adjoining the lions' cages at the Bronx Zoo, putting his 12 big birds—eagles, goshawks, owls, a kite, a caracara, a vulture, a kestrel and a buzzard—through their paces for sizeable audiences. They perch on his wrist and fly to a tree or perch on command (the buzzard, however, disappeared for 12 hours), and the Latin American caracara, which was a holy bird of the Incas, even heels like a dog.

But Jocher says his main purpose in bringing the birds here for three weeks from his home in Ireland was to alert his audiences to the fact that birds of prey are being preyed upon. Nearly all of Ireland's "hunting birds," a name he prefers for the sake of the birds' image, have been shot, he says, and before they disappear in this country there should be more federal legislation than the one law that prohibits the shooting of bald and golden eagles. Even this law, maintains Jocher, is ill-enforced. "Soon," he says angrily, "you won't even have your own emblem."

Find this article at:

<http://sportsillustrated.cnn.com/vault/article/magazine/MAG1081701/index/index.htm>

Check the box to include the list of links referenced in the article

EXHIBIT B



September 29, 1969

19th Hole: The Readers Take Over

LIKE IT WAS

Sirs:

Your 1969 College Football Issue (Sept. 15) was terrific! The best yet. A job well done.

THOMAS KOCINSKI

Chicago

Sirs:

Congratulations for The First 100 Years, another great in-depth story on football. Thank you for telling it like it was.

PETE JOHNSON

Baltimore

Sirs:

It's sort of futile to pick an All-Century football team from many thousands. Three who just can't be left off an alltime team are Brick Muller, Ernie Nevers and Jim Thorpe, although you put them on the best elevens of their respective decades.

FREDERIC M. EPLEY, D.D.S.

San Francisco

Sirs:

As a loyal Notre Dame fan who can appreciate a poke at our proposed canonization for all Irish All-Americans, I cannot help asking if you would print what one reader would propose if the South Benders were given all 11 places on the All-Century team: Leon Hart (E); George Connor (T); Jack Cannon (G); Dick Szymanski (C); Bill Fischer (G); Kevin Hardy (T); Jim Seymour (E); Johnny Lujack (B); Paul Hornung (B); George Gipp (B); Nick Eddy (B)?

I hope I have not started something.

STEPHEN BURKE

Fort Wayne, Ind.

Sirs:

A backfield of the '30s without Jay Berwanger, University of Chicago, the first Heisman Trophy winner? You've gotta be kidding.

ROBERT E. FITZGERALD, M.D.

Vancouver, Wash.

Sirs:

How about the great Syracuse running backs of the '60s: Ernie Davis, first Negro Heisman Trophy winner, who averaged 6.6 yards per carry rushing for 2,386 career yards (1959-61); Floyd Little (1964-66), three-time All-America, who had 4,947 total yards gained; and Larry Csonka (1965-67)?

R. W. VIVIAN

Palm Springs, Calif.

Sirs:

Based on the premise that your selection of George Gipp and Leon Hart is correct, then there are two obvious errors in later selections. Missing from your team of the '60s are the two men who broke the records of the aforementioned. Ever hear of Hanratty and Seymour?

Apologies will be accepted.

WILLIAM C. KANE

Tonawanda, N.Y.

PEPPERY WORDS

Sirs:

Last fall, after our game with Nebraska in which Coach Bob Devaney made a bold gamble that later turned out to his disadvantage, I made this comment in the locker room: "I always knew Coach Devaney was courageous, but I never thought he was that courageous." One of the writers at the back of the group misunderstood what I said, and he came out with a story quoting me as follows: "I always knew Coach Devaney was crazy, but I never thought he was that crazy."

Fortunately other writers present related to Coach Devaney what I had actually said, and our friendship was not damaged.

In your College Football Issue one of your writers said that I believe Coach Dan Devine of Missouri "has a tendency to choke in the big games."

I have never said such a thing. I do not entertain such a thought, and if I did I most certainly would not say such a thing because it would only tarnish a friendship with a great coach and rile up our oldest rival both on the field and on the recruiting circuit.

A lot of people said I was crazy when I failed to kick a field goal in the Orange Bowl last January. I may be crazy, but not this crazy.

PEPPER RODGERS

Head Football Coach

University of Kansas

Lawrence, Kans.

HIGH HOPES

Sirs:

If your No. 1 prediction for Ohio State holds true and Woody Hayes' forces win another national championship, your next task should be to start advocating the termination of the Big Ten policy prohibiting repeat Rose Bowl appearances by conference champions. This policy will eventually lead to the complacency that Hayes fears.

PATRICK DE STEFANO

New York City

Sirs:

It's gonna take a heap of complacency for the Nittany Lions to wind up behind the Buckeyes and the Longhorns.

HAROLD K. WILLIAMS

Carlisle, Pa.

Sirs:

USC is washed up. Cal, UCLA and Washington have as much chance as USC does.

My prediction: Stanford vs. Indiana

DAVID BURNETT

Sunnyvale, Calif.

Sirs:

I take offense at your mention of the Air Force Academy as one of the "laughers" on Notre Dame's schedule. Need I remind you that the "laughers" beat your 17th-ranked team, SMU, 26-22 on national television in the first game of the season? The Cadet Wing expects to go to the Cotton Bowl on New Year's Day with a 10-0 record intact.

GARY J BUTSON

U S. Air Force Academy
Colorado Springs, Colo.

Sirs:

For a football team with "no depth, no passer, no defense and no hope" Wake Forest University performed a miracle Saturday night, Sept. 13, when it upset the Atlantic Coast Conference's No. 1 team, North Carolina State University, 22-21 at Raleigh.

OTIS SKIPPER

Winston-Salem, N C

MOMS' SUPPORT

Sirs:

After having raised three now-grown daughters and being presently blessed (?) with a lone, 15-year-old, gangling, lumbering, heavy-footed, 170-pound 6-foot son, I arise to heartily applaud Katherine Carlson's magnificent, amusing and oh-so-true article (Why Mom Supports the Game, Sept. 8). It should be required reading for at least a million mothers and two million fathers.

While Mrs. Carlson does not exactly express approval of the whole system, I'm sold on it. In spite of the obvious faults and frequent inequities, it gives boys of this age a much-needed direction, exposes them to the authority of someone outside the home (other than the regular schoolteachers), while allowing them to gainfully run off their excess energies. It shows them the necessity and value of cooperation with others, instead of plodding their own individual ways. It also makes them aware of the necessities of keeping their schoolwork at least within reason to retain playing eligibility no matter how weary they are and the discipline of having to do something they would greatly prefer not to do.

While football is very often harder for the mother to live through than the boy, I'm all for it.

VIVIAN LEONARD

Monte Vista, Colo.

DART FEVER

Sirs:

Joe Jares' marvelous article, Closing the Missile Gap in U.S. Pubs (Sept. 8), took me back a few years to my days as a junior officer on the aircraft carrier Hancock. When the ship put into the port of Kobe, Japan, some fellow officers and I happened to stumble into an English-type pub called the King's Arms. This tavern had several dart boards with lively games in progress at each board. After striking up a conversation with several of the Limey dart throwers over a few draughts, we were invited to try our hand at this "foreign" game. Naturally, our performance was rather spastic when compared to that of our hosts. However, we were bitten by the "dart fever" bug.

Our next port of call was Hong Kong, where we were able to purchase several sets of darts and a dart board in a sporting-goods store. From then on while at sea, Foxy Frank, Fast Eddie, the Animal, Turk, the Duck and other junior officers would gather in Foxy's stateroom after the evening meal to "toss a few." We all became reasonably proficient with a dart.

Thanks, Joe, for helping me to dust off a few memories. Now let's see, where did I last see those darts of mine....

