

**WV-100****Petition for Workplace Violence Restraining Orders**

Clerk stamps date here when form is filed.

Read *How Do I Get an Order to Prohibit Workplace Violence* (form WV-100-INFO) before completing this form. **NOTE: Petitioner must be an employer with standing to bring this action under Code of Civil Procedure section 527.8.** Also fill out *Confidential CLETS Information* (form CLETS-001) with as much information as you know.

**FILED/ENDORSED****APR 15 2019**By: E. Toscano  
Deputy Clerk

Fill in court name and street address:

**Superior Court of California, County of Sacramento**  
Gordon D. Schaber Sacramento County Courthouse  
720 9th Street  
Sacramento, CA 95814

Court fills in case number when form is filed.

Case Number **34 2019 70005543****File by Fax****1 Petitioner (Employer)**a. Name: Sacramento Regional Public Safety Communications Centeris a ☐ corporation ☐ sole proprietorship☒ (specify): Joint Powers Authorityand is filing this suit on behalf of the employee identified in item **2**.

b. Lawyer for Petitioner (if any for this case)

Name: Lindsay K. MooreState Bar No.: 244422Firm Name: Kingsley Bogard LLP

Petitioner's Address (If the petitioner has a lawyer, give the lawyer's information.)

c. Address: 600 Coolidge Drive, Suite 160City: Folsom State: CA Zip: 95630Telephone: 916-932-2500 Fax: 916-932-2510E-Mail Address: lmoore@kblegal.us**2 Employee in Need of Protection**Full Name: Chris CostamagnaSex: ☒ M ☐ F Age: 49**3 Respondent (Person From Whom Protection Is Sought)**Full Name: Joseph B. ThuesenAge: 46Address (if known): 3173 Oakwood RoadCity: Cameron Park State: CA Zip: 95658**4 Additional Protected Persons**

a. Are you asking for protection for any family or household members of the employee or for any other employees at the employee's workplace or at other workplaces of the petitioner?

☒ Yes ☐ No (If yes, list them):

Full Name	Sex	Age	Household Member?	Relationship to Employee
<u>Diane House</u>	<u>F</u>	<u>53</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Co-Worker</u>
<u>Kylee Soares</u>	<u>F</u>	<u>43</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Co-Worker</u>
			<input type="checkbox"/> Yes <input type="checkbox"/> No	

☐ Additional protected persons are listed in Attachment 4a.**This is not a Court Order.**

4 h. Why do these people need protection? (Explain):

☒ Response is stated in Attachment 4b.

5 Relationship of Employee and Respondent

a. How does the employee know the respondent? (Describe): ☐ Response is stated in Attachment 5a.

Chris Costamagna is the Chairperson of the Sacramento Regional Public Safety Communications Center and the Deputy Fire Chief for the Sacramento Fire Department, a member agency of the Center.

b. Respondent ☒ is ☐ is not a current employee of petitioner. (Explain any decision to retain, terminate, or otherwise discipline the respondent): ☐ Response is stated in Attachment 5b.

Effective April 12, 2019, Respondent was placed on administrative leave pending an investigation.

6 Venue

Why are you filing in this county? (Check all that apply):

a. ☐ The respondent lives in this county.

b. ☐ The respondent has caused physical or emotional injury to the petitioner's employee in this county.

c. ☒ Other (specify): Sacramento Regional Public Safety Communications Center located in County

7 Other Court Cases

a. Has the employee or any of the persons named in 4 been involved in another court case with the respondent?

☒ No ☐ Yes If yes, check each kind of case and indicate where and when each was filed:

	Kind of Case	Filed in (County/State)	Year Filed	Case Number (if known)
(1)	<input type="checkbox"/> Workplace Violence			
(2)	<input type="checkbox"/> Civil Harassment			
(3)	<input type="checkbox"/> Domestic Violence			
(4)	<input type="checkbox"/> Divorce, Nullity, Legal Separation			
(5)	<input type="checkbox"/> Paternity, Parentage, Child Support			
(6)	<input type="checkbox"/> Eviction			
(7)	<input type="checkbox"/> Guardianship			
(8)	<input type="checkbox"/> Small Claims			
(9)	<input type="checkbox"/> Postsecondary School Violence			
(10)	<input type="checkbox"/> Criminal			
(11)	<input type="checkbox"/> Other (specify):			

b. Are any restraining orders or criminal protective orders now in effect relating to the employee or any of the persons in 4 and the respondent? ☒ No ☐ Yes (If yes, attach a copy if you have one.)

This is not a Court Order.



**Case Number:**

8

a. Respondent has (*check one or more*):

- (1) ☐ Assaulted, battered, or stalked the employee
- (2) ☒ Made a credible threat of violence against the employee by making knowing or willful statements or engaging in a course of conduct that would place a reasonable person in fear for his or her safety or the safety of his or her immediate family.

**b. One or more of these acts (*check either or both*):**

- (1) ☒ Took place at the employee's workplace
- (2) ☒ Can reasonably be construed to be carried out in the future at the employee's workplace

Address of workplace: 10230 Systems Parkway  
Sacramento, CA 95827

c. Describe what happened. (Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses):

☒ Response is stated in Attachment 8c.

Blank manuscript page.

d. Was the employee harmed or injured? ☐ Yes ☒ No (If yes, describe harm or injuries):

☐ Response is stated in Attachment 8d.

1. **Identify the main components of the system.** The system consists of a **client** and a **server**. The client is responsible for sending requests to the server, and the server is responsible for processing these requests and returning responses.

2. **Describe the data flow.** Data flows from the client to the server via a **network**. The client sends a request, and the server returns a response.

