

1 Anthony T. Falzone (SBN 190845)
 Julie A. Ahrens (SBN 230170)
 2 Christopher K. Ridder (SBN 218691)
 STANFORD LAW SCHOOL CENTER FOR
 3 INTERNET AND SOCIETY
 559 Nathan Abbott Way
 4 Stanford, California 94305-8610
 Telephone: (650) 736-9050
 5 Facsimile: (650) 723-4426
 E-mail: falzone@stanford.edu

6 William F. Abrams (SBN 88805)
 7 Sheila M. Pierce (SBN 232610)
 BINGHAM MCCUTCHEM LLP
 8 1900 University Avenue
 East Palo Alto, CA 94303-2223
 9 Telephone: 650.849.4400
 Facsimile: 650.849.4800
 10 E-mail: william.abrams@bingham.com

11 Attorneys for Plaintiff
 BRAVE NEW FILMS 501(c)(4)

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16
 17 BRAVE NEW FILMS 501(C)(4),
 18 Plaintiff,
 19 v.
 20 MICHAEL WEINER aka MICHAEL SAVAGE,
 and ORIGINAL TALK RADIO NETWORK,
 21 INC.,
 22 Defendants.

No. CV 08-04703 SI

**REQUEST FOR JUDICIAL NOTICE
 IN SUPPORT OF PLAINTIFF
 BRAVE NEW FILMS 501(C)(4)'S
 OPPOSITION TO DEFENDANT
 MICHAEL WEINER AKA
 MICHAEL SAVAGE'S MOTION TO
 DISMISS**

Date: April 3, 2009
 Time: 9:00 a.m.
 Place: Courtroom 10
 Judge: Honorable Susan Illston

1 **TO THE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2 Pursuant to Federal Rule of Evidence 201, Plaintiff Brave New Films 501(c)(4)
3 respectfully requests that the Court take judicial notice of the following documents in support of
4 its Opposition to Defendant Michael Weiner aka Michael Savage’s Motion to Dismiss:

- 5 • **Exhibit A:** A true and correct copy of the Complaint filed by Michael Savage
6 against Counsel on American-Islamic Relations, Inc. on December 3, 2007 in
7 *Savage v. Council on American-Islamic Relations, Inc.*, No. 3:07-cv-06076-SI,
8 Docket No. 1.
- 9 • **Exhibit B:** A true and correct copy of the Order Granting Defendants’ Motion
10 for Judgment on the Pleadings in *Savage v. Council on American-Islamic*
11 *Relations, Inc.*, No. 3:07-cv-06076-SI (N.D. Cal. July 25, 2008), Docket No. 38.

12 Federal Rule of Evidence 201 provides that a court may take judicial notice of a fact “not
13 subject to reasonable dispute [and] . . . capable of accurate and ready determination by resort to
14 sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b).

15 The Court may take judicial notice of matters of the public record including pleadings,
16 decisions, orders and other documents filed in another court. *See Reyn’s Pasta Bella, LLC v.*
17 *Visa USA, Inc.*, 442 F.3d 741, 746 n.6 (9th Cir. 2006) (a court may take judicial notice of court
18 filings and other matters of public record); *see also Kurtcu v. U.S. Parking Inc.*, No. 08-2113,
19 2008 U.S. Dist. LEXIS 51302, at *5 (N.D. Cal. Jun. 16, 2008) (a court may take judicial notice
20 of orders and decisions made by other courts and administrative agencies).

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

