

CH-120 Notice of Hearing and Temporary Restraining Order

Clerk stamps date here when form is filed.

FILED
 LOS ANGELES SUPERIOR COURT
 JAN 30 2009
 JOHN A. CLARKE, CLERK
 BY SALVADOR JIMENEZ, DEPUTY

① Name of person asking for protection:
Britney Jean Spears (through conservator James P. Spears)

Address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

City: _____ State: _____ Zip: _____

Your telephone number (optional): (_____) _____

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number): Geraldine A. Wyle _____
Luce, Forward, Hamilton & Scripps LLP

Fill in court name and street address:
 Superior Court of California, County of Los Angeles
 Stanley Mosk Courthouse
 111 N. Hill St.
 Los Angeles, CA 90012

② Name of person to be restrained:
Jon Jay Eardley

Description of that person:

Court fills in case number when form is filed.
 Case Number:
 BP108870

Sex: M F Height: Unknown Weight: Unknown Race: Unknown
 Hair Color: Unknown Eye Color: Unknown Age: 48 Date of Birth: _____

Work Address (if known): _____
 City: _____ State: _____ Zip: _____

To the person in ②:

③ **Notice of Hearing**
 A court hearing is scheduled on the request for orders against you to stop harassment:

Good Cause Appearing: Name and address of court if different from above:
 Same as above

Hearing Date: 2/23/09 Time: 10:00 AM
 Dept.: 11 Rm.: 246

If you do not want the court to make orders against you, file Form CH-110. Then go to the hearing and tell the court why you disagree. You may bring witnesses and other evidence. If you do not go to this hearing, the court may make restraining orders against you that could last up to 3 years.

④ **Court Orders**
 The court (check a or b):

a. Has scheduled the hearing stated in ③. No orders are issued against you at this time.

b. Has scheduled the hearing stated in ③ and has issued the temporary orders against you specified on page 2. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

This is a Court Order.

Your name: Britney Jean Spears (through conservator James P. Spears)**Temporary Orders Against the Restrained Person**(Write the name of the person in ②): Jon Jay Eardley

The court has made the temporary orders indicated below against you. You must obey all these orders. These orders will expire on the date of the hearing listed in ③ unless they are extended by the court.

5 **Personal Conduct Orders**

You must not do the following things to the people listed in ① and ⑩:

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. Contact (directly or indirectly), telephone, send messages, mail, or e-mail.
- c. Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ⑩. (If item c is not checked, the court has found good cause not to make this order.)

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.

6 **Stay-Away Order**You must stay at least (specify): 250 yards away from:

- a. The person listed in ①
- b. The people listed in ⑩
- c. The home of the persons in ① and ⑩
- d. Jobs or workplaces of the persons in ① and ⑩
- e. Vehicle of person in ① Vehicles of persons in ⑩
- f. The protected children's school or child care
- g. Other (specify): Parents' homes, children's homes, siblings' homes

This stay-away order does not prevent the person in ② from going to or from that person's home or place of employment.

7 **No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

8 **Turn In or Sell Guns or Firearms**

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24 hours of being served with this order.
- File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use Form CH-145 for this.)

- 9** **Other Orders (specify):** You are prohibited from: (1) acting on Ms. Spears' behalf, or purporting to act on her behalf; (2) inducing or assisting any other person to take action on Ms. Spears' behalf, or to purport to take action on her behalf; and (3) filing, or inducing or assisting any other person to file, legal pleadings that purport to be filed on Ms. Spears' behalf.

This is a Court Order.

Case Number:

BP108870

Your name: Britney Jean Spears (through conservator James P. Spears)

10 **Other Protected Persons**

List of the full names of all family or household members protected by these orders:

Jamie P. Spears, Lynne Spears, Sean Preston Federline, Jayden James Federline

Instructions for the Protected Person

To the person in **1**: (Write the name of the person in **1**): _____

11 **Service of Order on Law Enforcement**

If the court issues temporary restraining orders, by the close of business on the date the orders are made, you or your lawyer should deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below.