3. **Explain the communication protocol.** The communication protocol is based on **HTTP** (Hypertext Transfer Protocol). The client sends an **HTTP request** to the server, and the server returns an **HTTP response**.

4. **Detail the error handling.** The system includes error handling mechanisms to manage **exceptions** and **errors**. These mechanisms ensure that the system can gracefully handle unexpected situations and provide meaningful feedback to the user.

5. **Summarize the overall architecture.** The overall architecture is a **client-server architecture**. The client and server are connected via a network, and they communicate using the HTTP protocol. The system is designed to be scalable and robust, capable of handling a large number of concurrent requests.

e. Did the respondent use or threaten to use a gun or any other weapon? ☒ Yes ☐ No (If yes, describe):

☐ Response is stated in Attachment 8e.

Respondent has made staff aware of the fact he owns guns and on one occasion referred to his "arsenal of guns" and use of "vigilante justice."

**See Attachment 4b for additional information.**

**This is not a Court Order.**



- 8 f. For any of the incidents described above, did the police come? ☐ Yes ☒ No ☐ I don't know

If yes, did the employee or the respondent receive an Emergency Protective Order?

☐ Yes ☐ No ☐ I don't know

If yes, the order protects (check all that apply):

☐ the employee ☐ the respondent ☐ one or more of the persons in 4.

(Attach a copy of the order if you have one.)

**Check the orders you want** ☒

9 ☒ **Personal Conduct Orders**

I ask the court to order the respondent **not** to do any of the following things to the employee or to any person to be protected listed in 4:

- a. ☒ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
- b. ☒ Commit acts of unlawful violence on or make threats of violence to the person.
- c. ☒ Follow or stalk the person during work hours or to or from the place of work.
- d. ☒ Contact the person, either directly or indirectly, by any means, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- e. ☒ Enter the person's workplace.
- f. ☒ Other (specify):  
☐ As stated in Attachment 9f.  
Contact any staff member, either directly or indirectly, by any means, including but not limited to, in person, by telephone, in writing, by public or private mail, by email, by text message, by fax, or by other electronic means.

*The respondent will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.*

10 **Stay-Away Order**

a. I ask the court to order the respondent to stay at least 1,000 yards away from (check all that apply):

- (1) ☒ The employee.
- (2) ☒ The other persons listed in 4.
- (3) ☒ The employee's workplace.
- (4) ☒ The employee's home.
- (5) ☐ The employee's school.
- (6) ☒ The school of the employee's children.
- (7) ☐ The place of child care of the employee's children.
- (8) ☒ The employee's vehicle.
- (9) ☒ Other (specify):  
1. The children and family of the individuals listed in 4.  
2. Center Training Facility located at 3121 Gold Canal, Rancho Cordova, CA

**This is not a Court Order.**



- ⑩ b. If the court orders the respondent to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☐ Yes ☒ No (If no, explain):

☐ Response is stated on Attachment 10b.

Respondent will not be able to get to work, however, he is on paid administrative leave and directed to stay off Center property.

⑪ **Guns or Other Firearms and Ammunition**

Does the respondent own or possess any guns or other firearms? ☒ Yes ☐ No ☐ I don't know

*If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control.*

⑫ ☒ **Temporary Restraining Order**

I request that a Temporary Restraining Order (TRO) be issued against the Respondent to last until the hearing. I am presenting form WV-110, *Temporary Restraining Order*, for the court's signature together with this Petition.

Has the Respondent been told that you were going to go to court to seek a TRO against him/her?

☐ Yes ☒ No (If you answered no, explain why below):

☐ Reasons are stated in Attachment 12.

The protected persons are fearful of notifying Respondent in advance of obtaining the temporary restraining order. There is significant concern regarding Respondent's emotional well being and actions he may take as a result of obtaining this order - including the use of his firearms.

Please see Attachment 4b for additional details and employee declarations.

⑬ ☐ **Request for Less Than Five Days' Notice of Hearing**

*You must have your papers personally served on the respondent at least five days before the hearing, unless the court orders a shorter time for service. (Form WV-200-INFO explains what is proof of personal service. Form WV-200, Proof of Personal Service, may be used to show the court that the papers have been served.)*

If you want there to be fewer than five days between service and the hearing, explain why:

☐ Reasons are stated in Attachment 13.

⑭ ☒ **No Fee for Filing**

I ask that there be no filing fee because the respondent has threatened violence against the employee, or stalked the employee, or acted or spoken in a manner that has placed the employee in reasonable fear of violence.

**This is not a Court Order.**



Case Number: \_\_\_\_\_

**15** ☐ **No Fee to Serve Orders**

I ask the court to order the sheriff or marshal to serve the respondent with the others for free because this request for orders is based on a credible threat of violence or stalking.

**16** ☐ **Court Costs**

I ask the court to order the respondent to pay my court costs.

**17** ☒ **Additional Orders Requested**

I ask the court to make the following additional orders (*specify*):

☐ Additional orders requested are stated in Attachment 17.

1. Court order that Respondent provide proof of turning in firearms within 24 hours, or in the alternative law enforcement will contact Respondent to immediately take control of the firearms.

**18** Number of pages attached to this form, if any: \_\_\_\_\_

Date: April 15, 2019

Lindsay Moore  
Lawyer's name (if any)

[Signature]  
Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: 4/14/19

Chris Costamagna  
Name of petitioner

[Signature]  
Signature

Chairperson, Board of Directors  
Title

**This is not a Court Order.**

SHORT TITLE: SRPSCC v. Thuesen	CASE NUMBER:
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## ATTACHMENT (Number): 4b

(This Attachment may be used with any Judicial Council form.)

