

1 LATHAM & WATKINS LLP
Marvin S. Putnam (212839)
2 *marvin.putnam@lw.com*
Jessica Stebbins Bina (248485)
3 *jessica.stebbinsbina@lw.com*
10250 Constellation Blvd., Suite 1100
4 Los Angeles, California 90067
Telephone: (424) 653-5500
5 Facsimile: (424) 653-5501

6 *Attorneys for Specially Appearing*
Defendant Elliott Broidy
7
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES**
11

12 SHERA BECHARD,

13 Plaintiff,

14 v.

15 ELLIOTT BROIDY, an individual, KEITH
DAVIDSON, an individual; MICHAEL
16 AVENATTI, an individual; DAVIDSON &
ASSOCIATES, PLC, a professional limited
17 liability company; and DOES 1 through 20,
inclusive,

18 Defendants.
19

20 **KEITH M. DAVIDSON & ASSOCIATES,**
PLC,

21 Cross-Claimant,

22 v.
23

24 SHERA BECHARD; and ELLIOTT BROIDY,

25 Cross-Defendants.
26
27
28

Case No. BC712913

The Hon. Elizabeth A. White (Dept. 48)

**SPECIALY APPEARING DEFENDANT
ELLIOTT BROIDY'S RESPONSE TO
PLAINTIFF'S RESPONSE TO BROIDY'S
MOTION TO SEAL**

Hearing Date: September 7, 2018
Time: 8:30 a.m.
Dept.: 48

HEARING ORDERED BY THE COURT

Action Filed: July 6, 2018
Trial Date: None Set

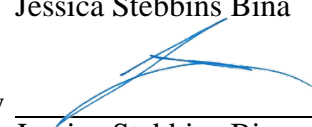
1 Plaintiff filed this case, in violation of an agreement requiring confidential arbitration.
2 She filled her complaint with inflammatory, intrusive and salacious allegations against Mr.
3 Broidy, joined her claims against him with claims against one of the most media-savvy attorneys
4 in the country, and promptly—before even serving the complaint—informed the media of its
5 existence but not its contents. Nonetheless, plaintiff now attempts to wash her hands of the
6 obviously planned outcome; namely, that her comments about Mr. Broidy would become public
7 by virtue of her conduct.

8 We respond briefly only to note the obvious hypocrisy in plaintiff’s position, and to
9 reiterate that *she does not oppose the sealing requested by Mr. Broidy*. This is because, as
10 plaintiff acknowledges, *see* Plaintiff’s Response to Broidy’s Motion to Seal (“Response”) at 2
11 lines 17-21, she cannot publicly discuss the allegations her complaint includes without further
12 breaching the settlement agreement. However, while plaintiff acknowledges that *she* cannot
13 make her claims public, she continues to invite the Court to do so. *See* Response; *see also*
14 Plaintiff’s Opposition to Motion to Strike (stating that if Broidy did not want these purported
15 facts public, he “should not have done” what is alleged). Plaintiff should not be allowed to act
16 with impunity, in violation of her legal obligations, using this Court as a means to publicly air
17 private grievances—especially when they are wholly unrelated to her legal claims. The
18 challenged statements should be stricken, or sealed.

19
20
21
22
23
24
25
26
27
28

Dated: August 30, 2018

LATHAM & WATKINS LLP
Marvin S. Putnam
Jessica Stebbins Bina

By 

Jessica Stebbins Bina
Attorneys for Specially Appearing
Defendant Elliott Broidy

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 355 South Grand Avenue, Suite 100, Los Angeles, CA 90071-1560. My email address is jeeah.yang@lw.com.

On August 30, 2018, I served the following document described as:

SPECIALLY APPEARING DEFENDANT ELLIOTT BROIDY’S RESPONSE TO PLAINTIFF’S RESPONSE TO BROIDY’S MOTION TO SEAL

by serving a true copy of the above-described document in the following manner:

BY OVERNIGHT MAIL

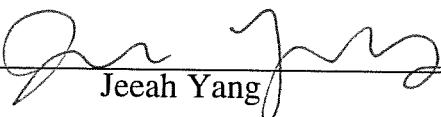
The above-described document was transmitted via overnight mail to the following individuals on August 30, 2018:

<p>Michael J. Avenatti AVENATTI & ASSOCIATES, APC 520 Newport Center Drive, Suite 1400 Newport Beach, CA 92660 mavenatti@eaganavenatti.com</p>	<p>Peter K. Stris Elizabeth R. Brannen Dana Berkowitz Kenneth J. Halpern John Stokes STRIS & MAHER LLP 725 S. Figueroa Street, Suite 1830 Los Angeles, CA 90017 peter.stris@strismaher.com elizabeth.brannen@strismaher.com dana.berkowitz@strismaher.com ken.halpern@strismaher.com john.stokes@strismaher.com</p>
<p>Shaun P. Martin USD SCHOOL OF LAW 5998 Alcala Park Warren Hall 109C San Diego, CA 92110 smartin@sandiego.edu</p>	<p>Paul S. Berra BERRA LAW 5806 Waring Ave., #5 Los Angeles, CA 90038 paul@berralaw.com</p>
<p>Kelli Sager Davis Wright Tremaine LLP 865 S. Figueroa St., Suite 2400 Los Angeles, CA 90017 kellisager@dwt.com</p>	

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Executed on **August 30, 2018**, at Los Angeles, California.



Jeeah Yang