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Attorney for Plaintiffs
JAMES MCGIBNEY
VIAVIEW, INC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAMES MCGIBNEY, an individual, and
VIAVIEW, INC, a corporation,

Plaintiffs,

vs.
THOMAS RETZLAFF, an individual,
DOES 1-5, individuals whose true names are not
known,

Defendants.

) Case No.: 5:14-cv-01059 BLF

) **NOTICE TO NON-PARTY AND**
) **ATTEMPTED INTERVENOR SUSAN**
) **MARIE BASKO TO REMOVE HER**
) **IMPROPERLY FILED PLEADINGS WITHIN**
) **21 DAYS, SERVED PURSUANT TO RULE 5,**
) **OR THAT PLAINTIFFS WILL FILE A RULE**
) **11 SANCTIONS MOTION THEREAFTER;**
) **DECLARATION OF JAY LEIDERMAN**

**NOTICE TO THE COURT AND TO NON-PARTY / ATTEMPTED INTERVENOR SUSAN
MARIE BASKO TO REMOVE HER IMPROPERLY FILED PLEADINGS WITHIN 21 DAYS.**

Non-party attempted intervener SUSAN MARIE BASKO, a lawyer licensed in California, is hereby noticed that she is required to remove her improperly filed pleadings within 21 days. If she does not, she is subject to potential sanctions pursuant to Rule 11 and pursuant to the inherent authority of the court. Because Basko has filed substantive pleadings with the court she has voluntarily subjected herself to the jurisdiction of the Court.

Ms. Basko has filed declarations in an attempt to intervene in these proceedings such that she can present evidence on her own behalf. If these declarations are not an attempt to intervene, then they are

1 an improper attempt to answer the complaint on behalf of Defendant Retzlaff. IF not, they are an
2 improper and unauthorized third p[arty filing that did not seek leave of court prior to the filing or
3 attempted filing of the two declarations (the documents in question). Whichever way, they are improper
4 and a California lawyer should know much, much better than to file papers on her own like the ones she
5 has.

6 Ms. Basko, according to the State Bar of California lives at 1823 N. Western Avenue, Los
7 Angeles California.¹ She declared to the Court in Ventura in April, at the permanent restraining order
8 hearing for Joseph A. Camp that she lives “out of state” and “thousands of miles away.” Basko has
9 repeated this in the two declarations filed with this Court. Accordingly, Counsel has no certain location
10 at which she may be served. This is a violation of Rule 11(a).

11 Ms. Basko has threatened Counsel that if he uses her name in pleadings she will (and did) report
12 him to the FBI and other agencies (see Exhibit 1). Her pleadings are filed for an improper purpose, are
13 meant to harass and are an improper application to intervene in the case. As such, they violate FRCP 11
14 and 12.

15 Accordingly, **MS. BASKO IS HEREBY NOTICED WITHIN THE MEANING OF RULE**
16 **11 AND 12 THAT IF SHE DOES NOT WITHDRAW HER IMPROPERLY FILED PAPERS**
17 **WITHIN 21 DAYS COUNSEL FOR PLAINTIFF WILL FILE AN APPROPRIATE MOTION**
18 **FOR SANCTIONS.** Ms. Basko has been served pursuant to Rule 5 via mail at her last known address,
19 1823 N. Western Avenue, Los Angeles California.

20
21 Dated: 16 December 2014

LAW OFFICES OF JAY LEIDERMAN

22
23 By: /s/ Jay Leiderman
24 Jason S. Leiderman
25 Attorney for Plaintiffs
James McGibney

26 ¹Several months ago, a lawyer with the State Bar of California called me to tell me that she was concerned for my safety due
27 to multiple bar complaints filed by Susan Basko and by her friend and confederate Joseph A. Camp. The lawyer with the
28 State Bar was a 29-year domestic violence prosecutor prior to working for the Bar and credibly explained why both Camp
and Basko were dangerous to the personal safety of Counsel and Counsel’s family.

ViaView, Inc.
jay@criminal-lawyer.me

DECLARATION OF JASON S. LEIDERMAN

1. I am an attorney duly licensed to practice law in the State of California. I represent Petitioners ViaView, Inc. and its employees, including James McGibney.
2. Exhibit 1 is a true and correct copy of an email sent to me by Basko on the date and time depicted on the email. I received the email in Ventura, California.
3. This document was mailed to Basko at 1823 N. Western Avenue, Los Angeles California, her last known address, consistent with FRCP 5.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 16, 2014, at Ventura, California.

By: /s/ Jay Leiderman

JASON S. LEIDERMAN

Counsel for Plaintiffs ViaView and James McGibney