On or about April 8, 2019, two Sacramento Regional Public Safety Communications Center ("Center") employees approached Chairperson Chris Costamagna regarding concerns about Respondent's possible misuse of Center funds. During this initial report, both Center employees expressed fear for their safety as they both knew that this report would have a huge impact on Respondent and Respondent had been open about owning firearms.

Later that same day, Respondent was upset and spoke with one of the reporting Center employees about a personal matter dealing with the suspicious death of his friend's son. During this conversation, Respondent was very upset and stated something to the effect of:

- \*"I have an arsenal at my house"
- \*"It will be on like Donkey Kong"
- \*"There is such a thing as vigilante justice"
- \*"If I could pack a gun, I would"

This discussion created even more fear in the Center employee. In addition, another Center employee has expressed concern that Respondent may commit a "murder-suicide".

Chairperson Costamagna met with Respondent on April 9, 2019, and noticed that Respondent was emotionally charged. As a result, Chairperson Costamagna insisted that Respondent attend a counseling session and directed an employee to go with Respondent to ensure that Respondent went to his counseling session.

Center employees who have worked with Respondent for years have expressed concern about Respondent's emotional state, his possession of firearms and comments about the use of his firearms. In addition, Center employees expressed concern that Respondent fixates on issues and will insist to "seek justice".

On April 12, 2019, Respondent was placed on paid administrative leave pending the completion of an investigation and was informed of a Special Board Meeting scheduled for April 17, 2019. When Respondent was initially informed he was being placed on paid administrative leave he was visibly upset and near tears. He wanted to know the details, questioned why he needed to leave and wanted to stay at work. While Respondent removed his personal belongings from his office and Center vehicle, Chairperson Costamagna stayed with him and noticed that Respondent's demeanor changed from sad to more angry. Respondent walked off Center property and commented something to the effect of "I'm off property now".

See attached Declarations:

- \*Declaration of Chairperson Chris Costmagna
- \*Declaration of Sherill Diane House ("Diane House")
- \*Declaration of Kylee Soares

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page \_\_\_\_\_ of \_\_\_\_\_

(Add pages as required)

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8 **SACRAMENTO REGIONAL PUBLIC SAFETY**  
9 **COMMUNICATIONS CENTER**

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **SACRAMENTO COUNTY**

12 **SACRAMENTO REGIONAL PUBLIC**  
13 **SAFETY COMMUNICATIONS**  
14 **CENTER,**

15 **Petitioner,**

16 **vs.**

17 **JOSEPH THUESEN,**

18 **Respondent.**

19 **) DECLARATION OF CHRIS**  
20 **) COSTAMAGNA IN SUPPORT OF**  
21 **) REQUEST FOR TEMPORARY**  
22 **) RESTRAINING ORDER AND**  
23 **) PETITION FOR WORKPLACE**  
24 **) RESTRAINING ORDER**  
25 **)**  
26 **)**  
27 **)**  
28 **)**

1 I, Chris Costamagna, declare as follows:

2 1. I am over the age of eighteen years. I have personal knowledge of each fact stated  
3 in this declaration, except where such matters are stated to be made upon information and belief,  
4 and as to those matters, I believe them to be true. If called by a court of law, I could and would  
5 competently testify to the facts set forth herein.

6 2. I am Chairman of the Board of Directors of Petitioner Sacramento Regional Public  
7 Safety Communications Center. I also serve as the Deputy Fire Chief for the Sacramento Fire  
8 Department.

9 3. My business address as Chairperson of the Board is 10230 Systems Parkway,  
10 Sacramento, CA 95827.



1           4.       I make this Declaration in support of Petitioner's Petition for Temporary Restraining  
2 Order and Workplace Violence Restraining Order.

3           5.       As Chairperson of the Board, I am responsible for investigating and responding to  
4 employee misconduct, implementing appropriate employee discipline, and for ensuring employee  
5 safety, among many other things.

6           6.       On or about April 8, 2019, two staff members from the Sacramento Regional Public  
7 Safety Communications Center ("Center"), Diane House and Kylee Soares, met with me to discuss  
8 concerns regarding Respondent's possible misuse of Center funds. During this conversation, the  
9 staff members expressed concerns with Respondent's mental stability. Both Ms. House and Ms.  
10 Soares were emotional and expressed extreme fear for their safety once Respondent was made  
11 aware of their reports. Ms. House and Ms. Soares both referenced the fact that they knew  
12 Respondent owned firearms.

13          7.       On April 9, 2019, I met with Respondent for our normally scheduled morning  
14 meeting. During this meeting Respondent appeared to be emotionally charged. Respondent was  
15 visibly shaken and welling up with tears using a handkerchief as we talked. Respondent was  
16 extremely emotional regarding the suspicious death of his friend's son. Because of Respondent's  
17 emotional state, I directed him to attend a counseling session. I also directed Ms. Soares to make  
18 sure Respondent makes is counseling appointment.

19          8.       Based upon my previous interactions with Respondent, I have seen him fixate on an  
20 issue and want to make people pay for what they have done.

21          9.       On April 8, 2019, during a conversation with Ms. House, Respondent was again  
22 crying and upset about a personal matter dealing with a friend's son. Respondent made statements  
23 to the effect of:

- 24               • "I have an arsenal at my house"
- 25               • "It will be on like donkey kong"
- 26               • "There is such a thing as vigilante justice"

27          10.       Ms. House informed me of her conversation with Respondent and expressed her  
28

1 continued concern regarding her safety once Respondent was made aware of the concerns reported  
2 about his misuse of Center funds.