ALAN L. WILLIAMS

Syracuse, N Y.

Sirs:

A loud hurrah for Joe Jares' article on darts for its areas of enlightenment—followed by the Wet Noodle award for its obvious provincialism and sensationalism in emphasizing Eastern "characters" and hustling. How you could concentrate on isolated groups of players in the East and virtually ignore the more than 1,100 organized players in California is quite incomprehensible.

When will someone emphasize the sportsmanship learned and friends made through the universal game of 301? The pitiful efforts of a handful of local hustlers are looked upon with disdain by our membership, while those from out of town are "grapevined" within hours after their arrival and are soon gone.

In what other game will you see tears in the eyes of a nonathletic type winning his first trophy ever—as part of a team?

We would welcome inquiries from those readers needing instruction or assistance in forming leagues.

DICK MITRUEN

President

Southern California

Darts Association

Culver City, Calif.

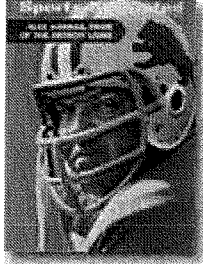
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Check the box to include the list of links referenced in the article.

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EXHIBIT C



October 12, 1970

Scorecard

Edited by Robert Creamer

ARMS AND THE GAME

College football traditionally evokes images of lovely autumn afternoons, falling leaves, pretty girl cheerleaders, bands, excitement, a good time. Now fear has become part of the mixture. A staff member on another assignment attended the Nebraska-Army game and came away with this reaction: "It had been a year since I'd seen a college game, and the change was chilling. Here I was in grass-roots America, Lincoln, Neb., and there were two police helicopters almost constantly circling the stadium. City policemen, highway patrolmen and sheriff's deputies were evident everywhere, both in the stands and down on the field around the AstroTurf. They were not at all the relaxed policemen you see lounging in seats at Shea Stadium, but men whose eyes moved constantly, alert for trouble and afraid of it. I asked a college administrator if the precautions were because Nebraska was playing the Military Academy. He said, 'No. We took the same precautions for Wake Forest, and they will be in effect at every game we play at home this year. We don't want to be caught with our pants down.'

"Among the precautions are: 1) the use of two shifts of Lincoln police, one for traffic and one in the stadium. When the traffic detail is finished it is brought to the stadium to beef up security. 2) Elaborate plans to deal with bomb threats and demonstrations. The university will not reveal details, but a school publicity man called a 'bomb briefing' to tell the press that plans were in force. 3) Guarding the AstroTurf night and day, with added men put on duty 24 hours before a game. Lights are left on, and there is campus talk that dogs are used. 4) Watching pep rallies. The Army game rally mustered only 200 students on Friday night, but was accompanied by three squad cars with flashing lights and four policemen in enclosed motorcycles. I asked a public-relations man why all the police? He said they were guarding the students. It occurred to me that perhaps the place where police force is most evident these days is at football games."

BITTER, BITTER

The Seven Eagles restaurant near Chicago, unhappy with the Second City's second baseball team, is offering a new drink to its customers. It's called the White Sox Cocktail because, the proprietors claim, it's a steady cellar.

GOOD IDEA

A football fan named Bill Pryce won an Ask the Coach contest run by The San Diego Union by asking why football doesn't have a rule requiring a player who incurs a penalty to identify himself by raising his arm, as in basketball. "This would let fans know who the guilty party is," argued Pryce, "and it might help to reduce the number of penalties, far too large now."

Coach Charlie Waller of the San Diego Chargers commented, "I think it's a good idea. I'm constantly trying to find out who committed the foul, too. When it's something like pass interference you know who the offender is, but when the foul is in the interior line you never know who is guilty."

NEW ORDER

The Boston Marathon, up to now a prestige event for impulsive, spur-of-the-moment athletes as well as for the finest distance runners in the world, is changing its complexion. Until last year, anybody could enter the marathon just as long as he passed the physical examination and was not a woman (which did not stop some ladies from running anyway, as unofficial participants). In the past decade

the entry list grew wildly, year by year; last April, despite the introduction of some restrictions, there were more than a thousand starters. It was simply too much to cope with, argue harried Boston officials, who now will approve an entry only if the would-be contestant meets these requirements: 1) he must have run an AAU-sanctioned marathon in 3½ hours or better at some point in his career; or 2) during the past year he must have completed a 10-mile race within 65 minutes, a 15-mile race within 1½ hours or a 20-mile race within 2½ hours

It is all very logical and sensible, and one hesitates to criticize the people who, after all, have the annual problem of coping with the hordes of one-day-a-year athletes. But seeing the Boston Marathon change from an exuberant extravaganza into just another athletic event is somehow depressing.

A LOT OF CRUZEIROS

Soccer has failed to catch on in the U.S. as a big-time spectator sport, but those of us who are impressed by the bales of money that winning professionals cart home after the Super Bowl (\$23,000), the World Series (\$18,000) and the NBA playoffs (\$9,000) should be aware of the payoff at soccer's top level. Each player (and the coach) on the Brazil team that won the World Cup in Mexico last summer (SI, June 29) has received awards totaling about 133,000 cruzeiros (which figures out to \$28,000), plus shares of stock in the Brazilian Light and Power Co. and a license to operate an agency in a newly formed sports lottery. That ain't coffee beans.

ENEMY WITHIN

Against the pleas of conservationists and sportsmen, Congress has approved a White House-sponsored measure that effectively takes responsibility for saltwater game-fish research away from the conservation-oriented Interior Department and gives it to the industry-oriented Commerce Department. The primary function of the Commerce Department is "to foster, promote, and develop the foreign and domestic commerce, the mining, manufacturing, shipping, and fishery industries...." Just how the Government can hold that such goals are compatible with the responsibility for managing and conserving sports fisheries and the natural resources of the sea is incomprehensible. Chalk up another defeat for conservation.

MUTINY WITH A BOUNTY

But mark up a victory for conservation, too. When we left the Hudson River Fishermen's Association (SI, Feb. 16), the Penn Central Railroad had pleaded guilty and paid \$4,000 in fines for discharging oil into the Hudson at Harmon, N.Y. Yet members of the HRFA, who had for years screamed about the railroad's violation of the 1899 Federal Refuse Act, were near revolt. A little-known clause in this seldom-enforced law says that half of any fine shall be paid to the person or persons reporting the polluter, but some federal officials were trying to pretend the HRFA had nothing to do with the case. Now justice has triumphed. U.S. Attorney Whitney North Seymour Jr. of New York presented the HRFA with a treasury check for \$2,000. According to Seymour, a new appointee who himself urged the Government to pay up, this is the first time a private group has ever received the bounty ordered by Congress 71 years ago. Said a happy Richard Garrett, president of the HRFA: "We're going to use the \$2,000 to fight other polluters, but what's really important is not the amount but the precedent. Now other people on any other body of water in the country can go after a polluter just as we did and collect a reward for their troubles."

APPETIZING

The Southern California Darts Association reports that the First Annual North American Open Dart Tournament was held in Culver City, Calif. this summer, with staggering success. Vince Lubbering won the singles title (and a \$1,000 first prize), Robbi Dobbs won the ladies' singles, Conrad Daniels and Joe Young won the doubles and a five-man group sponsored by William Pflaumer & Sons of Philadelphia, a beer distributor, flew all the way from Pennsylvania to Southern California to win the team championship. All this unquestionably is of gripping interest to darts addicts, but what catches the awed imagination of the casual follower of the sport, who can take darts or leave them alone, is an on-the-spot account of the tournament that says the players and spectators in Culver City consumed more than 5,000 bottles of beer, one ton of ice, 16 cases of liquor, 300 bowls of chili, 700 hot dogs, 300 assorted sandwiches, 28 cases of soft drinks and 15 committee-member straw hats. Mustard on the hats was optional.

