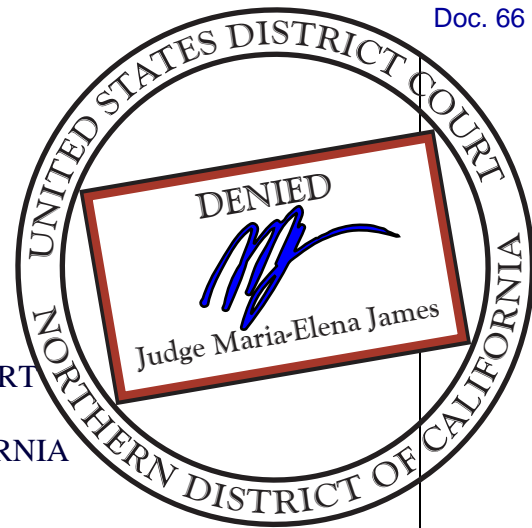


Elizabeth Karnazes CA SBN #118922  
P.O. Box 4747  
Foster City, California 94404  
Telephone: (650) 345-9200

Plaintiff Elizabeth Karnazes, in *pro per*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA



ELIZABETH KARNAZES,

Plaintiff,

vs.

COUNTY OF SAN MATEO, DEBORAH  
TITONE, and *DOES* 1-35, inclusive.

Defendants.

Case No.: 09-CV-00767-MMC (MEJ)

DECLARATION OF ELIZABETH  
KARNAZES *RE*: EFFORTS TO COMPLY  
WITH DISCOVERY ORDERS AND  
REQUEST FOR RELIEF

Date: April 6, 2010

Time:

Place: Courtroom B, 15<sup>th</sup> Floor

Chief Mag. Judge: Hon. Maria-Elena James

TO THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN  
PLEASE TAKE NOTICE that Plaintiff ELIZABETH KARNAZES (hereinafter referred to as  
"KARNAZES") submits the following Statement regarding efforts to comply with discovery  
orders herein:

1. **I sincerely apologize for any inconvenience I have caused the court and counsel, and I am trying my best to comply with the court's orders.**
2. I am unable to download and read the orders that the court is filing apparently against me.
3. I have tried to work with the web site personnel to resolve the issues, but have been informed that the court's web site is incompatible with my computer software.
4. I tried in good faith to comply with the court's discovery order prior to leaving for my prepaid non-refundable trip out of the USA.
5. I suffer from severe Post traumatic Stress Disorder, Depression and Anxiety.
6. Despite the fact that I have been in very bad shape for weeks, I have been doing my best to move this case forward and to comply with the orders of the court.
7. Prior to leaving the country on March 30, 2010, I tried my best to file my discovery letters with the court, and I reasonably believed that I could do so before I left.

- 1 8. I was buried in work including but not limited to an urgent *ex parte* matter, a; I was
- 2 so stressed that I could not sleep, and my hands were in terrible pain.
- 3 9. Despite my best efforts, I was unable to file my letters before I left the country on March 30,
- 4 2010.
- 5 10. It took two days to arrive at my destination, and upon my arrival, I prepared and tried to e-file
- 6 my discovery letters prior to April 5, 2010.
- 7 11. Unfortunately, the Internet was down and only working sporadically when I tried to e-file my
- 8 letters.
- 9 12. I went out for a short time, and when I went back to my computer it had an error message that
- 10 there was a RAID drive failure.
- 11 13. I tried to follow the instructions to save my data but was unable to do so.
- 12 14. The Internet and/or the court's web site were unavailable from April 2-5, 2010.
- 13 15. When I was able to get on the Internet, I e-filed a letter late Monday, April, 5, 2010, with the
- 14 court then began re-writing my discovery letters.
- 15 16. I promptly filed my discovery letters on April 6, 2010, my first available opportunity to do so.
- 16 17. When I was able to check my e-mail, there was a message from the court that my letters were
- 17 all stricken, but I was unable to download and read the court's order.
- 18 **18. I respectfully request that the court accept my discovery letters, as I did the best I could**
- 19 **to timely and properly e-file them.**
- 20 19. My deposition was completed on March 12, 2010, at Defendants' attorney DAVID
- 21 SILBERMAN'S (hereinafter referred to as "SILBERMAN") office at 400 County Center, in
- 22 Redwood City, California 94063.
- 23 20. I met and conferred in good faith with Attorney SILBERMAN at his office on March 17,
- 24 2010, at Attorney SILBERMAN'S office at 400 County Center, in Redwood City, California
- 25 94063 at 2:00 p.m.
- 26 21. Defendants' attorney DAVID SILBERMAN'S (hereinafter referred to as "SILBERMAN")
- 27 refused to meet and confer with me in good faith and refused to cooperate with me in a civil
- 28 manner to present joint discovery letters to the court.
- 29 22. I am under my doctor's orders to reduce my stress and to try to relax, but I have been forced to
- 30 work every day since I arrived at my destination.
- 31 23. I do not know what I did wrong, but whatever it was, I assure the court that it was not in any
- 32 way a deliberate violation of the court's orders.

1  
2 24. Attorney SILBERMAN did not respond in a reasonable good faith manner to my attempts to  
3 coordinate the discovery letters except to state that he was filing the letters without me.

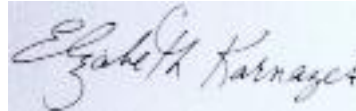
4 25. I understood I had at least seven days from March 24, 2010, to respond, which I tried to do.

5 26. I will try my best to e-file this declaration today.

6 27. The foregoing statements are within my personal knowledge, and if called as a witness, I can  
7 testify competently thereto.

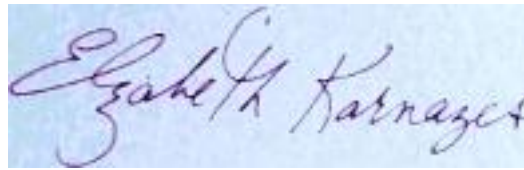
8 28. I declare under penalty of perjury under the laws of the State of California that the foregoing is  
9 true and correct, except as to those matters which are herein stated upon my information and  
10 belief, and as to those matters, I believe them to be true.

11 Signed this 6<sup>th</sup> day of April 2010, .

12 

13 ELIZABETH KARNAZES, Declarant, Plaintiff

14  
15 Respectfully submitted this 6<sup>th</sup> day of April 2010, .

16 

17  
18 ELIZABETH KARNAZES, Plaintiff in *pro per*