Name of Law Enforcement Agency:

Address (City, State, Zip)

Los Angeles Police Department

150 N. Los Angeles St., L.A., CA 90012

Beverly Hills Police Department

464 N. Rexford Drive, Beverly Hills, CA 90210

12 **Service of Documents**

You must have someone personally deliver to the person in **2** a copy of all the documents checked below:

- a. CH-120, *Notice of Hearing and Temporary Restraining Order (CLETS)* (completed and file-stamped)
- b. CH-100, *Request for Orders to Stop Harassment* (completed and file-stamped)
- c. CH-110, *Answer to Request for Orders to Stop Harassment* (blank form)
- d. CH-145, *Proof of Firearms Turned In or Sold* (blank form)
- e. CH-151, *How Can I Answer a Request for Orders to Stop Harassment?*
- f. Other (specify): _____

You must file with the court before the hearing a proof of service of these documents on the person in **2**.

13 **Time for Service** (check a, b, or c)

- a. A copy of the documents listed in **12** must be served in person to the person in **2** at least 5 days before the hearing.
- b. A copy of the documents listed in **12** must be served in person to the person in **2** at least 2 days before the hearing.
- c. A copy of the documents listed in **12** must be served in person to the person in **2** at least _____ days before the hearing.

14 **No Fee for Filing**

Filing fees are waived.

This is a Court Order.



Case Number:
BP108870

Your name: Britney Jean Spears (through conservator James P. Spears)

15 **No Fee for Service of Order by Law Enforcement**

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

- a. The Order is based on stalking.
- b. The Order is based on a credible threat of violence.
- c. The person in ① is entitled to a fee waiver.

Date: JAN 30 2009


Judicial Officer AVIVA BOBB

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 a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item ⑥ above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction 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 Law Enforcement Telecommunications System (CLETS). 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 shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this Order are subject to criminal penalties.



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Order (Form MC-410). (Civil Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[ssal]

I certify that this Notice of Hearing and 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.

CH-100 Request for Orders to Stop Harassment

Clerk stamps date here when form is filed.

1 Your name (person asking for protection):
Britney Jean Spears (see attachment 1 re conservators)
 Your address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

 City: _____ State: _____ Zip: _____
 Your telephone number (optional): (_____) _____
 Your lawyer (if you have one): (Name, address, telephone number, and State Bar number):
 See attachment 1

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2 Name of person you want protection from:
 See attachment 2
 Describe the person: Sex: M F Weight: _____
 Height: _____ Race: _____ Hair Color: _____
 Eye Color: _____ Age: _____ Date of Birth: _____
 Home Address (if you know): _____
 City: _____ State: _____ Zip: _____
 Work Address (if you know): _____
 City: _____ State: _____ Zip: _____

Fill in court name and street address:
Superior Court of California, County of Los Angeles
Stanley Mosk Courthouse
111 N. Hill St.
Los Angeles, CA 90012

Court file in case number when form is filed.
Case Number:
BP108870

3 Besides you, who needs protection? (Family or household members)

Full Name	Sex	Age	Lives with you?	How are they related to you?
James P. Spears	M	56	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Father
Lynne Spears	F	53	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Mother
Sean Preston Federline	M	3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Son
Jayden James Federline	M	2	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Son

Check here if you need more space. Attach a sheet of paper and write "CH-100, item 3 Describe Protected Persons" at the top of the page.

4 Why are you filing in this court? (Check all that apply):
 The person in (2) lives in this county.
 I was hurt (physically or emotionally) by the person in (2) here.
 Other (specify): _____

5 How do you know the person in (2)? (Describe):
 See attachment 5

This is not a Court Order.

Your name: Britney Jean Spears (see attachment 1 re conservators)

- 6 Describe how the person in 2 has harassed you:
- a. Date of most recent harassment: 1/27/2009
- b. Who was there? See attachment 6.
- c. Did the person in 2 commit any acts of violence or threaten to commit any acts of violence against you?
 Yes No
 If yes, describe those acts or threats: _____
- d. Did the person in 2 engage in a course of conduct that harassed you and caused substantial emotional distress? Yes No
 If yes, describe: See Attachment 6
- e. Did the conduct of the person in 2 described above seriously alarm, annoy, or harass you? Yes No
 Check here if you need more space. Attach a sheet of paper and write "CH-100, item 6—Describe Harassment" at the top of the page.

Check the orders you want 7 **Personal Conduct Orders**

I ask the court to order the person in 2 to not do the following things to me or anyone listed in 3:

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. Contact (either directly or indirectly), or telephone, or send messages or mail or e-mail.

