

1 VISTA, CALIFORNIA, FRIDAY, 3-9-2012; 1:30 P.M.

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3 (THE FOLLOWING PROCEEDINGS WERE HELD IN OPEN COURT.)

4 THE COURT: LET'S HEAR THE SHAPIRO VERSUS CITY  
5 OF CARLSBAD MATTER.

6 APPEARANCES, PLEASE.

7 MR. GAZZO: GOOD AFTERNOON, YOUR HONOR. SAMUEL  
8 GAZZO FOR DEFENDANTS.

9 MR. SHAPIRO: RICHARD SHAPIRO FOR PLAINTIFF.

10 THE COURT: OKAY. START WITH MR. SHAPIRO, AND 01:50PM  
11 LET ME OBSERVE TO YOU, SIR, THAT IT'S APPARENT THAT  
12 YOU REVERTED BACK TO YOUR ORIGINAL CONDUCT, WHICH I  
13 PREVIOUSLY INFORMED YOU I FOUND CONTEMPTUOUS. IT IS  
14 UNACCEPTABLE. AND I WON'T TOLERATE IT.

15 SO KNOW THIS: YOU WILL NOT ARGUE USING  
16 THAT LANGUAGE. YOU WILL NOT. IF THAT'S THE ONLY  
17 WAY YOU CAN ARGUE, THEN YOU CAN ARGUE OUTSIDE. YOU  
18 WON'T ARGUE THAT WAY HERE.

19 TWO, IF YOU FILE PAPERS WITH THAT SAME LACK  
20 OF RESPECT FOR THE CIVILITY OF THIS COURT, THEY 01:50PM  
21 WON'T BE READ. AND SOME OF YOURS WERE NOT AND WON'T  
22 BE EVER. THEY ARE INSULTING.

23 HAVING SAID THAT, I HAVE NOW READ  
24 EVERYTHING. I UNDERSTAND THE ISSUES, AND I'M QUITE  
25 PREPARED TO RULE. IF YOU WISH TO MAKE AN ARGUMENT,  
26 NOW IS THE TIME.

27 MR. SHAPIRO: WHENEVER I CAN SPEAK.

28 THE COURT: NOW.

1       **MR. SHAPIRO:** I HAVE ZERO RESPECT FOR THIS COURT  
2       SYSTEM IN CALIFORNIA, THE PEOPLE THAT RUN IT. IT'S  
3       DESPICABLE.

4       **THE COURT:** I WANT TO TALK ABOUT THE MERITS OF  
5       THE MOTION. I DON'T NEED A LECTURE.

6                       **[OVERLAPPING SPEECH.]**

7       **MR. SHAPIRO:** I'M JUST ANSWERING YOUR THINGS.

8       **THE COURT:** NO, I DON'T NEED A LECTURE. THAT'S  
9       OVER. THAT'S NOT A DISCUSSION. WE'RE NOT GOING TO  
10      HAVE A DEBATE ABOUT HOW YOU ADDRESS THE COURT.           01:51PM

11      **MR. SHAPIRO:** I DON'T KNOW HOW YOU'RE TALKING.  
12      I DON'T KNOW WHAT YOU MEAN.

13      **THE COURT:** YOU DON'T KNOW WHAT THE ISSUES ARE  
14      THAT YOU'RE HERE FOR.

15      **MR. SHAPIRO:** I DON'T KNOW THE ISSUES THAT  
16      YOU'RE GIVING ME SOME ADMONISHMENT ABOUT --

17      **THE COURT:** YOU DON'T.