TWINS' TRIPLETS

When the football season began, the twin cities of Fargo, N. Dak. and Moorhead, Minn. had three local football teams with impressive records. Shanley High of Fargo, undefeated since 1964, was on a 54-game winning streak. North Dakota State of Fargo, the top College Division team in the country in 1968 and 1969, had won 20 straight, including two bowl games. Concordia College of

Moorhead, which had lost a bowl game, had won 10 straight regular-season games. Then, on a Friday night in Grand Forks, N. Dak., Shanley's winning streak ended in a 0-0 tie. On Saturday night in Fargo, North Dakota State's ended in a 14-14 tie. And on Saturday night in Moorhead, Concordia's ended in a 20-20 tie. All within 24 hours.

Well, at least it wasn't a loss weekend.

DIFFERENT DRUMMER

Wimbledon will follow Forest Hills' lead next year and introduce sudden-death scoring to tennis. However, it may not be the system used this year by the Americans. Herman David, who runs Wimbledon, watched the U.S. Open championships at Forest Hills and came away dissatisfied with the idea of introducing the tie breaker after the score of a set reaches 6 all. "That's too early," he says. "Ultimately, it favors the weaker or older player, and stamina must play a part in the game. We'd prefer to bring in the tie breaker after 8 all or 9 all." Nor is he enthusiastic about the current method of using a best-five-of-nine-point game to break the deadlock (one player serves twice, the other serves twice, the first serves twice again and then the second serves three times—until one player wins five points). David argues that this gives too much advantage to the man with the last three serves. He prefers a conventional scoring pattern—love, 15, 30, 40, advantage in and out, etc.—but with single, alternating serves. "That seems fairest," he says.

But David agrees that the tie breaker is here to stay. "That's certain," he says. "Spectators won't stand for marathon tennis."

BIG BARGAIN

The Stanford-USC game has been sold out for weeks in the 90,000-seat Stanford Stadium. For the first time in years, scalpers are appearing on the college scene in California. The sellout also inspired an ad in a local paper from a real-estate firm, offering two 50-yard-line seats free—with the purchase of a house for \$43,950. Now that Stanford has lost to Purdue, how about \$33,950?

MISSING INGREDIENT

A fellow named Howard Mitcham writes a column in the Provincetown (Mass.) Advocate called "The Cape Tip Gourmet." Recently, he wrote about the delights of eating striped bass, that elusive game fish so frequently not caught in North Atlantic waters. The recipe section of the column was entitled, "How to Stuff a 35-pound Striped Bass," and the list of ingredients, which included oysters, clams, shrimp tails, scallops, salt pork, eggs, onions, mushrooms, peppers, celery, cloves, mustard, Worcestershire sauce, Tabasco, French white wine, Portuguese bread, butter, Wesson Oil, salt and pepper, begins with "one 35-pound striped bass." Howard, we can get the other stuff, but we've had a little trouble finding that striper. Any suggestions?

Find this article at:

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EXHIBIT D



November 15, 1993

A Point Man For Darts

Promoter Lamont Carr is passionate about his sport. In fact, it's the apple of his (bull's) eye

Susan Brody

If you're at a dart tournament and you don't play the game, you may end up feeling like a lone pepperoni atop a sausage pizza. Because even if you know a dart board when you see one, you probably have no idea how various dart games—301, 501 and Cricket, for example—are played. That is why it helps to have Lamont Carr whisper play-by-play in your ear while you watch a match.

Carr, 41, who has been described affectionately as the Don King of darts, provides more than color commentary. He is a walking dart dictionary, as well as the sport's most formidable promoter. At the North American Open Dart Tournament, held in August at the Sahara Hotel and Casino in Las Vegas, Carr worked the room tirelessly. And although he no longer competes much, as a promoter he is surely as involved with the game as the world's top dart players.

Carr's personal history is as intriguing as his devotion to darts. In 1976 he graduated with a degree in sociology from the University of Virginia, where he came off the bench as a small forward on the basketball team. He then spent two weeks at the FBI Academy in Quantico, Va., receiving the training he needed to become a firearms instructor at UVA as well as a campus police officer. He earned a law degree from Washington and Lee University in 1986 but gave up trying to pass the bar exam after one unsuccessful attempt. Since then he has worked for a collection agency and at the William Morris Agency in Los Angeles. He now lives in Boca Raton, Fla., where he teaches basketball to children at an athletic club and works part-time in a restaurant.

His full-time job, however, is to bring darts into America's consciousness. "For those of us who play darts, we know that it lives in a world of its own, a subculture. I would like to be responsible for bringing to the forefront a sport which I have a passion for," says Carr.

Passion, obsession, take your pick. While living in Santa Monica, Calif., he sat on the board of directors of the Southern California Darts Association, staged numerous tournaments and founded the Society of Experimental Dart Players. Huh? (Experimental, Carr says, in that he took members where no darters had gone before.) Since moving to Florida, he has started the Florida Pool and Dart Association and has been relentless in pursuing sponsorship and media coverage for the sport of darts.

"He is tenacious in his efforts," says Delia Fleetwood, the coordinator of the North American Open. "We need more people with that kind of energy to work at the local level and promote the game."

Carr has a pile of rejection letters to show for most of his efforts. Still, he continues to dream of a national media office; a product-placement program that would help put darts into movies, TV and advertising; pro-dart public-service announcements (a Carr favorite: Shoot Darts Not Guns); and ultimately, darts on ABC's Wide World of Sports.

Carr hopes to become the Michael Ovitz of the dart universe. He's on his way—he currently represents Johnny Darts, 33, of Pompano Beach, Fla. (O.K., his real name is Johnny Mielcarek, and Carr had nothing to do with the moniker that Mielcarek has had for 12 years.) Carr hopes Darts is his ticket to dart fame.

Together they have already earned Darts a place in the Guinness Book of Records. Earlier this year, at the Pete Rose Ballpark Cafe in Boca Raton, Darts hit 1,200 bull's-eyes in a 10-hour period, shattering the old record of 855 set in 1987 by an Englishman, Fred Carter. Technically, Darts did all the work, firing at a rate of about two bull's-eyes a minute, but Carr estimates he spent more than \$1,200 and hundreds of hours to promote the event.

His efforts didn't get Darts a guest spot with Arsenio, Jay or Dave, but they did help Darts gain a sponsor, Dart World, a manufacturer

and distributor of dart equipment. The sponsorship will enable Darts to travel to more big tournaments like the North American Open, and Carr thinks it's just a matter of time before the bull's-eye king becomes the star of the tournament circuit and, just as important, a household name. And when that happens, well, you can be sure Lamont Carr will let you know about it

Find this article at:

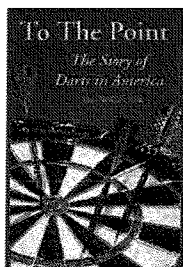
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EXHIBIT E

ON POINT DAN WILLIAM PEEK OCTOBER, 2003



Pebble Publishing

Southern California Dart Association

ON POINT
by Dan William Peek

In the overall scheme of things, just how important is it to pinpoint with certainty where and when the first British-style darts league in America was established? Most people would probably agree that tracking down such information might not be a high priority. Another question would be, is it even possible to pinpoint with certainty where and when the first British-style darts league in America was established? Anyone who has tried will probably tell you that it is not.

By generally accepted accounts, the Southern California Darts Association, rumored to have been established in the late 1950's or early 1960's was the first British-style darts league to have appeared in America. There are rumors of leagues predating the SCDA, such as one in the Detroit area that is said to have been the southern sector a Canadian league. But therein lies the tale.

