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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12

13 ROBERT HUNTER BIDEN

14 Plaintiff(s)

15 v.

16 GARRETT ZIEGLER, an individual;
ICU, LLC, a Wyoming limited liability
17 company,

18 Defendant(s)

Case No.: 2:23-cv-07593-HVD-KS

Honorable Hernan D. Vera
Magistrate Judge Karen L. Stevenson

**REQUEST FOR JUDICIAL
NOTICE IN SUPPORT OF
DEFENDANTS' MOTION TO
DISMISS PURSUANT TO RULES
12(b)(1), 12(b)(2), 12(b)(3), AND
12(b)(6) OF THE FEDERAL RULES
OF CIVIL PROCEDURE AND
SECTION 425.16 OF THE
CALIFORNIA CODE OF CIVIL
PROCEDURE**

Date: February 15, 2024
Time: 10:00 a.m.
Ctrm: 5B

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25 Pursuant to Federal Rules of Evidence 201, Defendants request that this Court
26 take judicial notice of the following official public documents attached hereto:
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1 1. **Exhibit 1:** A true and correct copy of the complaint in *John Paul Mac*
2 *Isaac v. Cable News Network, Inc.*, No. S22C-10-012 CAK, filed in the Superior
3 Court of the State of Delaware on October 17, 2022.

4 2. **Exhibit 2:** A true and correct copy of Exhibit A attached to the
5 complaint in *John Paul Mac Isaac v. Hunter Biden, et al*, 23-cv-00247-MN, filed in
6 the U.S. District Court for the District of Delaware on March 8, 2023.

7 3. **Exhibit 3:** A true and correct copy of Exhibit B attached to the
8 complaint in *John Paul Mac Isaac v. Hunter Biden, et al*, 23-cv-00247-MN, filed in
9 the U.S. District Court for the District of Delaware on March 8, 2023.

10 4. **Exhibit 4:** A true and correct copy of the transcript of the interview of
11 Gary A. Shapley, Jr. before the U.S. House of Representatives Ways and Means
12 Committee, dated May 26, 2023.

13 5. **Exhibit 5:** A true and correct copy of the complaint in *Robert Hunter*
14 *Biden v. Rudolph W. Giuliani, et al*, No. 2:23-cv-08032, filed in the Central District
15 of California on September 26, 2023.

16 6. **Exhibit 6:** A true and correct copy of an internet news article published
17 on October 14, 2020 by the New York Post, available at:
18 [https://nypost.com/2020/10/14/email-reveals-how-hunter-biden-introduced-](https://nypost.com/2020/10/14/email-reveals-how-hunter-biden-introduced-ukrainian-biz-man-to-dad/)
19 [ukrainian-biz-man-to-dad/](https://nypost.com/2020/10/14/email-reveals-how-hunter-biden-introduced-ukrainian-biz-man-to-dad/).

20 7. **Exhibit 7:** A true and correct copy of an internet news article published
21 on April 8, 2021 by the Daily Mail, available at:
22 [https://www.dailymail.co.uk/news/article-9445105/What-Hunter-Biden-left-tell-](https://www.dailymail.co.uk/news/article-9445105/What-Hunter-Biden-left-tell-memoir-revealed.html)
23 [memoir-revealed.html](https://www.dailymail.co.uk/news/article-9445105/What-Hunter-Biden-left-tell-memoir-revealed.html).

24 8. **Exhibit 8:** A true and correct copy of an internet news article published
25 on June 8, 2022 by the Washington Examiner, available at:
26 [https://www.washingtonexaminer.com/policy/technology/168-000-deleted-files-](https://www.washingtonexaminer.com/policy/technology/168-000-deleted-files-recovered-from-hunter-bidens-laptop)
27 [recovered-from-hunter-bidens-laptop](https://www.washingtonexaminer.com/policy/technology/168-000-deleted-files-recovered-from-hunter-bidens-laptop).
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1 9. **Exhibit 9:** A true and correct copy of Merriam-Webster Dictionary’s
2 definition of the term “backup,” available at: [https://www.merriam-](https://www.merriam-webster.com/dictionary/backup)
3 [webster.com/dictionary/backup](https://www.merriam-webster.com/dictionary/backup).

4 10. **Exhibit 10:** A true and correct copy of Cambridge Dictionary’s
5 definition of the term “backup,” available at: [https://dictionary.](https://dictionary.cambridge.org/us/dictionary/english/backup)
6 [cambridge.org/us/dictionary/english/backup](https://dictionary.cambridge.org/us/dictionary/english/backup).

7 11. **Exhibit 11:** A true and correct copy of the National Institute of
8 Standards and Technology [“NIST”] Special Publication 800-34 Rev. 1,
9 “Contingency Planning Guide for Federal Information Systems,” a government
10 publication of NIST. It contains the technical definition of the term “backup,”
11 available at: [https://nvlpubs.nist.gov/nistpubs/legacy/sp/nistspecialpublication800-](https://nvlpubs.nist.gov/nistpubs/legacy/sp/nistspecialpublication800-34r1.pdf)
12 [34r1.pdf](https://nvlpubs.nist.gov/nistpubs/legacy/sp/nistspecialpublication800-34r1.pdf).

13 12. **Exhibit 12:** A true and correct copy of an internet news article published
14 by the Washington Examiner on July 10, 2022, available at:
15 [https://www.washingtonexaminer.com/news/white-house/4chan-hunter-biden-](https://www.washingtonexaminer.com/news/white-house/4chan-hunter-biden-iphone-account)
16 [iphone-account](https://www.washingtonexaminer.com/news/white-house/4chan-hunter-biden-iphone-account).