The person in 2 will also be ordered not to take any action to get the addresses or locations of any protected persons, their family members, or their caretakers unless the court finds good cause not to make the order.

8 **Stay-Away Orders**I ask the court to order the person in 2 to stay at least (specify): 250 yards away from me and the people listed in 3 and the places listed below: (Check all that apply):

- a. My home
- b. My job or workplace
- c. My children's school or child care
- d. My vehicle
- e. Other (specify): Parents' homes, children's homes, siblings' homes

If the court orders the person in 2 to stay away from all the places listed above, will that person still be able to get to his or her home, school, or job? Yes No

If no, explain: _____

This is not a Court Order.

Case Number:

BP108870

Your name: Britney Jean Spears (see attachment 1 re conservators)

9 **Others to Be Protected**

Should the other people listed in **(3)** also be covered by the orders described above?

Yes No Does not apply

If yes, explain: See attachment 9

10 **Order About Guns or Other Firearms**

I ask the court to order the person in **(2)** to be prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive firearms and to sell or turn in any guns or firearms that he or she controls.

11 **Other Orders**

I ask the court to order the person in **(2)** to (specify): See attachment 11

12 **Temporary Orders**

Do you want the court to make orders now on the matters listed in **(7)**, through **(11)** that will last until the hearing? Yes No

If yes, explain why you need these orders right now: See attachment 12

Check here if you need more space. Attach a sheet of paper and write "CH-100, item 12—Temporary Orders" at the top of the page.

13 **Delivery of Orders to Law Enforcement**

My lawyer or I will give copies of the orders to the following law enforcement agencies:

a. Name of Agency: Los Angeles Police Department

Address: 150 N. Los Angeles St.

City: Los Angeles

State: CA Zip: 90012

b. Name of Agency: Beverly Hills Police Department

Address: 464 N. Rexford Drive

City: Beverly Hills

State: CA Zip: 90210

14 **Other Court Cases**

Have you ever asked any court for other restraining orders against the person in **(2)**? Yes No

If yes, specify the counties and case numbers if you know them: On February 1, 2008, Mr. Spears as conservator obtained a TRO against Mr. Lutfi in the instant case.

This is not a Court Order.



Your name: Britney Jean Spears (see attachment 1 re conservators)

15 **Time for Service**

You must have your papers personally served on (notify) the person in ② at least 5 days before the hearing, unless the court orders a different time for service. (Form CH-135 explains "What Is Proof of Service?" Form CH-130 may be used to show the court that the papers have been served.) If your papers cannot be served at least 5 days before the hearing and you need more time, explain why:

Because Mr. Lutfi evaded service of the prior TRO for 20 days despite intensive efforts by process servers to locate him and serve him with process, it is possible that the Co-Conservators will need additional time to serve their papers.

16 **No Fee for Filing**

I ask the court to waive the filing fee because the person in ② has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence. I am asking for a restraining order to stop this conduct.

17 **No Fee to Serve Orders**

I ask the court to order the sheriff or marshal to serve (notify) the person in ② about the orders for free because:

- a. My request for orders is based on stalking; or
- b. My request for orders is based on a credible threat of violence; or
- c. I am entitled to a fee waiver.

(If you are requesting free service of the orders based on a fee waiver, you must complete and file the Application for Waiver of Court Fees and Costs (Form FW-001).)

18 **Lawyer's Fees and Costs**

I ask the court to order payment of my:

- a. Lawyer's fees
- b. Out-of-pocket expenses

The amounts requested are:

Item	Amount	Item	Amount
Attorneys' fees	\$ TBD	TBD	\$ TBD
Filing costs	\$ TBD		\$
Process server fees	\$ TBD		\$

Check here if you need more space. Attach a sheet of paper and write "CH-100, Item 18—Lawyer's Fees and Costs" at the top of the page.

19 **Additional Relief**

I ask the court for additional relief as may be proper.

20 Number of pages attached to this form, if any: 14

Date: January 29, 2009

Geraldine A. Wyle

Lawyer's name

[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: 1/29/09

James P. Spears, Conservator

Type or print your name

[Signature]
Sign your name

This is not a Court Order.