In the course of researching and writing *To The Point: The Story of Darts in America*, I found nothing to contradict the claim that the SCDA was the first British-style darts league in America. Based on the stories I collected, I came to the conclusion that while that claim could legitimately be set forth, the SCDA founding was only significant in passing notice.

The reason I came to this conclusion is that I was unable to confirm that there was even a single American among the founders. I have no doubt that there may have been some number of Americans shooting darts in the Culver City area in the late 1950's. It is well documented that many members of the armed services picked up the sport abroad during World War II. But I didn't find any trace of them in the dim accounts I heard of the founding of the SCDA.

It's hearsay, but the story I got during my research (and this was several years ago), was that the SCDA was founded by a group of British and Irish expatriates that had settled in Southern California. One version is that they were members of a British Club in Santa Monica, "The Santa Monica Soccer and Social Club", which was headquartered at 116 Santa Monica Boulevard. This is possible. That address has been the home of "Ye Olde King's Head", one of California's most celebrated British pubs, since

1974. I contacted the management of the pub and confirmed that the SMSSC had indeed occupied the building until the late 1960's and then had continued to informally operate out to a predecessor pub, "The Brass Bell" and the "Ye Olde King's Head" well into the 1970's.

Southern California has always attracted a number of British transplants. The last time I checked, Santa Monica-based "British Weekly" newspaper was subscribed to by over 70,000 households in California. That's a lot of Brits, and it stands to reason that there would be a fair number of pubs and clubs catering to them and thus offering darts on the bill of fare.

Now for a definition: a darts league is an organization chartered to promote and facilitate darts competitions. This mission usually takes the form of "seasonal" competitions between member teams, there may be playoffs and special tournaments involved also.

Next let us note that a darts league in America might be composed of people who were merely resident aliens or recent immigrants, America is a nation composed largely of immigrants. Some might say that such a league, if there were no others to speak of, would be an anomaly and not truly representative of an American Sport. A bad news approach would be to disqualify the SCDA as America's first British-style dart league on the grounds that it is probable that no Americans were members.

The good news is that the SCDA could, even so, lay claim to the distinction of being, at the very least, among the first British-style darts league in America. We have this from solid authority – Della Fleetwood, who has evidence in hand that the SCDA became incorporated in 1963.

Della was on the SCDA Board of Directors from 1972 to 1974 and 1975 to 1983 and was President in 1982 and 1983. Her husband, Tom, was on the Board from 1969 to 1974 and was President from 1972 to 1974.

Here is the story of the SCDA according to Della Fleetwood.

Della has heard that there were six pubs involved in the early, unincorporated days of the SCDA. She thinks the organization commenced in about 1960. She knows the founders were a mixture of Brits and Americans, including Ron Cowell, Hanley Thomas, Tommy Laing, Jim Armstrong and Glen 'Splint' Farmer. Early on, the league included some Santa Monica based pubs, as well as one or two along Washington Boulevard, in Culver City. In later years that boulevard would become known as "Darts Alley". Based on some old postings she has in her files, Della believes that the original founders intended to pattern the League on the "District" system used in England. The material she refers to mentioned the "Santa Monica District League".

While it is difficult to determine the exact dates, identities or intentions of the early SCDA, Della is certain that the organization was incorporated in 1963, with an American named John White as its first President.

The five years following the organization's incorporation were apparently so unremarkable as to have left little record. In addition to Della, I spoke with SCDA members from the 1960's, Chuck Jeglinski, who was on the SCDA Board that established the North American Open Darts Tournament in 1970 and Jan "Turtle" Hagenbaugh, who ran a pub in Santa Monica in those days. Neither of these venerable darters could tell us anything about the SCDA in the time before the Fleetwoods.

Gerry (Dover) McCarthy, whose father was a member of the SCDA in the early 60's, can only recollect stories she heard as a child about places like O'Donnell's and the Paddy Wagon. She remembers names

of some of her dad's fellow shooters from those days, "Splint" Farmer, Al Upton, Mike O'Donnell. But although Gerry would, as an adult, become a world class darts shooter, her career did not begin until 1969 when she started shooting at the Venture Inn in Venice. In fact, all of our informants told us to "check with Della, she was there in the beginning". One even called her, "Mama Della". As far as the living corporate memory of the SCDA is concerned, the league's history begins with the Fleetwoods, around 1969.

This date coincides with the "darts explosion" in America. During the next decade and a half the number of regular darts shooters in the country would increase from an estimated less than a million to almost 10 million. Growth was so rapid that, in some cases, it swamped the promoters and organizations attempting to service the sport. Some struggled for years to gain stability, others, like the SCDA, were more fortunate in their leadership and resources.

The name Fleetwood is legendary in American darts. Tom co-founded the American Darts Organization (ADO) and was instrumental in the founding and success of the World Darts Federation. Having learned the "card" system from Art Keith, Tom and Della refined it and still use that tournament system. The Fleetwood's accomplishments as darts promoters on the national and international level are remarkable and unique.

The effect and benefit of their participation in the local league is also remarkable and unique.

One of the foremost things the Fleetwoods provided was leadership. In 1970, the SCDA staged the first North American Open Darts Tournament. To finance the Tournament, annual membership dues were increased from three dollars to five dollars. By all accounts this created a considerable outcry and not a few predictions of doom.

Leadership prevailed and for the next three decades, the NAODT would be America's premier darts tournament. Other than its position as the leading American tournament though, the NAODT was different because for over half its existence it provided the SCDA with an income stream and prestige (The SCDA name was always over the banner) with none of the financial risk associated with tournaments. While other leagues were struggling to produce their "signature" tournaments, the SCDA sailed smoothly along with the NAODT.

In 1983, the Fleetwood owned company, Triple Crown Productions leased the NAODT from the SCDA. Their agreement included a royalty arrangement and the provision that the words "The SCDA Presents" would appear above the tournament name. Thus the SCDA reaped all the benefits of sponsoring the tournament with none of the attendant risks.

Another benefit to the SCDA was the establishment of a "company store". Fleetwood and his fellow SCDA board members started a darts supply business in 1969. At that time it was very difficult to find darts supplies in this country. The business, at first run by league volunteers, thrived and became a national supplier and a retail business - all the while helping to subsidize the costs of the growing SCDA league operation.

In addition to leadership, the Fleetwoods provided management skills to the SCDA that would not have been available to many darts leagues. Together with people like Art Keith, an accountant who also has a law degree, they shepherded the SCDA through the difficult growth years of the 1970's. (The SCDA grew from 50 teams with a thousand members in 1972 to 403 teams with 4,000 members in 1983).

The 20 years that have passed since Della Fleetwood left the SCDA Board have not been particularly

kind to British-style "Steel-tip" darts leagues in America. The mid-80's saw the introduction of electronic, "soft-tip" machines and the commercially driven leagues that followed. Other social and economic influences have helped to bring about a decline in numbers of darts shooters at the grass roots level.

Errol "Doc" Wagner, the current SCDA President, reports that the league has held steady at about 40 teams and 250 to 300 members for the past 8 or 9 years. He thinks that organizations like the SCDA have to work harder to get new members but is confident that it can be done. A new President, Al Marstiener takes over at the end of the season, but Doc will continue looking for new shooters to bring into the fold.

We asked Della Fleetwood what, in her opinion, was the formula for growth and stability in organizations like the SCDA, now and in the future.

"If you have like-minded people, willing to work together to devote time, effort and resources, you will succeed and go from strength to strength. The "WE" philosophy must prevail - when the "WE" becomes "I", problems will ensue."

