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6 GWEN DANIELSON, EMMA BORHANIAN,
JACK LASOTA, and ALEXANDER JEFFREY LEATHAM

7
8 **U.S. DISTRICT COURT**
9 **NORTHERN DISTRICT of CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 GWEN DANIELSON, et al.,

12 Plaintiffs,

13 v.

14 COUNTY OF SONOMA, CALIFORNIA, et al.,

15 Defendants.

Case No.: 3:21-cv-8854-JCS

16 **DECLARATION OF JEROLD D. FRIEDMAN**
17 **IN SUPPORT OF UNOPPOSED MOTION TO**
18 **WITHDRAW FROM THE ENTIRE CASE AND**
19 **REQUEST TO WAIVE STATUS CONFERENCE**

Hon. Joseph C. Spero

Date: February 17, 2023

Time: 2:00 P.M.

Place: Zoom / Electronic

20 I, Jerold D. Friedman, declare the following from personal knowledge and, if asked to testify to
21 these facts, I would testify competently thereto.

22 1. I am an attorney in good standing before this Court and before all courts in the State of
23 California. I am the Plaintiffs' attorney in the instant case.

24 2. Regarding Plaintiff **Gwen Danielson**, my last direct communication from her was
25 received on January 21, 2022. On or about April 2022, I heard rumor that Gwen Danielson may have
26 committed suicide. I have since attempted to contact Gwen Danielson by the same means that we
27 usually communicate including by e-mail and phone approximately ten (10) times. My phone calls to
28

1 her on or about July 2022 resulted in a message stating that her voicemail was full and, on or about
2 August 2022, her phone number was disconnected. I have not received any contact from Gwen
3 Danielson since January 21, 2022. On September 9, 2022, I received an e-mail apparently from a
4 friend of Gwen Danielson that asked if I can share anything about her rumored suicide. Taken at face
5 value, the e-mail confirms that Gwen Danielson is missing from her friends. I have no information on
6 whether Gwen Danielson is alive and, if she is alive, where she might be. The judge in the underlying
7 criminal matter has issued a bench warrant on April 11, 2022 (*see* Doc. No. 47).

9 3. Regarding Plaintiff **Jack LaSota**, on August 21, 2022, I received a phone call from
10 Attorney Dan Kapelovitz (SBN: 268001), who is Jack LaSota's criminal defense attorney, who
11 informed me that Jack LaSota fell out of a boat in the middle of San Francisco Harbor and that the
12 U.S. Coast Guard attempted to locate his body but failed. Over the next several weeks, I obtained a
13 "Person in the Water, South San Francisco Bay Search Efforts" report ("Report;" Exhibit 1) from Mr.
14 Kapelovitz that detailed the U.S. Coast Guard's efforts to retrieve Jack LaSota. The Report, on page 2,
15 states, "2300 (T+00) Reported time of Jack falling off the sailing vessel." I confirmed with the U.S.
16 Coast Guard that "Jack" referred to Jack LaSota. I have since had several conversations with Jack
17 LaSota's mother who confirmed that Jack LaSota had died and that a probate attorney had been hired.
18 An obituary was published for Jack LaSota dated August 19, 2022. Exhibit 2. The obituary appears to
19 be for the same Jack LaSota as in the instant suit. Despite this evidence, I have been unwilling to state
20 on the record that Jack LaSota is deceased until a certificate of death has issued. On November 15,
21 2022, Mr. Kapelovitz forwarded to me an e-mail from Sonoma County Deputy District Attorney
22 Susan Beene stating, "I just wanted to reach out and let you know that Jack Lasota was contacted by
23 police in Vallejo [California] this weekend. Lasota was on scene, alive and well." I have since made
24 approximately three (3) efforts to contact Jack LaSota at least to confirm that the one contacted by
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1 Vallejo police is the same as the Plaintiff in the instant case. My attempts to contact Jack LaSota have
2 not resulted in a response. I have no information that *Plaintiff* Jack LaSota is alive. Even if the Jack
3 LaSota contacted by police in Vallejo is Plaintiff Jack LaSota, I have not received direct contact from
4 Plaintiff Jack LaSota since January 29, 2022. The judge in the underlying criminal matter has issued a
5 bench warrant on October 26, 2022 (see Doc. No. 47).
6

7 4. Regarding Plaintiff **Emma Borhanian**, she was shot and killed on November 13, 2022.
8 Exhibit 3, *1. Since I learned of Emma Borhanian's death, I have spoken with her mother and brother
9 who confirmed her death.

10 5. Regarding Plaintiff **Alexander Leatham**, I spoke with Alexander Leatham on
11 December 20, 2022, and I gave notice to Alexander Leatham that I will be withdrawing as his attorney
12 on the instant case. Alexander Leatham assented to my withdrawal.
13

14 6. On December 9, 2022, I sent an e-mail to each of the four Plaintiffs that gave notice of
15 my intent to withdraw from the entire case. Exhibit 4. I have not received any response from any
16 Plaintiff regarding my intention to withdraw nor this particular e-mail other than what's written herein.
17

18 7. I have not received contact from any Plaintiff's estate.

19 8. On January 9, 2023, opposing attorneys Richard Osman (representing government
20 defendants) and Nicholas Syren (representing nongovernment defendants) indicated by e-mail that
21 they are unopposed to Plaintiffs' request to waive the February 17, 2023 status conference.
22

23 I state the foregoing is true and correct to the best of my knowledge under penalty of perjury of
24 the laws of the State of California.
25

26 Dated: January 16, 2023

By:

/s/ Jerold D. Friedman

Jerold D. Friedman

Attorney for Plaintiffs