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FILED
Superior Court of California
County of Riverside

12/14/2016

bmiller

By Fax

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF RIVERSIDE**

10
11 JOHN HERRIOT, an Individual,

12 Plaintiff,

13 vs.

14 DEAN MCADAMS, an Individual;
15 and DOES 1-20, inclusive.

16 Defendants.

) CASE NO.: PSC1606342
)
) Assigned for all purposes to:
)
) Dept.: PS2
)
) DECLARATION OF JOHN HERRIOT IN
) SUPPORT OF PLAINTIFF'S *EX PARTE*
) APPLICATION FOR AN ORDER
) ENJOINING DEFENDANT MCADAMS
) AND ORDER TO SHOW CAUSE RE
) TEMPORARY RESTRAINING ORDER
)
) Hearing Date: December 15, 2016
) Hearing Time: 8:30 a.m.
) Department: PS2
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DECLARATION OF JOHN HERRIOT

I, John Herriot, hereby state and declare as follows:

1. On November 10, 2016, Dean McAdams begin a full attack on my character exposing my picture and descriptions obtained from Megan's list and my association with the CMEN Club ("Club") of which I am the coordinator. The reason for that this attack as he has clearly stated that because he was not allowed to attend the CMEN Club September 2015 and 2016 events due to a restraining order against him in effect against him as obtained by member Charles Kenyon. Dean McAdams stated that "if he cannot attend, then no one can, and that his mission is to destroy the Club by the end of 2016."

2. Dean McAdams texted, emailed, and posted on Facebook my picture and my Megan's website listing. He stated that my "blood" was on his computer as he posted these postings and then begin to post many other postings, many of them absolutely completely false. He has also threatened to stand at the gate of CMEN Club in Malibu in September 2017 and distribute personal and private information about me to all arrivals at the location.

3. Because Dean McAdams attacks were so widespread and so malicious, I did not feel that contacting him directly to reason was a wise idea. I then immediately contacted a lawyer. There did not seem to be any possibility of reasoning with someone who would send hundreds of damaging texts, Facebook posts, and emails on the very first and in just one day. I also felt I could not reason with him because I did not obtain a restraining order against him but rather it was obtained by a third person, namely Charles Kenyon. Tremendous damage was immediately done. I felt this would have to be dealt with legally; it being so malicious from the beginning.

4. That on November 15, 2016, Attorney Marcus Bastida, of Parker Stanbury, LLP, Los Angeles, California wrote a letter to Defendant Dean McAdams, demanding that McAdams cease and desist from posting on the internet defamatory and private matters about me. A copy of the correspondence of November 15, 2016 correspondence authored by Attorney Bastida is attached hereto as Exhibit "A."

5. That in response to Attorney Bastida's correspondence Defendant McAdams sent a written response a copy of which is attached hereto as Exhibit "B." Therein Defendant McAdams

1 made mockery of the demand letter and paid it no attention whatsoever despite the warnings of
2 possible criminal prosecution including jail time and or fine.

3 6. That from the content of Exhibit "B" it appears that Defendant McAdams makes it a
4 practice of posting false and damaging postings on internet sites such as "Legal Noodle.com"
5 about anyone or any lawyer doing their duty to assist in getting the websites removed.

6 7. Dean McAdams has continued to post items about me on this website "Legal
7 Noodle.com" including my business email *homerun444@aol.com*. I fear he may try to contact my
8 customers and at my for profit business and try to ruin my business and me financially.

9 8. Dean McAdams' postings have clearly alienated me from hundreds of members of the
10 Club of my situation in the early 1980s. The postings have alienated me from many members of
11 the Club and the public. Dean McAdams has carefully worded his postings such that the eye of
12 readers and viewers would interpret the postings such that CMEN Club *currently is a cover for*
13 *pedophiles which is a lie, falsehood and untrue.* (emphasis supplied). The CMEN Club is a gay
14 club whose image has been and will be tarnished or destroyed by Dean McAdams. The Club is
15 limited to men and there are very few men under 40.

16 9. I do not believe and certainly hope that the postings has not yet affected my profit
17 making business. He has sought to destroy me in each and every other way. I fear that if I mention
18 in this declaration even the nature of my profit business he will set out to destroy me and ruin me
19 even if the Court grants my *ex parte* application for a temporary restraining order. I fear that it is
20 only a matter of time before he attacks my profit business as soon as he figures out how to
21 destroy it. I believe and have no doubt he is now researching how to get to my customers.

22 10. My doctor has prescribed medication for me to cope with all the stress of my life
23 being destroyed and the Club I have led for 18 years being destroyed by this evil man on a mission
24 of hate and vengeance that serves no public benefit.

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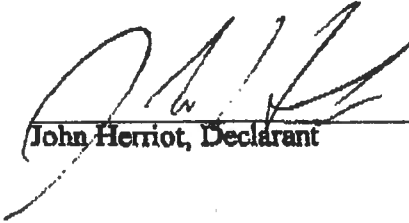
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11. I fear that Dean McAdams may try to physically attack me at some point in addition to continuing to destroy everything in my life with the malicious postings. Defendant Dean McAdams is extremely unstable and is on a mission of destruction with no legitimate and *bona fide* actual goals other than to destroy me.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief and that if called to testify I would and could testify to the same.

Executed this 13th of December 2016 in West Hollywood, California.



John Herriot, Declarant