Thank you, Mama Della, no one could have said it better.

I'd like to thank Dan Peek for writing this article for the dart shooters in Philly. **If you enjoyed this article, please take the time and post your comments on the ON POINT forum.** I created this forum to allow people to post questions and comments about the articles he writes for PhillyDarts. Comment about the book too!! I'm sure he will be thrilled to read comments from the city that hung the **first dart board in America!!**

- Mike Broderick

EXHIBIT F

vcda.org

EVENTS | SPONSORS | LINKS

Ventura County Dart Association

TEAM INFO | LEAGUE INFO | OUT CHART | EMAIL US

VCDA All Star Team:
[Driving Directions to the Bench Warmer](#)

Ventura County Dart Assn.

The VCDA will be hosting an All Star match with the SCDA

Tentative date for the event is Sunday, September 12, 2010. The event will be held at the Bench Warmer in Ventura. If you are on the following list I need to know if you will be available, not available, or tentative. I need this information as soon as possible. Start Time will be 12:00 Noon, and Sherrie will be providing the BBQ. Once I have confirmed we have enough people to play this match I will send out another e-mail giving you the firm time line.

The Team:

- Howard Meyers
- Jose Alderete
- Lane Anderson
- Joey Burt

Click on a picture to see the larger version.

EXHIBIT G

Dastardly Deeds in Darts

One angry man brings Southern California Darts Association to its knees

By Chris Vogel

published: February 02, 2012

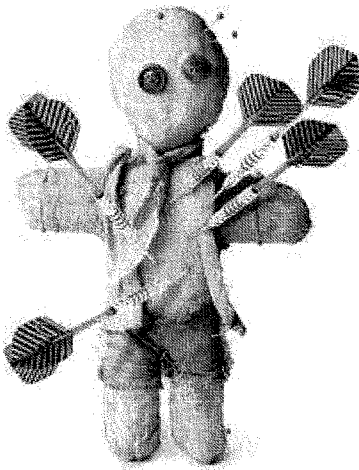


PHOTO BY MILAN SABATA



Dino M. Zaffina, a sound man in LAISE Local 695, doesn't understand why people are angry at him. Musician Bill Lynch tried to stop Zaffina, but a judge found "no conclusive evidence of extortion"

PHOTO BY NANETTE GONZALES

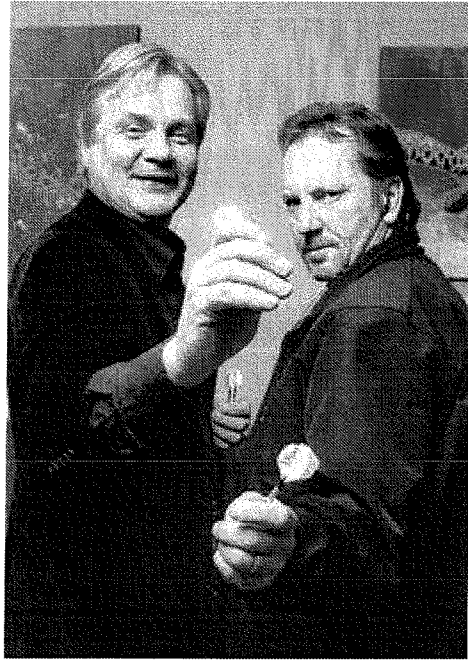
It's not easy to piss off a bunch of beer-guzzling darts players. On the whole, the barroom sport, popular in Los Angeles locales like Hollywood, Santa Monica and Woodland Hills, tends to attract mild-mannered, blue-collar guys, artists and musicians — people with sure hands and a hearty sense of humor who don't really give a damn.

But Dino M. Zaffina, a squat, well-groomed darts enthusiast with a blind left eye, who possesses a law degree and an Italian sense of respect, has a talent for pissing people off. So it was in the summer of 2010 that the two sides found themselves in a standoff.

Zaffina, a fairly new member of the Southern California Darts Association, or SCDA, was unhappy that his middle initial, M, had not been included on the league's website, which showcased the players' high scores of the week. On July 18, 2010, he sent an email to the league's president, Harvey Fischer, and several members of the league, expressing his displeasure.

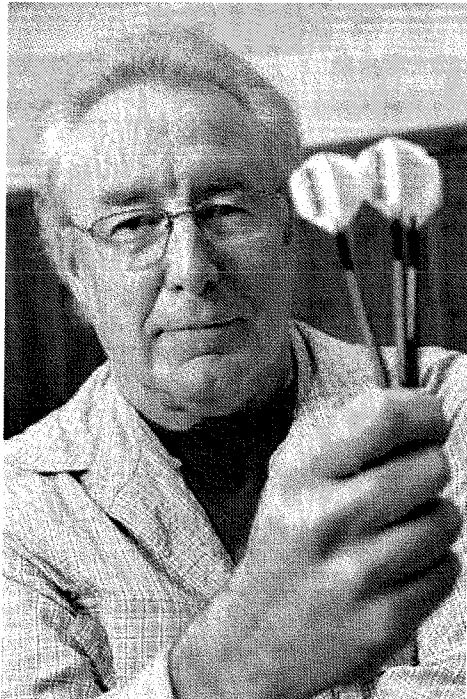
"I do not ever allow anyone to misspell or mispronounce my name since it is obvious by its spelling, **Dino M. Zaffina,**" Zaffina wrote, according to emails given to *L.A. Weekly* by several of the darts players. "... That being said, since my name always consists of a **first name, middle initial and surname,** for the purpose of the SCDA **ONLY,** I have allowed the use of **D.M. Zaffina.** Therefore, if my name is ever published on the SCDA website ... I will expect it to be **spelled correctly.**"

To say that Zaffina is particular about the spelling and presentation of his name would be an understatement. He spouts on about it with the same fiery passion that one would normally associate with a discussion of civil rights or religious freedom. He has been known to refuse mail that doesn't bear his middle initial, and says he is battling the powerful Hollywood industry website IMDb.com to include his middle initial on its site, which states that he appeared on two episodes of the 1980s sitcom *Alice*.



Milan Sabata, left, and David Irete. Sabata got a boldfaced email from Zaffina: "It's 12:01 a m , past the deadline "

PHOTO BY NANETTE GONZALES



Musician Bill Lynch tried to stop Zaffina, but a judge found "no conclusive evidence of extortion."

But regrettably, the laid-back Los Angeles darts players, including Fischer — an older gentleman with the reputation of being a wiseass — didn't understand just how serious Zaffina was. Several members of the Southern California Darts Association pooh-poohed Zaffina and, following several nasty emails and squabbles over Zaffina's name in which it was clear how obnoxious the darts players found him, Fischer mailed him a \$30 refund for his membership fee and gave him the boot.

Says former SCDA board member David Irete, "He was becoming a nuisance and pain in the ass and breaking the rules. He was threatening us, so we had to kick him out. He was being a cocksucker, and you can quote me on that, please."

Fischer and the SCDA board hoped they'd never hear from Zaffina or his middle initial ever again.

But he was hardly finished in the battle that started over his "M."

Conducting a simple public-records search, he discovered the league's Achilles' heel: Established in the mid-1960s and generally accepted as the oldest British-style darts league in the United States, the Southern California Darts Association had let its incorporated status lapse in 1977. It had never been renewed. To the players, there didn't seem to be any need.

Zaffina made his move. He legally incorporated as "Southern California Darts Association," without any apparent members, anointed himself both president and CEO, and then sued nearly 60 darts players and eight stunned Los Angeles-area bars where darts are played regularly. The accusation? That the players and the eight pubs had been engaging in "trade libel" and "unlawful business practices" by using the historic name "Southern California Darts Association," which Zaffina now legally controlled.