3 11. On April 12, 2019, I delivered to Respondent a Notice of Paid Administrative Leave.  
4 During this interaction, Respondent first stated his disbelief asking for the nature of the allegation.  
5 The respondent asked several "fishing type questions" upon directing the Respondent to exit the  
6 communication center after the notice of leave the Respondent became more agitated and defiant  
7 stepping off the sidewalk into the parking lot stating "there now I'm off the property" I suggested  
8 I provide an uber Respondent then said "no thanks I would appreciate some privacy so I can call  
9 my wife." I further suggested that Respondent needed to remember not to come back to the center  
10 or contact the employees of the center until after the board meeting on 04/17/2019, Respondent  
11 again made a personal statement "it doesn't need to be like this Chris" and continued asking for  
12 more information. I directed Respondent to the letter and to follow its instructions.

13 12. I have been made aware of one staff member expressing concern regarding  
14 Respondent committing a "murder-suicide".

15 13. A Special Board Meeting is scheduled for April 17, 2019 for the Center's Board to  
16 initiate an independent investigation and continue Respondent's paid administrative leave during  
17 the pendency of the investigation. As required by the California Government Code, Respondent  
18 has been informed of the Special Board Meeting. The Special Board Meeting is being held at 8820  
19 Elk Grove Boulevard, Elk Grove, California.

20 14. Respondent owns firearms and he has made it known to Center staff members that  
21 he has firearms.

22 15. Given Respondent's mental instability and his comments regarding possessing an  
23 arsenal and vigilante justice, I am fearful for my safety, the safety of my family, and for the safety  
24 of staff members working at the Center.

25 I declare under penalty of perjury of the laws of the State of California that the foregoing is  
26 true and correct.

Executed on the 15th day of April, 2019 at Sacramento, California



Chris Costamagna

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9 **COMMUNICATIONS CENTER**

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **SACRAMENTO COUNTY**

12 **SACRAMENTO REGIONAL PUBLIC**  
13 **SAFETY COMMUNICATIONS**  
14 **CENTER,**

15 **Petitioner,**

16 **vs.**

17 **JOSEPH THUESEN,**

18 **Respondent.**

19 **) DECLARATION OF SHERRILL**  
20 **) DIANE HOUSE IN SUPPORT OF**  
21 **) REQUEST FOR TEMPORARY**  
22 **) RESTRAINING ORDER AND**  
23 **) WORKPLACE VIOLENCE**  
24 **) RESTRAINING ORDER**  
25 **)**  
26 **)**  
27 **)**  
28 **)**

1 I, Sherrill Diane House, declare as follows:

2 1. I am 53 years of age. I have personal knowledge of each fact stated in this  
3 declaration, except where such matters are stated to be made upon information and belief, and as  
4 to those matters, I believe them to be true. If called by a court of law, I could and would competently  
5 testify to the facts set forth herein.

6 2. I am Deputy Director of Administration for Petitioner Sacramento Regional Public  
7 Safety Communications Center ("Center").

8 3. My business address is 10230 Systems Parkway, Sacramento, CA 95827.

9 4. I make this Declaration in support of Petitioner's Petition for Temporary Restraining  
10 Order and Workplace Violence Restraining Order.

1           5.     As the Deputy Director Administration, I am responsible for overseeing the  
2 Administration Division (Human Resources, Finance and IT).

3           6.     On April 8, 2019, Kylee Soares and I met with Chairperson Costamagna to discuss  
4 our concerns regarding Respondents misuse of Center funds. We met with Chairperson  
5 Costamagna off Center property as we believed that the nature of our conversation was highly  
6 confidential. Given the serious nature of our conversation, I was emotional and expressed to  
7 Chairperson Costamagna that I was concerned for my safety of the Respondent and of my own as  
8 I knew that Respondent owned guns.

9           7.     After meeting with Chairperson Costamagna on April 8, 2019, I had a conversation  
10 with Respondent. During our conversation Respondent appeared to be emotionally charged – he  
11 was crying and very upset. Respondent shared that one of his friend's sons was a victim of a  
12 suspicious death. He also made comments the effect of:

- 13                 • "I have an arsenal at my house"
- 14                 • "There is such a thing as vigilante justice"
- 15                 • "It will be on like donkey kong"
- 16                 • "If I could pack a gun I would"

17           8.     I have also noticed during the past week that Respondent has become increasingly  
18 more frustrated with me.

19           9.     During this past week one our finance staff members expressed concern that  
20 Respondent may commit a "murder-suicide". The staff member was also concerned for her safety  
21 and of our staffs' safety.

22           10.    A second staff member in tears was concerned about our staffs' safety due to the  
23 Respondents regular conversations about his military experience.

24           11.    A third staff member, who has worked with the Respondent for nineteen years,  
25 became fearful for her safety and expressed her concern of how we would be able to keep safe  
26 knowing he had guns and how quick to anger he is.

27           12.    On April 9, 2019, I called Sutter EAP to schedule an emergency critical incident  
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1 debriefing with a clinician for the Respondent. This action was taken as an order from Chairperson  
2 Costamagna. My fellow Deputy Director, Kylee Soares, followed the Respondent to this  
3 emergency debriefing to ensure he arrived.

4 13. Given Respondent's mental instability and his comments regarding possessing an  
5 arsenal and vigilante justice, I am fearful for my safety and for the safety of staff members working  
6 at the Center.

7 I declare under penalty of perjury of the laws of the State of California that the foregoing is  
8 true and correct.

9 Executed on the 13th day of April, 2019 at Oakdale, California

10  
11 Sherrill Diane House  
Sherrill Diane House

Lindsay K. Moore, State Bar No. 244422  
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Attorneys for  
**SACRAMENTO REGIONAL PUBLIC SAFETY  
COMMUNICATIONS CENTER**

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
SACRAMENTO COUNTY**

**SACRAMENTO REGIONAL PUBLIC  
SAFETY COMMUNICATIONS  
CENTER,**

Petitioner,

vs.

