

1 JOHN CLARK
2 P.O. Box 1207
3 Topanga Canyon, CA 90290
4 Telephone: (310)455-1334
5 Facsimile: (310)455-1032

6 IN PROPRIA PERSONA

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF LOS ANGELES

9 Case Number BD 296 320

10
11 IN RE MATTER OF:) APPLICATION TO DISQUALIFY JUDGE
12) ARNOLD GOLD FOR CAUSE;
13) DECLARATION OF JOHN CLARK;
14) MEMORANDUM OF POINTS AND
15) AUTHORITIES
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Petitioner: LYNN REDGRAVE

and

Respondent: JOHN CLARK

Trial date: March 23, 2001
Judge: Arnold H. Gold
Dept: 7

TO THE HONORABLE ARNOLD GOLD, JUDGE, PETITIONER LYNN
REDGRAVE, AND HER COUNSEL OF RECORD:

PLEASE TAKE NOTICE that pursuant to Code of Civil Procedure
§170.1 GROUNDS FOR DISQUALIFICATION (a) A JUDGE SHALL BE
DISQUALIFIED IF ANY ONE OR MORE OF THE FOLLOWING IS TRUE:
§170.1(a)(3) states "The judge has a financial interest in the

1 subject matter in a proceeding or in a party to the proceeding
2 [emphasis added], and, further, section (6)(C) states that "a
3 person aware of the facts might reasonably entertain a doubt
4 that the judge would be able to be impartial."

5 Respondent John Clark ("Respondent"), the economically
6 weak spouse, applies to the Superior Court to recuse and
7 disqualify Judge Arnold Gold from acting as a judicial officer
8 in this instant case, and in particular, from presiding over any
9 further proceedings, including the trial of this matter
10 presently in progress.

11 This trial concerns itself with the method of disposal
12 of the jointly and separately owned property of the disputants.
13 The pair were married for 32 years during all of which time
14 Respondent enjoyed and served exclusively in a professional and
15 business relationship with Petitioner Lynn Redgrave
16 ("Petitioner"). Petitioner was granted a bifurcated divorce
17 (status only) on December 22, 2000, never having attempted the
18 reconciliation desired by Respondent.

19 The trial in the instant case commenced on Friday,
20 March 23, 2001, before the Honorable Judge Arnold H. Gold,
21 despite the protest of Respondent John Clark to Judge Gold on
22 February 28, 2001 that the Writ of Mandate respondent had filed
23 with the Appeals Court concerning his petition to recuse judge
24 Gold because of his incarceration by Judge Gold on November 1,
25 2000 was still under consideration. In the event, the Appeal
26 petition was denied the next day, and Judge Gold promptly
27 departed on vacation until his return on March 22.

28 Prior to his return, reports began to circulate that

1 Judge Gold was about to retire, and on March 23, at an ex parte
2 hearing filed by Petitioner, Respondent protested on the record
3 that the trial should not begin if Judge Gold was about to
4 retire.

5 The record will show that Judge Gold stated that he
6 was only going to take certain cases and see them through until
7 the end, even if he was retired, and that Petitioner's case, the
8 instant case, was one of them.

9 Respondent was unhappy and confused with that answer,
10 but the trial commenced later on that day Friday, March 23,
11 2001.

12 Transcripts have been ordered, but will not be
13 available for several days.

14 **EVENTS OCCURRING ON FRIDAY, MARCH 30 AT TRIAL**

15 At the conclusion of the day's hearing, about 3.30 in
16 the afternoon, Judge Gold called a halt because Petitioner did
17 not bring on her witness Mr. Robert Di Stefano CPA, who had been
18 scheduled to appear, but who had been told by Petitioner's
19 attorney to delay appearing until the following week.

20 Subsequently the court was cleared, and Respondent sat
21 with the court reporter, Ms. Elizabeth V. Schneider, for about
22 20 minutes to arrange for transcripts to be prepared on an
23 expedited basis. Ms. Schneider took the time to count the pages
24 upon which her fee would be based.

25 During this time, Respondent observed that Judge Gold
26 entertained and addressed a group of law students from Loyola
27 School of Law. His back was towards Respondent. In a loud
28 voice Judge Gold explained to the students that he was retired,

1 and why, except for certain cases he was going to see through to
2 the end. He was heard by Respondent to declare that his
3 intention was to become a "Judge for Rent", because the money
4 was vastly superior to the money that can be earned as a sitting
5 judge in Superior Court. He was heard by Respondent to express
6 the opinion that celebrities in particular liked the privacy
7 afforded by a judge for hire, and also that celebrities can
8 afford to pay lots of money.

9 **GROUNDNS FOR DISQUALIFICATION**

10 Petitioner Lynn Redgrave in the instant case is a
11 famous and highly respected actress, a well-known celebrity.

12 Respondent believes that Judge Gold is "star-struck",
13 and is biased against Respondent, and in favor of Petitioner,
14 for the reason that he seeks to look good in the eyes of
15 Hollywood stars who may decide to pay for his services in the
16 future. It can be seen that there is the element of financial
17 gain in this trial, and he should not be presiding over it.

18 Furthermore, he has been fully aware that the Los
19 Angeles Times has been represented throughout the trial by a
20 staff writer by the name of Louise Roug with whom he has talked
21 from the bench during the trial, and Respondent believes that
22 Judge Gold is hoping for favorable mention in the press. Ms.
23 Roug has already demonstrated her bias towards the celebrity in
24 this case. Attached hereto as Exhibit "A" and incorporated
25 herein by reference is a true and correct copy of a column item
26 written by the aforesaid Ms. Roug and published in the Los
27 Angeles Times on Friday March 30, 2001. I believe that Judge
28 Gold is and has been pandering to the members of the fourth

1 estate, hoping for favorable mention.

2 In addition, pursuant to section 170.1(6)(C),
3 Respondent fully believes that for the above reasons given, "a
4 person aware of the facts might reasonably entertain a doubt
5 that the judge would be able to be impartial."

6 **CONCLUSION**

7 Respondent believes that there is sufficient evidence
8 that Judge Gold should recuse himself from any further
9 proceedings in this action because he has a financial interest
10 in the outcome, and because a person aware of the facts might
11 reasonably entertain a doubt that the judge would be able to be
12 impartial. Respondent believes the case should be assigned to
13 another judge for adjudication upon the return of Petitioner
14 from her London theatrical engagement in August, 2001.

15
16 I declare under penalty of perjury that the foregoing
17 is true and correct, and that if called as a witness, I would
18 competently testify thereto.

19 Respectfully submitted.

20 Executed on April 3, 2001 at Topanga, California.

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JOHN CLARK

27 Respondent, In Pro Per
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