Through the courts, Zaffina all but brought the historic league to its knees. He even got many of the amazed bar owners to ban all references to the Southern California Darts Association whenever any of the players have a game at longtime spots such as the Robin Hood Pub in Sherman Oaks and Ye Olde King's Head pub in Santa Monica.

Says one well-known bar owner who did not wish to be identified for fear of retribution, "I'm weary of being involved with this guy because he's just been firing off lawsuits. Some of us wanted to fight, but these things can be very expensive ... [so] we came to an agreement we all could live with."

Zaffina, however, doesn't understand why everyone's so angry. He warned the darts players he'd come after them, but they didn't listen.

"Who the hell is he to tell me what to do?" Fischer tells the *Weekly*. "Why is he so special? I was just posting his name the way I do for everyone else. But he went bonkers" when Fischer left out his full name.

Zaffina finds it all perfectly normal. He says the "M" stands for "Martin," that he was named after the suave Rat Pack crooner Dean "Dino" Martin, and launches into a story about how his father, who also used a middle initial and died when Zaffina was 8, drilled into him the importance of being called by his full name and demanding that everyone oblige.

"My father always told me, 'That's the way people should address you,'" Zaffina says. "... And sure enough it stuck, I'll tell you that much."

The darts players are incredulous that Zaffina was able to obtain the league's historic name and are sickened at the thought that the whole thing started over leaving Zaffina's middle initial off a list of competition scores.

"We've had the SCDA name for more than 40 years," Fischer says. "Where does this upstart get the balls to take our name? I mean, who is this guy?"

Zaffina, 52, is a native of Southern California. He's a studio sound man, an actor and a licensed private investigator. Zaffina was blinded in his left eye in 2008 when he inadvertently fell off a stage and into a lighting pit while working on the set of *Entertainment Tonight*. He stands out at pubs because he carries a large attaché case filled with darts when he comes to play.

Outside of that, Zaffina is mostly a mystery.

"He never talked about himself and instead asked us questions," says Milan Sabata, a former SCDA board member. "And he was very generic about his job."

Zaffina's teammate, 30-year-old musician Nick Turpin, enjoyed playing with Zaffina, calling him "an older brother type" who didn't drink and would bring the guys pizza and pasta during the games. Not at all "what he turned out to be."

As Sabata tells it, when Zaffina first started playing pickup games in 2009 with him and a few others at the Robin Hood Pub in Sherman Oaks, Zaffina "was clean-cut, well-spoken but cocky and seemed very insecure about himself. Every time he threw a bad throw, he got embarrassed with a childish grin, wanting people to tell him it was OK. His parents were Italian and he has this way of talking about respect. He takes it very seriously. ... He spells the word 'respect' with his middle initial 'M.'"

When speaking, Zaffina occasionally peppers his sentences with legal jargon, which could be explained by the fact that he has a law degree, though he is not a member of the State Bar of California. It also could have something to do with the fact that Zaffina has been part of many lawsuits.

Since 1991, according to an online search of Los Angeles Superior Court records, Zaffina has been involved in at least 22 lawsuits, 18 of them as the plaintiff. They have ranged from small-claims cases to defamation and wrongful-termination claims.

In one case, for example, he sued Target, claiming he'd injured his toe on an escalator. In another case, Zaffina sued 20th Century Fox Films over failure to pay wages in a timely manner and for allegedly having fired him unfairly from the TV show *Reba*. In 2009, Zaffina's landlord, Zahra Taherkhanchi, sought a restraining order against him, claiming the rent was late and that he had started posting notes on her door four or five times a day and threatening that someone might set her

home on fire.

"He gave me a great emotional distress," Taherkhanchi wrote in her legal complaint. "He wants to put too much pressure on me so I can have a nervous breakdown. ... I'm scared of [sic] my life."

The court found no credible threats of violence, however, and her request for a restraining order was immediately dismissed. Zaffina tells the *Weekly* he was unaware that she had filed for a restraining order.

Zaffina received some media attention in 1999, when he got into it with the International Alliance of Theatrical Stage Employees, Local 695, a union for sound technicians. According to *Variety*, Zaffina, who had been an unsuccessful candidate for the office of business representative of Local 695, alleged that his opponent wrongfully used union money to make and distribute campaign literature.

Two months later, Zaffina sued the local, the winning candidate, and another candidate who ran against him. It became a convoluted web of lawsuits and countersuits, rife with nasty accusations and allegations, stretching across many years. The sound technician union's attorney, Helena Wise — who at one point was sued for defamation by Zaffina — has trouble boiling down the complex case.

"The master complaint got disposed of," she says, "that he would not be able to set forth proper causes of action. And then he filed additional lawsuits, so it's like this never-ending saga."

Wise is reluctant to discuss Zaffina further — for fear of being sued again, except to add, "If you ever failed to include his middle initial [in a mailing], he would return the envelope unopened."

Wise is not the only one hesitant to talk to the *Weekly* about Zaffina. Several people, including former darts players and an ex-girlfriend, said they were afraid to comment or didn't want to risk the chance of letting Zaffina re-enter their lives — and sue them. Most also warned the *Weekly* that Zaffina might sue the newspaper for writing about him.

Zaffina, however, disputes the idea that he's a litigious person, pointing to the fact that none of his lawsuits — most of which he eventually won or settled — was ever dismissed as frivolous.

"I go after people under the guidelines of the law because that's the way to do it ...," Zaffina says. "When I have a legitimate claim against somebody, I go for it because that's the right thing to do and it's my prerogative. I live in a free country that says we have the right to seek redress of our grievances in a court of law, and thank God for that.

"I'm sure you've known plenty of passive people who just go, 'Oh well,'" he continues. "You can tell ... I'm not passive ... I'm going to do whatever the law says that I'm allowed to do."

In fact, Zaffina has even told the *Weekly* that he would sue "if anything came out wrong ..." in the story.

Zaffina's ability to inspire ire and fear, however, extends beyond the courtroom, and, as it turns out, the SCDA was not his first darts league.

In 2001, Zaffina was for a short time a board member of the Pacific Darts Association, which is based in Cypress, about 10 miles west of Anaheim.

"The last image I have of Dino is of him threatening to sue us," says Doug Tice, who's been in the Pacific league for 20 years and serves as its recording secretary. "He's a hard guy to forget."

Several members of the Pacific Darts Association declined to comment for fear of retribution.

However, according to Zaffina and the league's then-president, Richard Lawrence, everything was running along smoothly until one day a player threatened to harm one of Zaffina's teammates during a match. Zaffina says he expressed concern to the board over some liability issues related to the threats, but that the league did not take strong enough action, so he decided to leave.

When asked whether he threatened to sue the Pacific Darts Association, Zaffina says that members Lawrence and Tice are lying, or perhaps misunderstood him at the time.

"I said, 'Guys, we could be sued,'" says Zaffina. "I certainly had no grounds to go after them at that point in time."

Lawrence, however, paints a more colorful picture.

Zaffina "issued threats of suing the board himself and talked of taking away people's houses following a judgment that he surely would win," Lawrence wrote in an email to the *Weekly*. "Some people got scared. ... Fortunately for the Pacific Darts Association, Dino chose to take what for him was the high road. He left the board and actually stopped playing in the PDA."

When Zaffina was in full swing as a member of the SCDA in 2010, his fellow darts players knew nothing about his legal track record or his history with the other league. But they were about to get a crash course.

About a month after Zaffina emailed Fischer and the league complaining about the presentation of his name on the website's high-scores list, Zaffina was upset again. This time, on Aug. 18, 2010, he emailed the league to say that his middle initial was not being included on the website's moving banner displaying players' scores. His gripe sparked a flurry of email responses from league members — everything from "Dino, blow it out your ASS :)" to the more tempered, "It's extremely unlikely anyone will be misled [sic] as to who is on the results banner."