**JOSEPH THUESEN,**

Respondent.

) **DECLARATION OF KYLEE**  
) **SOARES IN SUPPORT OF REQUEST**  
) **FOR TEMPORARY RESTRAINING**  
) **ORDER AND WORKPLACE**  
) **VIOLENCE RESTRAINING ORDER**

I, Kylee Soares, declare as follows:

1. I am over the age of eighteen years. I have personal knowledge of each fact stated in this declaration, except where such matters are stated to be made upon information and belief, and as to those matters, I believe them to be true. If called by a court of law, I could and would competently testify to the facts set forth herein.

2. I am Deputy Director of Operations for Petitioner Sacramento Regional Public Safety Communications Center ("Center").

3. My business address is 10230 Systems Parkway, Sacramento, CA 95827.

4. I make this Declaration in support of Petitioner's Petition for Temporary Restraining Order and Workplace Violence Restraining Order.

1           5.     As the Deputy Director of Operations, I oversee the operations of the Center. I have  
2     been employed by the Center since December 2, 1996.

3           6.     On April 8, 2019, Deputy Director House and I met with Chairperson Costamagna  
4     to discuss our concerns regarding Respondents misuse of Center funds. We met with Chairperson  
5     Costamagna off Center property, as we believed that the nature of our conversation was highly  
6     confidential.

7           7.     I have worked with Respondent for over 19 years. Respondent selected me last year  
8     to serve as the Deputy Director of Operations.

9           8.     At this time, I believe Respondent is emotionally charged, due to many internal and  
10    external factors.

11          9.     On April 9, 2019, I was directed by Chief Costamagna to ensure that Respondent  
12    attended a counseling session given our concerns with Respondent's emotional instability, due to  
13    external factors. Respondent openly expressed that he was unhappy and was visibly annoyed that  
14    I followed Chief Costamagna's directive.

15          10.    On April 11, 2019, Respondent expressed that he is frustrated with Deputy Director  
16    House and me.

17          11.    Respondent has been open about owning guns, and I understand that on April 8,  
18    2019, he made comments to Ms. House when talking about his friend's son's suspicious death that  
19    have increased my concerns:

- 20               •    "I have an arsenal at my house"
- 21               •    "There is such a thing as vigilante justice"
- 22               •    "It will be on like 'Donkey Kong'"

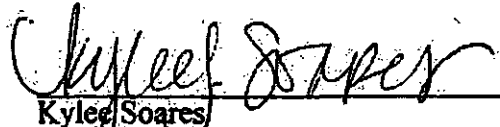
23          12.    One finance member has expressed to me that she fears Respondent will commit a  
24    "murder-suicide". At a separate time, she also asked about establishing safety precautions for  
25    Center personnel.

26          13.    Given Respondent's mental instability and his comments regarding possessing an  
27    arsenal and vigilante justice, I am concerned for the safety of staff members working at the Center.



1 I declare under penalty of perjury of the laws of the State of California that the foregoing is  
2 true and correct.

3 Executed on the 14th day of April, 2019 at Elk Grove, California

4   
5 Kylee Soares  
6  
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SHORT TITLE:

SRPSCC v. Thuesen

CASE NUMBER:

ATTACHMENT (Number): 8c

(This Attachment may be used with any Judicial Council form.)

On April 8, 2019:

\*Two Sacramento Regional Public Safety Communications Center ("Center") employees met with Chairperson Costamagna to address concerns with Respondent's possible misuse of Center funds. During the meeting, the Center employees shared with Chairperson Costamagna that they were in fear for their safety if Respondent knew they made the reports. Both Center employees knew that Respondent owned firearms.

\* One of the reporting Center employees had a conversation with Respondent later the same day regarding a personal matter involving the suspicious death of Respondent's friend's son. During the conversation Respondent was emotional and crying. Respondent also stated something to the effect of:

- " I have an arsenal at home "
- " It will be on like Donkey Kong "
- " There is such a thing as vigilante justice "
- " If I could pack a gun, I would "

On April 9, 2019:

\*Chairperson Costamagna met with Respondent for a previously scheduled meeting. During the meeting, Respondent was very upset and fixated on the suspicious death of his friend's son. Chairperson Costamagna was concerned about Respondent and how emotionally charged he was, so he directed Respondent to attend a counseling session.

\*Center employee, Kylee Soares was also directed by Chairperson Costamagna to go with Respondent to the counseling session to ensure that Respondent complied with the directive. Respondent later expressed frustration with Ms. Soares for following Chairperson Costamagna's directive.

On April 11, 2019:

\*Chairperson Costamagna was informed that a Center finance employee expressed concern about Respondent committing a " murder-suicide " .

\*Another Center employee who has worked with Respondent for over nineteen years also expressed fear and concern about keeping Center employees safe.

On April 12, 2019:

\*Respondent was placed on paid administrative leave pending an investigation and informed of a Special Board Meeting scheduled for April 17, 2019.

\*When Respondent received this notice, he:

- wanted to know why and what reports were made
- expressed questions about why he can't keep working
- shifted his demeanor from sad to angry
- walked off Center property and commented to Chairperson Costamagna something to the effect of "I'm off property now".

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Page \_\_\_\_\_ of \_\_\_\_\_

(Add pages as required)

Clerk stamps date here when form is filed.

