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DEEP SPRINGS COLLEGE CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF INYO

In re the Matter of the

L. L. Nunn Trust for the benefit of Deep Springs College under the Deed of Trust dated November 5, 1923

Case No. SI CV PB 1253232

DEEP SPRINGS COLLEGE CORPORATION'S OBJECTIONS TO RESPONDENTS' EVIDENCE IN SUPPORT OF THEIR OPPOSITION TO THE PETITION FOR MODIFICATION OF PRELIMINARY INJUNCTION

Date: April 26, 2013
Time: 9:00 a.m.
Judge: Hon. Dean T. Stout

Deep Springs College Corporation (the "Corporation") makes the following Objections to Respondents' Evidence in Support of their Opposition to the Petition for Modification of Preliminary Injunction.

The Corporation respectfully requests that the Court rule on each of the following objections prior to ruling on the Petition. A proposed Order Ruling on Deep Springs College Corporation's Objections to Plaintiffs' Evidence in Support of Their Opposition to Petition for Modification of Preliminary Injunction is submitted herewith.

OBJECTIONS TO HOEKSTRA DECLARATION AND ITS EXHIBITS

	Material Objected to:	Grounds for Objection:
1.	Hoekstra Decl. ¶¶ 2-7, page 2, line 6 – page 3, line 8.	**Irrelevant** (Evid. Code § 350) – Contents of this declaration are not relevant to the sole issue: whether the Preliminary Injunction should be modified to clarify what conduct is enjoined and by whom.
2.	Exh. 1 to Hoekstra Decl.	**Irrelevant** (Evid. Code § 350) – The November 2010 Trustee Succession Policy is not relevant to whether language of the Preliminary Injunction is ambiguous, vague and overbroad, requiring modification. **Hearsay** (Evid. Code § 1200).
3.	Exh. 2 to Hoekstra Decl.	**Irrelevant** (Evid. Code § 350) – The April 1 2013 Deep Springs College Community Newsletter is not relevant to whether the language of the Preliminary Injunction is ambiguous, vague and overbroad, requiring modification. **Hearsay** (Evid. Code § 1200).

OBJECTIONS TO LIBURT DECLARATION AND ITS EXHIBITS

	Material Objected to:	Grounds for Objection:
4.	Liburt Decl. ¶¶ 2-3, page 1, lines 6-12.	**Irrelevant** (Evid. Code § 350) – Contents of this declaration are not relevant to the sole issue: whether the Preliminary Injunction should be modified to clarify what conduct is enjoined and by whom.

	Material Objected to:	Grounds for Objection:
5.	Exh. A to Liburt Decl.	**Irrelevant** (Evid. Code § 350) – The December 23, 2012 e-mail chain is not relevant to whether language of the Preliminary Injunction is ambiguous, vague and overbroad, requiring modification. **Hearsay** (Evid. Code § 1200).
6.	Exh. B to Liburt Decl.	**Irrelevant** (Evid. Code § 350) – The March 25, 2012 letter from counsel for the Corporation to counsel for Respondents concerning a transgender applicant is not relevant to whether language of the Preliminary Injunction is ambiguous, vague and overbroad, requiring modification. **Hearsay** (Evid. Code § 1200).

Respectfully submitted,

K&L GATES LLP

Dated: April 19, 2013

By: _____

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