Frustrated by Fischer's refusal to accommodate him, Zaffina reached out for help to Milan Sabata, a thick-necked, soft-spoken Czechoslovakian plumber who sat on the league's board. As Sabata tells it, Zaffina called him at least five times after 8 p.m. on Aug. 19, 2010, demanding his name be spelled correctly or removed from the SCDA website by midnight.

"Then he starts threatening me," Sabata says. "He goes, 'How would you feel if your customers go online and see that your picture is on the child molester's website?' So I say, 'Dino, how can you do that?' And he said he had a way to do it, and he scared me." (Zaffina admits that he made a comment about the sex offender registry but vehemently denies that it was a threat.)

That night, as the clock raced toward midnight, Sabata says he frantically urged Fischer to take down Zaffina's name. But Fischer was watching a movie on TV and couldn't be bothered. Maybe after the flick was over, he told Sabata.

Growing more anxious, Sabata kept checking the website to see if Zaffina's name was still there. No changes. Then Sabata received an email from Zaffina:

"It's 12:01 a.m.," it said, "**past the deadline.**"

It would be roughly another 20 minutes or so, Sabata says, before Zaffina's name was removed. At 8:15 a.m. the next day, Zaffina emailed the league, saying, "**If you continue with this foolish behavior, as you have in the past with your refusal to spell my name correctly, I sure hope the SCDA and certain individuals have enough money to sustain a defense to what will be forthcoming.**"

On Aug. 29, 2011, David Irete was excited as he jammed through San Fernando Valley traffic on his way to the SCDA annual meeting at the Robin Hood Pub. A camera operator on *Jeopardy!* and *Wheel of Fortune*, Irete also was a die-hard darts promoter and a member of the league's board, who was up for the position of SCDA president that very night.

As Irete neared the bar, he felt his cellphone begin to vibrate inside his pocket. He had a new email. It was not good news.

Zaffina, from whom many of the darts players and league officers had not heard in more than seven months, had blasted an email out to the SCDA members under the banner, "Press Release ... Southern California Darts Association Inc. Returns From the Dead After 34 Years."

In it, Zaffina announced that the SCDA, which had incorporated in 1966, was suspended by the state Franchise Tax Board in 1977 and now, after all these years, was finally being brought back to life by him, Dino M. Zaffina, as its new president and CEO.

"[T]he 'illegal' SCDA will no longer be operating anywhere in the United States of America," Zaffina's email read. "And, the men who claim to be board members of SCDA are devoid of any power. ... "

When Irete finished reading the message, he looked up from his phone and thought, "Holy shit, Dino has risen again."

That night at the Robin Hood, Irete, Harvey Fischer, Milan Sabata and Curtis Pierpoint, a residential construction worker, all talked briefly about Zaffina's latest news. They, along with other players, decided there was nothing they could do about it right away, so they carried on with the planned administrative matters and league elections. Irete was named president; Pierpoint won the vice president slot.

"Because of the way [Zaffina] had acted in the past," Fischer says, "I kinda took it lightly."

But to Zaffina, it had long been a serious matter.

About a year earlier, after Fischer had refunded Zaffina's league fees (Zaffina says he cleverly never cashed the check and was not kicked out of the league but rather allowed his league membership to expire at the end of the year), Zaffina asked California's secretary of state for a copy of the SCDA incorporated bylaws. He quickly discovered the SCDA's corporate status had been suspended in 1977 and that it had never been legally revived.

It's impossible to know exactly what thoughts spun through Zaffina's mind the moment he uncovered this bit of news, but on Aug. 24, 2010, he sent a four-page letter, heavily accented with bold type and underlinings, to the unincorporated league, its members and its sponsors. To Zaffina, the letter was to serve as a heads-up. It spelled out that the SCDA had been claiming to operate with the powers and rights of a corporation without actually having legal corporate status, and therefore was operating illegally and in violation of the California Revenue and Tax Code.

Again, the unincorporated SCDA members largely ignored the message.

"In our minds," Pierpoint says, "it was just another in a long line of threats. We had been unincorporated for more than 30 years and were going along just fine as a club, and so when his letter came along, we didn't think much about it."

On Jan. 3, 2011, Zaffina made his next move. He legally incorporated Southern California Darts Association and then filed four subsidiaries — SCDA, So Cal Darts Association, So Cal Darts and SCDA

Products. Zaffina would wait eight months, say many of the darts players, before telling them. However, one of the oldest and most prestigious names in the world of darts now belonged to him.

According to author and darts historian Dan William Peek, the SCDA was started by British and Irish expatriates living in the L.A. area in the late 1950s. The group incorporated in 1966 and, according to Pierpoint, swelled to nearly 5,000 members during the 1980s. The association sold merchandise, hosted two international tournaments and raked in nearly \$100,000 a year.

Recent times have not been so kind. Thanks to tougher DUI laws and a ban on smoking inside bars, Pierpoint says, the unincorporated league has dwindled to roughly 100 members and brought in between \$2,000 and \$3,000 a year, all of which went toward paying for equipment storage and trophies at the end of each season.

None of the darts players can recall why the SCDA decided in 1977 not to renew its corporate status. Pierpoint remembers that the issue came up a couple of times during the 1990s but was always voted down.

"We didn't see any real need in it," he says. "Yes, we probably should have filed taxes, but because we're mostly blue-collar knuckleheads who just want to drink beer and throw darts and have fun, we operate more like an informal club. It was ignorant bliss until Dino came along."

After informing the players that he'd incorporated SCDA, Zaffina issued several press releases and a cease-and-desist letter urging them to stop playing matches using the SCDA name.

Finally, on Sept. 26, Zaffina filed a lawsuit against more than 60 named defendants, including Irete, Fischer and Pierpoint. Milan Sabata, who through sheer fear had helped get Zaffina's name removed from the SCDA website the year before, was conspicuously absent from the lawsuit.

Essentially, Zaffina claimed that the unincorporated league members were injuring his actual SCDA company by continuing to operate. He said he was trying to run his league as a for-profit enterprise but could not so long as the unincorporated members were using and trampling on the SCDA's good name.

The following day, Sept. 27, Zaffina fired off another press release, this one informing the defendants that they were on the hook for a \$395 court filing fee and telling them how to avoid litigation and further damages.

Over the next several weeks, Zaffina bombarded the darts players with nine press releases (none of which was sent to the media). They included court deadlines, examples of burdensome discovery requests and dollar amounts for how much each defendant would be responsible for paying in order to battle him in court.

"Prepare for a lengthy and costly litigation that may possibly last in excess of two-years and cost each defendant approximately **\$50,000.00**," stated one. "***There is no other possible way out***," read another.

To many, including darts player Bill Lynch, the press releases sounded like a shakedown. A successful musician, Lynch says he was furious that Zaffina was effectively destroying his beloved darts club. He had plenty of money to hire attorneys and go toe-to-toe with Zaffina in court, so Lynch decided to plunge neck-deep into the fray.

"How could anyone not see his lawsuit as malicious?" Lynch asks. "He's a menace to society and needed to be stopped."

Lynch and his lawyer, Michael Zuk, went so far as to file a cross-complaint against Zaffina, essentially accusing him of blackmail. A judge, however, struck it down, ruling that there was "no conclusive evidence of extortion."

At one point, Lynch says, he was willing to settle with Zaffina, but he asked for a deadline extension in order to have time to contact all of the numerous other defendants. He says Zaffina refused him the extension, so any potential deal fell apart.

