

1 Superior Court of California,
2 County of Inyo
3 301 West Line Street
4 Bishop, California 93514
5 Tel: (760) 872-3038

FILED

OCT 29 2012

INYO CO. SUPERIOR COURT
TAMMY L. GRIMM, CLERK
DEPUTY



8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF INYO

11	In re the Matter of the)	Case No. SICVPM 12-53232
12	L.L. Nunn Trust for the)	JUDICIAL DISCLOSURE
13	benefit of Deep Springs College)	
14	under the Deed of Trust dated)	
15	November 5, 1923)	
16)	
17)	

18
19 While reviewing the Court's file in preparation for oral
20 argument, the undersigned judicial officer realized that he did
21 not have any recollection of making the following disclosure.

22 Since at least 1998, Petitioner's co-counsel, Mr. Peter E.
23 Tracy and I have, on a volunteer basis, made presentations to
24 local high school students and their parents generally entitled
25 "Affordable Private Colleges." The presentations discuss
26 reasons why private colleges/universities may prove to be
27 affordable, including such topics as "sticker price is not
28 necessarily real price," financial aid packages may include
grant/merit based funding, and including the average time to

1 graduate as part of the financial calculus. In addition,
2 information is provided pertaining to the college search and
3 application process. The presentation includes identifying
4 factors that students/parents may want to consider, evaluate,
5 and weigh for themselves, in selecting the college/university
6 that is right for the individual student. Other than
7 encouraging students/families to consider small private schools,
8 the presentation is intended to be free of value judgments and
9 advocacy by the presenters. Factors identified include, but are
10 not limited to, institution size, average class size, student -
11 faculty ratio, freshmen orientation programs, freshmen retention
12 rate, graduation rate, public/private institutions, strength of
13 programs in areas of interest/intended majors, academic
14 reputation, geographic regions, urban/rural locations, weather,
15 high school friends, security, athletic programs, religious
16 influence, fraternity/sorority availability/influence, social
17 atmosphere, political atmosphere, male-female ratio, co-
18 ed/single sex institutions, diversity, housing (% of students on
19 campus), study abroad programs, recreational opportunities,
20 alumni connection, and disability support services.

21 With respect to identifying co-ed/single sex schools as a
22 factor they may want to consider and evaluate, there has
23 generally has been relatively minimal, if any discussion.
24 However, relatively recently reference has been made that female
25 students and their parents may want to consider studies/reports
26 suggesting there may be long term financial/career benefits to
27 women who graduate from an all women's college.


28

1 I do not recall there ever being any discussion of, or
2 reference to Deep Springs College during any of these
3 presentations.

4 I sincerely apologize if I failed to include the foregoing
5 disclosure when previously making my oral disclosure on the
6 record.

7 I continue to believe that I can be fair and impartial to
8 both sides in the above-entitled action.

9
10 Dated: October 29, 2012



Dean T. Stout
Judge of the Superior Court

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DECLARATION OF SERVICE
CCP Section 1013

Case Number: SICVPM-12-53232

I, the undersigned, say: I am a citizen of the United States, a resident or employed in the County of Inyo, over the age of eighteen years, and not a party to the within action; that my business address is: Courthouse, 169 N. Edwards St., Independence, CA 93526, that on OCTOBER 29, 2012, I served a copy of the foregoing document(s) described as:

JUDICIAL DISCLOSURE

(X) BY MAIL: I am readily familiar with the County of Inyo's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Independence, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. Said copy was mailed as indicated below:

CHRISTOPHER L. CAMPBELL, ESQ.
5260 NORTH PALM AVE., 4TH FLOOR
FRESNO, CA 93704

JOSEPH C. LIBURT, ESQ.
1000 MARSH RD.
MENLO PARK, CA 94025

PETER E. TRACY, ESQ.
PO BOX 495
BISHOP, CA 93515

(X) By facsimile and/or inter-office mail as indicated below.

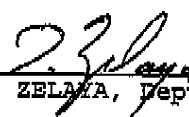
CHRISTOPHER L. CAMPBELL, ESQ.
VIA FACSIMILE
559-432-5620

JOSEPH C. LIBURT, ESQ.
VIA FACSIMILE
650-614-7401

PETER E. TRACY, ESQ.
VIA FACSIMILE
760-872-2781

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: 10/29/12


D. ZELANA, Deputy Clerk

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2 County of Inyo
3 301 West Line Street
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INYO CO. SUPERIOR COURT
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8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF INYO
10

11 In re the Matter of the) Case No. SICVPM 12-53233
12) JUDICIAL DISCLOSURE
13 James R. Withrow, Jr. Chair for)
14 Government, the James R. Withrow, Jr.)
15 Lectureship Fund, and the James R.)
16 Withrow, Jr. General Fund Endowments)
17 created under the Will of James R.)
18 Withrow, Jr. at Deep Springs College)
19 Corporation)

18 While reviewing the Court's file in preparation for oral
19 argument, the undersigned judicial officer realized that he did
20 not have any recollection of making the following disclosure.
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22 Since at least 1998, Petitioner's co-counsel, Mr. Peter E.
23 Tracy and I have, on a volunteer basis, made presentations to
24 local high school students and their parents generally entitled
25 "Affordable Private Colleges." The presentations discuss
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12 rate, graduation rate, public/private institutions, strength of
13 programs in areas of interest/intended majors, academic
14 reputation, geographic regions, urban/rural locations, weather,
15 high school friends, security, athletic programs, religious
16 influence, fraternity/sorority availability/influence, social
17 atmosphere, political atmosphere, male-female ratio, co-
18 ed/single sex institutions, diversity, housing (% of students on
19 campus), study abroad programs, recreational opportunities,
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23 generally been relatively minimal, if any discussion.
24 However, relatively recently reference has been made that female
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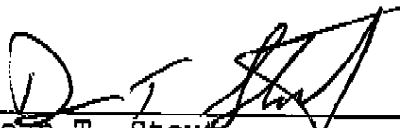
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10 Dated: October 29, 2012



Dean T. Stout
Judge of the Superior Court

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DECLARATION OF SERVICE
CCP Section 101.3

Case Number: SICVPM-12-53233

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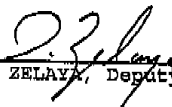
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D. ZELAVA, Deputy Clerk