**1 Petitioner (Employer)**

a. Name: Sacramento Regional Public Safety Communications Ctr  
 Lawyer for Petitioner (if any for this case):  
 Name: Lindsay K. Moore State Bar No.: 24422  
 Firm Name: Kingsley Bogard LLP

b. Address (If you have a lawyer, give your lawyer's information.):

Address: 600 Coolidge Drive, Suite 160  
 City: Folsom State: CA Zip: 95630  
 Telephone: 916-932-2500 Fax: 916-932-2510  
 E-Mail Address: lmoore@kblegal.us

Fill in court name and street address:

**Superior Court of California, County of Sacramento**  
 Gordon D. Schaber Sacramento County Courthouse  
 720 9th Street  
 Sacramento, CA 95814

Fill in case number:

Case Number  
**34 2019 70005543**

**2 Employee in Need of Protection**

Full Name: Chris Costamagna

**3 Respondent (Person From Whom Protection Is Sought)**

Full Name: Joseph B. Thuesen

*The court will complete the rest of this form.*

**4 Notice of Hearing**

**A court hearing is scheduled on the request for restraining orders against the respondent:**

Hearing Date	→ Date: <u>MAY 10 2019</u>	Time: <u>8:30</u>	Name and address of court if different from above:
	Dept.: <u>1</u>	Room: _____	

**5 Temporary Restraining Orders** (Any orders granted are on Form WV-110, served with this notice.)

a. Temporary Restraining Orders for personal conduct and stay away orders as requested in Form WV-100, Request for Workplace Violence Restraining Orders, are (check only one box below):

- (1) ☐ All **GRANTED** until the court hearing.  
 (2) ☐ All **DENIED** until the court hearing. (Specify reasons for denial in b, below.)  
 (3) ☐ Partly **GRANTED** and partly **DENIED** until the court hearing. (Specify reasons for denial in b, below.)

Case Number:

b. Reasons that Temporary Restraining Orders as requested in Form WV-100, *Petition for Workplace Violence Restraining Orders*, for personal conduct or stay away are denied are:

- (1) ☐ The facts as stated in Form WV-100 do not sufficiently show reasonable proof that the employee has suffered unlawful violence or a credible threat of violence by the respondent, and that great or irreparable harm to the employee would result if a temporary restraining order is not issued.
- (2) ☐ Other (specify): ☐ As stated on Attachment 5b.

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**6 Service of Documents by the Petitioner**

At least ☐ five ☐ \_\_\_\_\_ days before the hearing, someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court file-stamped copy of this Form WV-109, *Notice of Court Hearing*, to the respondent along with a copy of all the forms indicated below:

- a. WV-100, *Petition for Workplace Violence Restraining Orders* (file-stamped)
- b. ☐ WV-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**
- c. WV-120, *Response to Petition for Workplace Violence Restraining Orders* (blank form)
- d. WV-120-INFO, *How Can I Respond to a Petition for Workplace Violence Restraining Orders?*
- e. WV-250, *Proof of Service of Response by Mail* (blank form)
- f. ☐ Other (specify): \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer

**To the Petitioner:**

- The court cannot make the restraining orders after the court hearing unless the respondent has been personally given (served) a copy of your request and any temporary orders. To show that the respondent has been served, the person who served the forms must fill out a proof of service form. Form WV-200, *Proof of Personal Service*, may be used.
- For information about service, read Form WV-200-INFO, *What Is "Proof of Personal Service"?*
- If you are unable to serve the respondent in time, you may ask for more time to serve the documents. Use Form WV-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*.



Case Number:

## To the Respondent

- If you want to respond to the request for orders in writing, file Form WV-120, *Response to Request for Workplace Violence Restraining Orders*, and have someone age 18 or older—**not you or anyone to be protected**—mail it to the petitioner.
- The person who mailed the form must fill out a proof of service form. Form WV-250, *Proof of Service of Response by Mail*, may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to three years and may order you to sell or turn in any firearms that you own or possess.**



### Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons with Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

### —Clerk's Certificate—

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

*Clerk's Certificate*

[seal]

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

Clerk stamps date here when form is filed.

**1 Petitioner (Employer)**a. Name: Sacramento Regional Public Safety Communications Center

Lawyer for Petitioner (if any, for this case):

Name: Lindsay K. Moore State Bar No.: 24422Firm Name: Kingsley Bogard LLP

b. Your Address (If you have a lawyer, give your lawyer's information.):

Address: 600 Coolidge Drive, Suite 160City: Folsom State: CA Zip: 95630Telephone: 916-932-2500 Fax: 916-932-2510E-Mail Address: lmoore@kblegal.us

Fill in court name and street address:

**Superior Court of California, County of Sacramento**  
 Gordon B. Schaber Sacramento County Courthouse  
 720 Ninth Street  
 Sacramento, CA 95814

Court fills in case number when form is filed.

Case Number:

**34 2019 70005543****2 Employee (Protected Person)**Full Name: Chris Costamagna**3 Respondent (Restrained Person)**Full Name: Joseph B. Thuesen

Description:

Sex: ☒ M ☐ F Height: 5'9" Weight: 240 Date of Birth: 10/23/1972  
 Hair Color: Brown Eye Color: Blue Age: 46 Race: Caucasian  
 Home Address (if known): 3173 Oakwood Road  
 City: Cameron Park State: CA Zip: 95658  
 Relationship to Employee: Employee supervises Respondent

**4 ☒ Additional Protected Persons**

In addition to the employee, the following family or household members or other employees are protected by the temporary orders indicated below:

Full Name	Sex	Age	Household Member?	Relation to Employee
<u>Diane House</u>	<u>F</u>	<u>53</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Co-Worker</u>
<u>Kylee Soares</u>	<u>F</u>	<u>43</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Co-Worker</u>
			<input type="checkbox"/> Yes <input type="checkbox"/> No	

☐ Additional protected persons are listed at the end of this Order on Attachment 4.**5 Expiration Date**

This Order expires at the end of the hearing scheduled for the date and time below:

Date: MAY 10 2019 Time: 8:30 ☒ a.m. ☐ p.m.