"It's like dealing with a little kid who wants to play with his football and gets mad when the other kids are playing with their football," Zuk says. "It's like he wants to be the lone emperor of darts in Southern California."

Why did Zaffina do it? That seems to be the million-dollar question among the darts players.

If you ask Zaffina, he'll say he's a businessman, that he's always had some big ideas on how to run a for-profit darts league, and that snatching up the SCDA name was akin to nabbing a brand name such as Snickers or Campbell's Soup when their owners fell asleep at the wheel.

"Clearly," he stated in a court declaration, the SCDA name "is not *The Coca-Cola Company*, but what smart businessperson would not acquire a corporation under the name *The Coca-Cola Company* if that company was so foolish as to let their legal status be suspended by the state's executive branch that regulated corporations?"

Zaffina dismisses the notion that he was motivated by sour grapes, proudly explaining how he told the darts players in August 2010 that their group was not incorporated yet gallantly refrained from acquiring the name until January.

"If they're angry at me because I'm a good businessman," he says, "and because I dot all my I's and cross all my T's and I follow the law, then that's their problem. They had the opportunity for a good four months to get to a lawyer or do it themselves and renew the corporation. They should be angry at themselves, not me."

But most of the players aren't buying it, even the ones who played with Zaffina and say they liked the guy.

"Dino's managed to completely disassemble the old SCDA and ruined it for a lot of guys," says Zaffina's former teammate, Nick Turpin. "To me, it was him getting back at Harvey and these [other] guys. It's ridiculous. What a dick."

Despite his insistence that the SCDA will be a full-fledged business, Zaffina is not tipping his hand. His only disclosure appears in court papers, in which he says he plans to operate a series of steel and soft-tip darts leagues, tournaments and other darts-related ventures.

"It's going to be much bigger than anything anybody could imagine," he tells the *Weekly*. "That's all I'm going to say. The goal is much bigger than anything these people could have even fathomed."

There is some speculation among the darts players that Zaffina's endeavor, if it's real, will be conducted mostly online. After all, they say, what local is going to want to play in his league?

"I find it ironic," says Fischer, "because he says he wants to make money and promote a darts league, but all the people he's suing would be his clients. He's a bloody idiot."

As far as the players go, they share a collective sense of brotherhood and doom. Most of the pubs they play in have decided to avoid litigation and agreed to Zaffina's terms, which include making sure that

no one throws darts there under the SCDA name. Some of the pubs, including Ye Olde King's Head in Santa Monica, have posted signs saying as much.

The darts players are not sure what will come of the lawsuit against them, but they know Zaffina has legally obtained the SCDA name and, on that front at least, they've been licked.

"Dino won," Irete says. "He stopped us from playing. He put fear in too many people's minds and hearts."

Says Pierpoint, "It's really sad. Dino has hurt everyone who played in the league, all because he was trying to screw a few people he was pissed at."

Irete and Pierpoint both say plans are in the works to create a new league for the darts players, complete with new schedules, a proper tax ID and, of course, a new name that will be legally incorporated.

At one point, the players wanted to start fresh under the title Los Angeles Darts Association. Sabata says he mentioned the idea over the summer at the group's annual meeting and then posted the suggestion on Facebook on Sept. 7.

Two days later, according to Internet records, Zaffina bought the domain name losangelesdartsassociation.com. Less than a month later, he also bought the .net and .org versions of the name.

Zaffina denies he ever knew about the players' intent to form under the Los Angeles moniker and says there is no proof that he saw Sabata's Facebook post or that anyone sent him a link to it.

"Even if I was clairvoyant and I knew," he says, "I still have the right to purchase them."

Which, while technically true, are exactly the kinds of words that can piss off a bunch of beer-guzzling darts players.

Reach the writer at cvogel@laweekly.com.

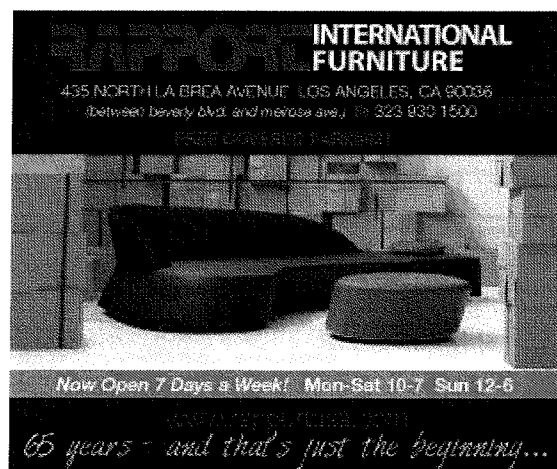


EXHIBIT H

Business Entity Detail

Data is updated weekly and is current as of Friday, March 09, 2012. It is not a complete or certified record of the entity.

Entity Name:	SOUTHERN CALIFORNIA DARTS ASSOCIATION, INC.
Entity Number:	C3346472
Date Filed:	01/03/2011
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	3455 OCEAN VIEW BOULEVARD, SUITE 100
Entity City, State, Zip:	GLENDALE CA 91208
Agent for Service of Process:	DINO M. ZAFFINA
Agent Address:	3455 OCEAN VIEW BOULEVARD, SUITE 100
Agent City, State, Zip:	GLENDALE CA 91208

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code [section 2114](#) for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to [Name Availability](#).
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
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EXHIBIT I

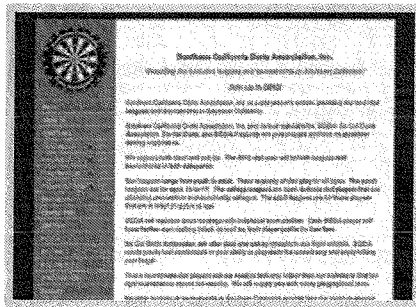
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southerncaliforniadartsassociation.com - Southern California Darts ,



Title: Southern California Darts Association

Created: 2010-12-06

Expires: 2013-01-01

Owner: [Dino M. Zaffina](#) Registered through: [Go Daddy](#)

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www.GolfSoftware.com

Whois

Registrant:

Dino M. Zaffina

Registered through: Go Daddy

Domain Name: SOUTHERNCALIFORNIADARTSASSOCIATION.COM

Domain servers in listed order:

NS27.DOMAINCONTROL.COM

NS28.DOMAINCONTROL.COM

For complete domain details go to:

Related sites

- sccacriкет.org
Southern California Cricket Association
- scga.org
SCGA | Southern California Golf Association
- scvavolleyball.org
Southern California Volleyball Association
- scba.com
SCBA - Southern California Broadcasters Association
- calsouth.com
CAL SOUTH - The Official Youth and Adult State Soccer Association of Southern California
- aapamentoring.com
Asian American Professional Association – AAPA Mentoring Program – Southern California - Asian American Professor
- piasc.org
Printing Industries Association, Inc. of Southern California
- socialmfva.com
SocialMFVA - Southern California Mobile Food Vendor's Association
- scag.ca.gov
SCAG | Southern California Association of Governments
- scta.usta.com
Southern California Tennis Association, tennis tournaments, tennis leagues, adult tennis, senior tennis, junior tennis, com membership, usta officials, tennis players news, tennis blogs, tennis event results |...

graboid.com	vodahost.com
northernrtool.com	99114.com
royalcactus.com	protect-my-links.com
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EXHIBIT J



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SCDA will maintain team rankings with individual team profiles. Each SCDA player will have his/her own ranking listed, as well as, their player profile for their fans.

So Cal Darts Association will offer steel and soft tip lessons in our flight schools. SCDA wants you to feel comfortable in your ability to play darts the correct way and enjoy hitting your target.

Those tournament dart players will not need to look any further than our website to find the right tournaments across the country. We will supply you with every geographical area.

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