17 13. **Exhibit 13:** A true and correct copy of the Indictment in *United States v.*
18 *Robert Hunter Biden*, No. 2:23-cr-00599-MCS, filed in the Central District of
19 California on December 7, 2023.

20 14. **Exhibit 14:** A true and correct copy of MEGA LIMITED Terms of
21 Service of the affiliated website MEGA.NZ and identifying MEGA LIMITED (New
22 Zealand company number 7970438) as the owner-operator of website MEGA.NZ,
23 available at: <https://mega.io/terms>.

24 15. **Exhibit 15:** A true and correct copy of New Zealand Government
25 Companies Office website entry containing details for MEGA LIMITED (7970438)
26 Registered Limited Company, available at: [https://app.companiesoffice.](https://app.companiesoffice.govt.nz/companies/app/ui/pages/companies/7970438?backurl=H4sIAAAAAAAAAAAAC2LQQrCMBBFb5NtBQu1i0FcuelC0At8MoMW2knMTITevqG4%2B%2B%2Fxf)
27 [govt.nz/companies/app/ui/pages/companies/7970438?backurl=H4sIAAAAAAAAAAA](https://app.companiesoffice.govt.nz/companies/app/ui/pages/companies/7970438?backurl=H4sIAAAAAAAAAAAAC2LQQrCMBBFb5NtBQu1i0FcuelC0At8MoMW2knMTITevqG4%2B%2B%2Fxf)
28 [C2LQQrCMBBFb5NtBQu1i0FcuelC0At8MoMW2knMTITevqG4%2B%2B%2Fxf](https://app.companiesoffice.govt.nz/companies/app/ui/pages/companies/7970438?backurl=H4sIAAAAAAAAAAAAC2LQQrCMBBFb5NtBQu1i0FcuelC0At8MoMW2knMTITevqG4%2B%2B%2Fxf)

1 pfxFutiWjN0bssEJX6ua2IhcyijcPAAtC4n67C0JXxrG4dSfLwH8g0bhB1QW8IIHN
2 X2agej2zT9%2BenwaveSaj70DoWMYQF3AAAA.

3 16. **Exhibit 16:** A true and correct copy of the New Zealand Government
4 Companies Office Certificate of Incorporation for MEGA LIMITED (7970438),
5 available at: [https://app.companiesoffice.govt.nz/companies/app/service/services/
6 documents/D70F343531285ACF4745602D69156BEA/CertIncorporation_7970438
7 _18December2023.pdf](https://app.companiesoffice.govt.nz/companies/app/service/services/documents/D70F343531285ACF4745602D69156BEA/CertIncorporation_7970438_18December2023.pdf).

8 17. **Exhibit 17:** A true and correct copy of the Answer and Counterclaim of
9 Defendant Robert Hunter Biden in *John Paul Mac Isaac v. Hunter Biden, et al*, No.
10 23-cv-00247-MN, filed in the U.S. District Court for the District of Delaware on
11 March 17, 2023.

12 18. **Exhibit 18:** A true and correct copy of an internet news article published
13 on April 2, 2021 by The Hill, available at: [https://thehill.com/homenews/
14 administration/546148-hunter-biden-doesnt-know-if-delaware-laptop-was-his/](https://thehill.com/homenews/administration/546148-hunter-biden-doesnt-know-if-delaware-laptop-was-his/).

15 19. **Exhibit 19:** A true and correct copy of Exhibit C attached to the
16 complaint in *John Paul Mac Isaac v. Hunter Biden, et al*, No. 23-cv-00247-MN, filed
17 in the U.S. District Court for the District of Delaware on March 8, 2023.

18 Defendants submit that the documents referenced above are proper for judicial
19 notice as well as for consideration by this Court. District courts may take judicial
20 notice of “a fact that is not subject to reasonable dispute because it: (1) is generally
21 known within the trial court’s territorial jurisdiction; or (2) can be accurately and
22 readily determined from sources whose accuracy cannot reasonably be questioned.”
23 Federal Rules of Evidence 201(b); *County of Santa Clara v. Trump*, 250 F. Supp. 3d
24 497, 520 (N.D. Cal. 2017) (taking judicial notice of proclamations made by the U.S.
25 Attorney General Jeff Sessions); *Merced Irrigation Dist. v. Cnty. of Mariposa*, 941 F.
26 Supp. 2d 1237, 1261–62 (E.D. Cal. 2013) (taking judicial notice of Board of
27 Supervisors' resolution as matter of public record); *Catholic League for Religious &
28 Civil Rights v. City & Cnty. of San Francisco*, 567 F.3d 595, 606 (9th Cir. 2009), on

1 *reh'g en banc*, 624 F.3d 1043 (9th Cir. 2010) (judicial notice of county board of
2 supervisors' actions according to its public resolution). To this end, a court may take
3 judicial notice "of court filings and other matters of public record," *Reyn's Pasta*
4 *Bella, LLC v. Visa USA, Inc.*, 442 F.3d 741, 746 n.6 (9th Cir. 2006), including
5 "government documents available from reliable sources on the internet," *California*
6 *River Watch v. City of Vacaville*, No. 2:17-cv-00524-KJM-KJN, 2017 WL 3840265,
7 at *2 n.1 (E.D. Cal. Sept. 1, 2017). Judicial notice of information obtained from a
8 website is proper when neither party questions the authenticity of the site. *Pollstar v.*
9 *Gigmania, Ltd.*, 170 F. Supp.2d. 974, 978 (E.D. Cal. 2000).

10 Here, the attached exhibits are public filings and publicly available records,
11 which are all proper subjects of judicial notice.

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DATED: December 21, 2023 TYLER LAW, LLP

By: _____
Robert H. Tyler, Esq.
Attorneys for Defendants **Garrett Ziegler**
and **ICU, LLC**