**This is a Court Order.**

**To the Respondent:**

The court has issued the temporary orders checked as granted below. If you do not obey these orders, you can be arrested and charged with a crime. You may have to go to jail for up to one year, pay a fine of up to \$1,000, or both.

**6 Personal Conduct Orders**

☐ Not Requested    ☐ Denied Until the Hearing    ☐ Granted as Follows:

a. You are ordered **not** do the following things to the employee

☐ and to the other protected persons listed in **(4)**:

- (1) ☐ Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.
- (2) ☐ Commit acts of violence or make threats of violence against the person.
- (3) ☐ Follow or stalk the person during work hours or to or from the place of work.
- (4) ☐ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, or by other electronic means.
- (5) ☐ Enter the workplace of the person.
- (6) ☐ Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) ☐ Other (*specify*):  
☐ Other personal conduct orders are attached at the end of this Order on Attachment 6a(7).

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b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. However, you may have your papers served by mail on the petitioner.

**7 Stay-Away Order**

☐ Not Requested    ☐ Denied Until the Hearing    ☐ Granted as Follows:

a. You **must** stay at least \_\_\_\_\_ yards away from (*check all that apply*):

- |   |  |
|---|--|
| (1) <input type="checkbox"/> The employee                                     | (7) <input type="checkbox"/> The employee's children's place of child care |
| (2) <input type="checkbox"/> Each other-protected person listed in <b>(4)</b> | (8) <input type="checkbox"/> The employee's vehicle                        |
| (3) <input type="checkbox"/> The employee's workplace                         | (9) <input type="checkbox"/> Other ( <i>specify</i> ):                     |
| (4) <input type="checkbox"/> The employee's home                              | _____  |
| (5) <input type="checkbox"/> The employee's school                            | _____  |
| (6) <input type="checkbox"/> The employee's children's school                 | _____  |

b. This stay-away order does not prevent you from going to or from your home or place of employment.

**This is a Court Order.**

**8 No Guns or Other Firearms and Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- (1) Sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
  - (2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. *(You may use form WV-800, Proof of Firearms Turned In, Sold, or Stored for the receipt.)*
- c. ☐ The court has received information that you own or possess a firearm.

**9 Other Orders**

- ☐ Not Requested    ☐ Denied Until the Hearing    ☐ Granted as Follows (specify):
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

- ☐ Additional orders are attached at the end of this Order on Attachment 9.

**To the Petitioner:****10 Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). *(Check one):*

- a. ☐ The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. ☒ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c. ☐ By the close of business on the date that this Order is made, the employer or the employer's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agencies listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

\_\_\_\_\_

\_\_\_\_\_

- ☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 10.

**11 No Fee to Serve (Notify) Restrained Person    ☐ Ordered    ☐ Not Ordered**

The sheriff or marshal will serve this Order without charge because:

- a. ☐ The Order is based on a credible threat of violence or stalking.
- b. ☐ The petitioner is entitled to a fee waiver.

**This is a Court Order.**





Case Number: \_\_\_\_\_

⑫ Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

Judicial Officer \_\_\_\_\_

### Warnings and Notices to the Restrained Person in ②

#### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item ⑧ above. The court will require you to prove that you did so.

#### Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and form WV-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item ③.

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

#### After You Have Been Served With a Restraining Order

- Obey all the orders. Any intentional violation of this Order is a misdemeanor punishable by a fine or by imprisonment in a county jail, or by both fine and imprisonment. (Pen. Code, § 273.6.)
- Read form WV-120-INFO, *How Can I Respond to a Petition for Orders to Stop Workplace Violence?*, to learn how to respond to this Order.
- If you want to respond, fill out form WV-120, *Response to Petition for Workplace Violence Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the petition claims that you threatened violence against or stalked the employee, or placed the employee in reasonable fear of violence.
- You must have form WV-120 served on the petitioner or the petitioner's attorney by mail. You cannot do this yourself. The person who does the service should complete and sign form WV-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms). If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to three years. Tell the judge why you disagree with the orders requested.

**This is a Court Order.**



Case Number:

## Instructions for Law Enforcement

### Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). Agencies are encouraged to enter violation messages into CARPOS. If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

### Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item 5 on page 1.

### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

### Conflicting Orders—Priorities for Enforcement

**If more than one restraining order has been issued, the orders must be enforced according to the following priorities:** (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate  
[seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_ Deputy

**This is a Court Order.**

**Workplace Violence Restraining  
Order After Hearing**
*Clerk stamps date here when form is filed.*
*Fill in court name and street address:*

**Superior Court of California, County of  
Sacramento**  
Gordon D. Schaber Sacramento County  
Courthouse  
720 9th Street  
Sacramento, CA 95814

*Court fills in case number when form is filed.*
**Case Number:**
**34 2019 70005543**
**1 Petitioner (Employer)**

a. Name: Sacramento Regional Public Safety Communications Center

Lawyer for Petitioner (if any, for this case)

Name: Lindsay K. Moore State Bar No.: 24422

Firm Name: Kingsley Bogard LLP

b. Your Address (If you have a lawyer, give your lawyer's information.)

Address: 600 Coolidge Drive, Suite 160

City: Folsom State: CA Zip: 95630

Telephone: 916-932-2500 Fax: 916-932-2510

E-Mail Address: lmoore@kblegal.us
**2 Employee (Protected Person)**

Full Name: Chris Costamagna
**3 Respondent (Restrained Person)**

Full Name: Joseph B. Thuesen

Description

Sex: ☒ M ☐ F Height: 5'9" Weight: 240 Date of Birth: 10/23/1972

Hair Color: Brown Eye Color: Blue Age: 46 Race: Caucasian

Home Address (if known): 3173 Oakwood Road

City: Cameron Park State: CA Zip: 95682

Relationship to Employee: Employee supervises Respondent
**4 ☒ Additional Protected Persons**

In addition to the student, the following family or household members or other students are protected by the temporary orders indicated below:

Full Name	Sex	Age	Household Member?	Relation to employee
<u>Diane House</u>	<u>F</u>	<u>53</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Co-Worker</u>
<u>Kylee Soares</u>	<u>F</u>	<u>43</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Co-Worker</u>
			<input type="checkbox"/> Yes <input type="checkbox"/> No	

☒ Additional protected persons are listed at the end of this Order on Attachment 4.

