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12	Counsel for Plaintiff Shera Bechard	THE CTATE OF CALLEODNIA
13	SUPERIOR COURT FOR THE STATE OF CALIFORNIA	
14	FOR THE COUNTY OF LOS ANGELES	
	SHERA BECHARD,	Case No.
15 16	Plaintiff,	PLAINTIFF'S MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF EX
17	V.	PARTE APPLICATION TO CONDITIONALLY SEAL THE
18	ELLIOTT BROIDY, an individual, KEITH DAVIDSON, an individual;	COMPLAINT FOR 45 DAYS
19	MICHAEL AVENATTI, an individual; DAVIDSON & ASSOCIATES, PLC, a professional limited liability company; and	[Concurrently filed with Ex Parte Application to Conditionally Seal Complaint and [Proposed] Order]
20	DOES 1 through 20, inclusive,	[Verified Complaint lodged herewith]
21	Defendants.	[vermed Complaint lodged herewith]
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Plaintiff respectfully requests a Court order conditionally sealing her complaint (lodged herewith) for 45 days so that Defendants may file any motions they feel are appropriate to permanently seal the complaint. 1

Some of the circumstances relevant to Plaintiff's complaint have been described in the press. The Wall Street Journal, for example, has reported:

Elliott Broidy, a Los Angeles venture capitalist and former Republican National Committee official, agreed to pay former Playboy centerfold Shera Bechard \$1.6 million—in eight installments, beginning late last year—to keep quiet about her affair with the married donor

Now Mr. Broidy . . . will withhold the third installment of \$200,000 that was due [July 1. 2018], in response to an alleged breach of the nondisclosure agreement, according to Chris Clark, a lawyer for Mr. Broidy.

Mr. Clark said Ms. Bechard's lawyer at the time of the agreement, Keith Davidson, improperly discussed the hush-money agreement with another lawyer, Michael Avenatti, who has replaced Mr. Davidson in representing Stephanie Clifford, a former adult-film star. . . .

"Elliott specifically was paying for confidentiality that would shield his family from the embarrassing mistake he made," Mr. Clark said. "We can prove there was an intentional breach that renders the contract null and void."

A spokesman for Mr. Davidson said the lawyer hasn't breached any agreement. "Any accusation to the contrary is false and defamatory," said the spokesman, Dave Wedge, adding that Mr. Davidson "looks forward to addressing these matters in the proper venue, which is the court room, not the press."...

Mr. Avenatti said: "I'm neither going to confirm nor deny what information I have about this, whether it's all been disclosed yet, or where I learned it. But I would encourage Ms. Bechard to disclose everything she knows about this situation to the public."

(See Michael Rothfeld & Joe Palazzolo, Top GOP Fundraiser to Stop Hush Payments Over Affair,

Wall Street J. (last updated July 1, 2018 5:30 p.m. ET), https://www.wsj.com/articles/top-gop-

California Rule of Court 2.551(a) provides that "[a] record must not be filed under seal without a court order." "Unless the context indicates otherwise, 'record' means all or a portion of any document, paper, exhibit, transcript, or other thing filed or lodged with the court." (California Rule of Court 2.550(b)(1).) To obtain a court order sealing a record, the party must file a motion or application seeking to seal the record. (California Rule of Court 2.551(b)(1).) "The court may order that a record be filed under seal only if it expressly finds facts that establish: (1) There exists an overriding interest that overcomes the right of public access to the record; (2) The overriding interest supports sealing the record; (3) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed; (4) The proposed sealing is narrowly tailored; and (5) No less restrictive means exist to achieve the overriding interest." (California Rule of Court 2.550(d).)

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fundraiser-to-stop-hush-payments-over-affair-1530477047 [emphasis added].) Plaintiff invites the Court to review the complaint itself for additional background on this dispute.

As the bolded statements attributable to Defendants Elliott Broidy and Keith Davidson indicate, these Defendants may view at least some of the events concerning the parties as properly subject to seal. Plaintiff thus seeks an order conditionally sealing the complaint for 45 days so Defendants can file any appropriate motions.

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Dated: July 6, 2018

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