

EXHIBIT A**PRE-SUMMARY JUDGMENT STATEMENT****BASIS FOR 42 U.S.C. SECTION 1983 CLAIMS AND/OR IMMUNITY****A. 42 U.S.C. SECTION 1983 CLAIMS**

1. **First Claim for Relief:** Violation of 42 U.S.C. Section 1983 - False Arrest and Imprisonment (All Defendants).
 - a. Identify (i) the constitutional basis for the First Claim for Relief and (ii) the legal authority to support the same. The alleged "Fourth Amendment right to be free from unreasonable search and seizure" (First Amended Complaint ¶ 78) is not sufficiently specific.
 - b. For each defendant, (i) identify the legal basis for that particular defendant's liability and (ii) the legal authority to support the same.
 - i. Rowena T. Libang
 - ii. Gilbert Jue
 - iii. L. Castellanos
 - iv. G. Noda
 - v. S. Neu
 - vi. J. Tilton
 - vii. McConico

2. **Second Claim for Relief:** Violation of 42 U.S.C. Section 1983 - Malicious Prosecution (All Defendants).
 - a. Identify (i) the constitutional basis for the Second Claim for Relief and (ii) the legal authority to support the same. The alleged "right to be free from malicious prosecution in violation of the United States Constitution, including but not limited to the Fourteenth Amendment" (First Amended Complaint ¶ 92) is not sufficiently specific.
 - b. For each defendant, (i) identify the legal basis for that particular defendant's liability and (ii) the legal authority to support the same.
 - i. Rowena T. Libang
 - ii. Gilbert Jue
 - iii. L. Castellanos
 - iv. G. Noda
 - v. S. Neu
 - vi. J. Tilton
 - vii. McConico

3. **Third Claim for Relief:** Violation of 42 U.S.C. Section 1983 - Abuse of State Process (All Defendants).
 - a. Identify (i) the constitutional basis for the Third Claim for Relief and (ii) the legal authority to support the same. The alleged "violation of the United States Constitution,

to including but not limited to the Fourteenth Amendment" "to intimidate, threaten, arrest, and imprison" (First Amended Complaint ¶ 95) is not sufficiently specific.

- b. For each defendant, (i) identify the legal basis for that particular defendant's liability and (ii) the legal authority to support the same.
 - i. Rowena T. Libang
 - ii. Gilbert Jue
 - iii. L. Castellanos
 - iv. G. Noda
 - v. S. Neu
 - vi. J. Tilton
 - vii. McConico

B. QUALIFIED/ABSOLUTE IMMUNITY

For each defendant seeking qualified/absolute immunity:

- a. Identify the nature of the immunity sought.
- b. Identify the underlying act at issue and for which immunity is sought.
- c. Specify the constitutional principle upon which the immunity is based and identify any legal authority which validates said constitutional principle.