**5 Expiration Date**

This Order, except for any award of lawyer's fees, expires at

Date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

If no expiration date is written here, this Order expires three years from the date of issuance.

**This is a Court Order.**


**6 Hearing**

- a. There was a hearing on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
(Name of judicial officer): \_\_\_\_\_ made the orders at the hearing.
- b. These people were at the hearing:
- (1) ☐ The petitioner/employer (name): \_\_\_\_\_
- (2) ☐ The lawyer for the petitioner/employer (name): \_\_\_\_\_
- (3) ☐ The employee (4) ☐ The lawyer for the employee (name): \_\_\_\_\_
- (5) ☐ The respondent (6) ☐ The lawyer for the respondent (name): \_\_\_\_\_
- ☐ Additional persons present are listed at the end of this Order on Attachment 6b.
- c. ☐ The hearing is continued. The parties must return to court on (date): \_\_\_\_\_ at (time): \_\_\_\_\_.

**To the Respondent:**

The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

**7 Personal Conduct Orders**

- a. You are ordered **not** do the following things to the employee  
☐ and to the other protected persons listed in (4):
- (1) ☐ Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.
- (2) ☐ Commit acts of violence or make threats of violence against the person.
- (3) ☐ Follow or stalk the person during work hours or to or from the place of work.
- (4) ☐ Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- (5) ☐ Enter the person's workplace.
- (6) ☐ Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) ☐ Other (specify): \_\_\_\_\_  
☐ Other personal conduct orders are attached at the end of this Order on Attachment 7a(7).
- \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

**This is a Court Order.**

**8 Stay-Away Orders**

a. You must stay at least \_\_\_\_\_ yards away from (check all that apply):

- (1) ☐ The employee. (7) ☐ The employee's children's place of child care.  
 (2) ☐ Each other protected person listed in (4). (8) ☐ The employee's vehicle.  
 (3) ☐ The employee's workplace. (9) ☐ Other (specify): \_\_\_\_\_  
 (4) ☐ The employee's home. \_\_\_\_\_  
 (5) ☐ The employee's school. \_\_\_\_\_  
 (6) ☐ The employee's children's school. \_\_\_\_\_

b. This stay-away order does not prevent you from going to or from your home or place of employment.

**9 No Guns or Other Firearms and Ammunition**

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

b. If you have not already done so, you must:

- (1) Sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.  
 (2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns have been turned in, sold, or stored. (You may use form WV-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)

c. ☐ The court has received information that you own or possess a firearm.d. ☐ The court has made the necessary findings and applies the firearm relinquishment exemption under Code of Civil Procedure section 527.9(f). Under California law, the respondent is not required to relinquish this firearm (specify make, model, and serial number of firearm(s)): \_\_\_\_\_

The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the respondent may be subject to federal prosecution for possessing or controlling a firearm.

**10 ☐ Costs**

You must pay the following amounts for costs to the petitioner:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

☐ Additional amounts are attached at the end of this Order on Attachment 10.**This is a Court Order.**

Case Number: \_\_\_\_\_

**11** ☐ **Other Orders** (*specify*):

☐ Additional orders are attached at the end of this Order on Attachment 11.

**To the Person in 1:**

**12** **Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (*Check one*):

- a. ☐ The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. ☒ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c. ☐ By the close of business on the date that this Order is made, the petitioner or the petitioner's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 12.

**13** **Service of Order on Respondent**

- a. ☐ The respondent personally attended the hearing. No other proof of service is needed.
- b. ☐ The respondent did not attend the hearing.
- (1) ☐ Proof of service of form WV-110, *Temporary Restraining Order*, was presented to the court. The judge's orders in this form are the same as in form WV-110 except for the expiration date. The respondent must be served with this Order. Service may be by mail.
- (2) ☐ The judge's orders in this form are different from the temporary restraining orders in form WV-110. Someone—but not the petitioner or anyone protected by this order—must personally serve a copy of this Order on the respondent.

**14** **No Fee to Serve (Notify) Restrained Person**

The sheriff or marshal will serve this Order without charge because the Order is based on a credible threat of violence or stalking.

**15** Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

  
Judicial Officer

**This is a Court Order.**



**Warning and Notice to the Respondent:****You Cannot Have Guns or Firearms**

Unless item 9d is checked, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item ⑨. The court will require you to prove that you did so.

**Instructions for Law Enforcement****Enforcing the Restraining Order**

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). Agencies are encouraged to enter violation messages into CARPOS. If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

**Start Date and End Date of Orders**

This Order *starts* on the date next to the judge's signature on page 4 and *ends* on the expiration date in item ⑤ on page 1.

**If the Protected Person Contacts the Restrained Person**

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

**Conflicting Orders—Priorities for Enforcement**

**If more than one restraining order has been issued, the orders must be enforced according to the following priorities:** (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

**This is a Court Order.**

Case Number: \_\_\_\_\_

*Clerk's Certificate*  
*[seal]*

*(Clerk will fill out this part.)*

**—Clerk's Certificate—**

I certify that this *Workplace Violence Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

Revised January 1, 2019

**Workplace Violence  
Restraining Order After Hearing (CLETS—WHO)  
(Workplace Violence Prevention)**

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