18      **MR. SHAPIRO:** I'M SPEAKING MY MIND WHERE MY  
19      EX-WIFE CAME IN AN DID A PERJURY, AND SHE WAS  
20      PROTECTED TO WHERE THE ATTORNEY'S PROBABLY GOING TO   01:51PM  
21      GET \$40,000 IN SLAPP MOTION FEES WHEN I COME IN HERE  
22      AND SAY EXACTLY WHAT I MEAN AND THE WORDS THAT I  
23      DEEPLY AND NEED AND IS NECESSARY TO SPEAK THE TRUTH.  
24      AND YOU TAKE IT AS INSULT. YOU CAN SAY ANYTHING YOU  
25      WANT TO ME. HE CAN SAY ANYTHING HE WANTS TO ME.  
26      THE SHERIFF, ANYBODY CAN SAY, AND IT DOESN'T PHASE  
27      ME IN THE SLIGHTEST. TRUTH IS THE ONLY THING THAT  
28      NEEDS TO BE RESPECTED. PERIOD.

1 THE COURT: OKAY.

2 WISH TO RESPOND, COUNSEL.

3 MR. GAZZO: YOUR HONOR, ARE THERE ANY ISSUES IN  
4 THE TENTATIVE --

5 THE COURT: NO, CERTAINLY NONE. I UNDERSTAND  
6 WHAT'S GOING ON. I UNDERSTAND THE ISSUES. I  
7 COMPLETELY UNDERSTAND THEM, AND I WILL RULE WITHIN  
8 THE WEEK NEXT.

9 MR. GAZZO: WE SUBMIT ON THE PAPERS, YOUR HONOR.

10 THE COURT: ALL RIGHT. 01:52PM

11 MR. SHAPIRO: YOU WANT ME TO TALK ABOUT THE  
12 CASE?

13 THE COURT: THAT'S KIND OF WHAT I INVITED YOU TO  
14 DO INITIALLY.

15 MR. SHAPIRO: YOUR FIRST INSTANCE WAS ABOUT ME.

16 THE COURT: YOU WANT TO TALK ABOUT THE ISSUES OF  
17 THIS CASE, IF YOU DO, NOW IS THE HOUR FOR A FEW  
18 MINUTES.

19 MR. SHAPIRO: SURE. THIS GOES TO THE HEART OF  
20 WHETHER OR NOT WE HAVE FREE SPEECH IN THIS COUNTRY. 01:52PM  
21 IF THERE ARE CERTAIN WORDS THAT ARE ILLEGAL, LET'S  
22 STAMP THEM ILLEGAL. I'M SICK AND TIRED OF A COURT  
23 SYSTEM AND A GOVERNMENT THAT PROFESSES THAT WE ARE  
24 THE BEST FREEST COUNTRY IN THE WORLD AND WE CAN'T  
25 EVEN SPEAK OUR MINDS.

26 THE COURT: I THOUGHT YOU WERE GOING TO TALK  
27 ABOUT THE ISSUES.

28 MR. SHAPIRO: I'M TALKING ABOUT THE CITY

1 COUNSEL, WHERE I GO IN THERE AND I SAY THE WORD  
2 BULLSHIT. WHAT'S WRONG WITH THAT WHEN THAT'S  
3 EXACTLY WHAT IT IS. THAT'S THE MOST APPROPRIATE  
4 WORD FOR WHAT'S GOING ON THERE AND WHAT'S GOING ON  
5 HERE.

6 AND I SAY EVEN PUSILLANIMOUS,  
7 PUSILLANIMOUS, THAT'S ACTUALLY AN ACADEMIC HIGH  
8 MUCKY-MUCK WORD, AND THE MAYOR TAKES IT WRONG AND  
9 HEARS PUSSY IN THERE. AND WHEN I DID SAY "PUSSY," I  
10 MEANT COWARD. AND ALL THESE WORDS HAVE ABSOLUTE 01:53PM  
11 PROFOUND MEANINGS, AND THAT'S WHY WE ARE JUST  
12 PRIMITIVE, INSANE, NASTY LITTLE MONKEYS AS PEOPLE  
13 RUNNING THIS GOVERNMENT, AND THE PEOPLE ON THE  
14 PUBLIC THAT ARE SO CRAVEN THAT DON'T HAVE THE  
15 SLIGHTEST GUTS TO STAND UP TO PEOPLE THAT WEAR A  
16 UNIFORM AND THEN SUDDENLY WE'RE SUPPOSED TO TREAT  
17 YOU LIKE GODS. AIN'T HAPPENING.

