

**Workplace Violence Restraining
Order After Hearing**

Clerk stamps date here when form is filed.

FILED
SAN MATEO COUNTY**JUN 13 2022****Clerk of the Superior Court**By 

DEPUTY CLERK

Fill in court name and street address:

**Superior Court of California, County of
San Mateo**
400 County Center
Redwood City, CA 94063

Court fills in case number when form is filed.

Case Number:

22CIV02084

1 Petitioner (Employer)a. Name: Unity Care Group

Lawyer for Petitioner (if any, for this case)

Name: Rona P. LaytonState Bar No.: 121238Firm Name: Layton Law Firm

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

Address: 111 N. Market Street, Suite 300City: San JoseState: CA Zip: 95113Telephone: 408-892-9870Fax: 408-332-5857E-Mail Address: rlayton@laytonlawfirm.com**2 Employee (Protected Person)**Full Name: Francesco Delgado**3 Respondent (Restrained Person)**Full Name: Geoffrey Edevane

Description

Sex: ☒ M ☐ F Height: 5'7" Weight: 190 Date of Birth: 10/10/1988Hair Color: Brown Eye Color: Green Age: 34 Race: CaucasianHome Address (if known): 1958 Redwood DriveCity: MartinezState: CA Zip: 94553Relationship to Employee: Protected Employee was Respondent's supervisor**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
Tina Vermeulen	F	35	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Co-worker
			<input type="checkbox"/> Yes <input type="checkbox"/> No	
			<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: 6/13/2025 Time: midnight ☐ 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): 6/13/2022 at (time): 9:00 a.m. in Dept.: _____ Room: 2A B
(Name of judicial officer): Hon. Leland Davis, III Susan L. Greenberg made the orders at the hearing.
- b. These people were at the hearing:
- (1) ☒ The petitioner/employer (name): Unity Care Group
- (2) ☒ The lawyer for the petitioner/employer (name): Rona P. Layton
- (3) ☒ The employee (4) ☒ The lawyer for the employee (name): Rona P. Layton
- (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 100 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*):
Petitioner's Administrative Office at 1400 Parkmoor Ave., San Jose, CA 95126
(Employee's workplace is 403 West Orange Ave., South San Francisco, CA)
- 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.



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)

South San Francisco Police Department

☐ 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.

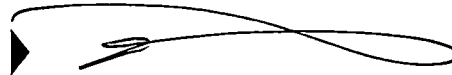
14 **No Fee to Serve (Notify) Restrained Person**

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:

1
Respondent is ordered to provide proof of firearm relinquishment to this court on 6-20-22 at 9am in accordance with paragraph 9 of this order.

Date: 6-13-22


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.



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.

SHORT TITLE:

— Unity Care Group v. Edevane

CASE NUMBER:

22CIV02084

1 Attachment 6b

2 Tina Vermeulen (Additional Protected Person) also was present and represented by Rona Layton.

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26 (Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, **not** line numbers):

27

This page may be used with any Judicial Council form or any other paper filed with the court.

Page _____

Case Information

MSN12-1681 | FIRKINS VS EDEVANE

Case Number	Court	
MSN12-1681	CV - Martinez-Wakefield Taylor	
	Courthouse	
File Date	Case Type	Case Status
10/24/2012	Civil Harassment	Closed

Party

Restrained Person/Respondent
EDEVANE, GEOFFREY

Protected Party
MLECZKO, YVONNE

Active Attorneys ▼
Pro Se

Plaintiff/Petitioner
FIRKINS, JAMES

Active Attorneys ▼
Pro Se

Events and Hearings

10/24/2012 Petition to prevent Civil Harrassment ▼

Comment

PETITION OF JAMES FIRKINS FOR INJUNCTION PROHIBITING HARASSMENT AND APPLICATION FOR TRO FILED

10/24/2012 Notice of/to: ▼

<div>Comment</div> <div>NOTICE OF/TO COURT HEARING FILED BY FIRKINS, JAMES</div>
<div>10/24/2012 Order to Show Cause ▼</div> <div><div>Comment</div><div>OSC RE: HARASSMENT AND TRO FILED BY JAMES FIRKINS</div></div>
<div>10/24/2012 Temporary Restraining Order (CLETS-TRO) Filed ▼</div> <div><div>Comment</div><div>TEMPORARY RESTRAINING ORDER FILED</div></div>
<div>10/24/2012 Hearing set for: ▼</div> <div><div>Comment</div><div>Hearing on Osc/Tro Civil Harassment was set for 11/14/12 at 13:00 in dept. 54</div></div>
<div>11/01/2012 Civil Harassment Proof of Personal Service Filed ▼</div> <div><div>Comment</div><div>(CIVIL HARASSMENT) PROOF OF PERSONAL SERVICE FILED ON Complaint/Petition AS TO EDEVANE, GEOFFREY , WITH SERVICE DATE OF 10/27/12 0000000000000000.del.+</div></div>
<div>11/14/2012 *Request for Order: Harassment ▼</div> <div><div>Original Type</div><div>*Request for Order: Harassment</div><div>Hearing Time</div><div>01:00 PM</div><div>Result</div><div>Granted</div><div>Comment</div><div>JAMES FIRKINS+</div></div>
<div>11/14/2012 Order After Hearing ▼</div> <div><div>Comment</div><div>ORDER AFTER HEARING ON PETITION FOR INJUNCTION PROHIBITING HARASSMENT FILED; PROTECTED PERSON: 0001-0003/ ORDER EXPIRES: 11/13/13</div></div>