18 SO THIS IS WHAT THIS IS ABOUT IN THE CITY  
19 COUNSEL. DO I HAVE A RIGHT TO GO THERE, SPEAK  
20 WITHIN THE JURISDICTION MATTER OF THE CITY, NOT BE 01:53PM  
21 REPETITIOUS AND NOT BE -- OR NOT BE REDUNDANT, AND  
22 WHAT WAS THE OTHER THING, AND LEAVE WITH MY THREE  
23 MINUTES. THERE'S NOT A SINGLE TIME EVER IN SEVEN  
24 YEARS THEY CAN POINT. THEY LIE, THEY DISTORT. IT'S  
25 ENDLESS. AND YOU'LL RULE THAT, OH, MR. SHAPIRO WAS  
26 RUDE, YOU'LL PUT IT IN YOUR OWN WORDS, I'M SURE.

27 BUT I JUST WANTED THE ANSWER FROM THE  
28 HORSE'S MOUTH, SO YOU RULE THE WAY YOU WANT TO, AND

1 WE'LL GET DOWN TO BRASS TACKS WHAT FREE SPEECH  
2 REALLY MEANS IN THIS COUNTRY, BECAUSE AS FAR AS I  
3 KNOW, IT DOESN'T MEAN DIDDLY SQUAT OTHER THAN  
4 [MR. SHAPIRO POUNDING HIS CHEST] AT JULY 4TH AND AT  
5 EVER OTHER TIME. DONE.

6 THE COURT: OKAY. THANK YOU FOR THAT.

7 MR. SHAPIRO: YOU'RE WELCOME.

8 THE COURT: YOU WILL HEAR FROM ME SOON.

9 I'LL TAKE THE CASE UNDER SUBMISSION AND  
10 RULE ON IT NEXT WEEK.

01:54PM

11 (PROCEEDINGS ADJOURNED.)

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1 APPEARANCES:

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3 FOR THE PLAINTIFF:

IN PROPRIA PERSONA

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FOR THE DEFENDANT:

DALEY & HEFT  
BY: *SAMUEL C. GAZZO*  
462 STEVENS AVE.  
SUITE 201  
SOLANA BEACH, CA 92076  
858-755-5666

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1 STATE OF CALIFORNIA)  
2 COUNTY OF SAN DIEGO) :

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4 I, *LESLIE G. MAST*, DO HEREBY CERTIFY:

5

6 THAT I AM A CERTIFIED SHORTHAND REPORTER,  
7 CERTIFICATE NO. 3363, AN OFFICIAL COURT REPORTER OF  
8 THE SUPERIOR COURT, NORTH COUNTY DIVISION, IN AND  
9 FOR THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA;

10

11 THAT AS SUCH OFFICIAL COURT REPORTER, I  
12 REPORTED IN SHORTHAND THE ORAL PROCEEDINGS IN THE  
13 WITHIN CAUSE ON THE DATE INDICATED HEREINBEFORE; AND

14

15 THAT THE FOREGOING AND ATTACHED "REPORTER'S  
16 TRANSCRIPT" IS A FULL, TRUE, AND CORRECT TRANSCRIPT  
17 OF THE ORAL PROCEEDINGS HAD ON SAID DATE.

18

19 DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
20 2012, AT VISTA, CALIFORNIA.

21

22

23 \_\_\_\_\_, CSR NO.3363  
24 *LESLIE G. MAST*  
25 OFFICIAL COURT REPORTER

26

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I N V O I C E

APRIL 10, 2012

FROM: LESLIE G. MAST "SKEETER"  
SUPERIOR COURT REPORTER  
325 SOUTH MELROSE  
VISTA, CA 92081  
760-201-8665

TO: RICHARD SHAPIRO

IN RE: SHAPIRO V CITY OF CARLSBAD

CASE NO: 37-2010-60267-CU-CR-NC

HEARING DATE: MARCH 9, 2012

TOTAL DUE ..... 25.76

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