

FL-300

⁴ ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):

VICKI J. GREENE, ESQ. [85979]
LAW OFFICES OF VICKI J. GREENE
 1900 Avenue of the Stars, 25th Floor
 Los Angeles, CA 90067

TELEPHONE NO.: (310) 282-8302

FAX NO. (Optional): (310) 282-8314

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): ALEXANDER BALDWIN, III

FILED
LOS ANGELES SUPERIOR COURT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles

STREET ADDRESS: 111 North Hill Street

MAILING ADDRESS: 111 North Hill Street

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: Central District

PETITIONER/PLAINTIFF: KIM BASINGER

RESPONDENT/DEFENDANT: ALEXANDER BALDWIN, III

ORDER TO SHOW CAUSE

☐ Child Custody

☐ Child Support

☐ **Attorney Fees and Cost**

☐ MODIFICATION

Visitation

☐ Spousal Support

☐ Injunctive Order

☒ Other (specify):

For the Court to determine whether
good cause exists to set an Order

CASE NUMBER:

BD 337 739

1. TO (name): PETITIONER, KIM BASINGER, AND HER ATTORNEYS, HERSH, MANNIS & BOGEN
2. YOU ARE ORDERED TO APPEAR IN THIS COURT AS FOLLOWS TO GIVE ANY LEGAL REASON WHY THE RELIEF SOUGHT IN THE ATTACHED APPLICATION SHOULD NOT BE GRANTED. If child custody or visitation is an issue in this proceeding, Family Code section 3170 requires mediation before or concurrently with the hearing listed below.

a. Date: 06-05-07 Time: 8:30 a.m. ☒ Dept.: 60 ☐ Room:

b. The address of the court is ☒ same as noted above ☐ other (specify):

to Show Cause or other hearing, as requested in Attachment 9, for the violation of its Orders, pursuant to Calif. Code of Civ. Pro. 128(4) and (6)

c. ☐ The parties are ordered to attend custody mediation services as follows:

3. THE COURT FURTHER ORDERS that a completed *Application for Order and Supporting Declarations* (form FL-310), a blank *Responsive Declaration* (form FL-320), and the following documents be served with this order:

- a. (1) ☐ Completed *Income and Expense Declaration* (form FL-150) and a blank *Income and Expense Declaration*
 (2) ☐ Completed *Financial Statement (Simplified)* (form FL-155) and a blank *Financial Statement (Simplified)*
 (3) ☐ Completed *Property Declaration* (form FL-160) and a blank *Property Declaration*
 (4) ☐ Points and authorities
 (5) ☐ Other (*specify*):

b. ☐ Time for ☐ service ☐ hearing is shortened. Service must be on or before (date):
Any responsive declaration must be served on or before (date):

c. ☐ You are ordered to comply with the temporary orders attached.

d. ☐ Other (specify):

Date: APR 20 2007

Robert McInnes

NOTICE: If you have children from this relationship, the court is required to order payment of child support based on the incomes of both parents. The amount of child support can be large. It normally continues until the child is 18. You should supply the court with information about your finances. Otherwise, the child support order will be based on the information supplied by the other parent.

You do not have to pay any fee to file declarations in response to this order to show cause (including a completed Income and Expense Declaration (form FL-150) or Financial Statement (*Simplified*) (form FL-155) that will show your finances). In the absence of an order shortening time, the original of the responsive declaration must be filed with the court and a copy served on the other party at least nine court days before the hearing date. Add five calendar days if you serve by mail within California. (See Code of Civil Procedure 1005 for other situations.) To determine court and calendar days, go to www.courtinfo.ca.gov/selfhelp/courtcalendars/.



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five court days before the trial. 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)

Form Adopted for Mandatory Use
Judicial Council of California
FL-300 (Rev. July 1, 2005)

ORDER TO SHOW CAUSE

**Legal
Solutions
Plus**

Family Code, §§ 215, 270 et seq., 3000 et
seq., 8500 et seq., 4300

FL-310

PETITIONER: KIM BASINGER

CASE NUMBER:

BD 337 739

RESPONDENT: ALEXANDER BALDWIN, III

APPLICATION FOR ORDER AND SUPPORTING DECLARATION

— THIS IS NOT AN ORDER —

☐ Petitioner ☒ Respondent ☐ Claimant requests the following orders:1. ☐ CHILD CUSTODY ☐ To be ordered pending the hearinga. Child (name, age)b. Legal custody to (person who makes decisions about health, education, etc.)
(name)c. Physical custody to (person with whom child lives.)
(name)☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

☐ As requested in form ☐ FL-311 ☐ FL-312 ☐ FL-341(C) ☐ FL-341(D) ☐ FL-341(E)2. ☐ CHILD VISITATION ☐ To be ordered pending the hearinga. As requested in: (1) ☐ Attachment 2a (2) ☐ form FL-311 (3) ☐ Other (specify):b. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

c. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one.) The orders are from the following court or courts (specify county and state):(1) ☐ Criminal: County/state: _____

Case No. (if known): _____

(3) ☐ Juvenile: County/state: _____

Case No. (if known): _____

(2) ☐ Family: County/state: _____

Case No. (if known): _____

(4) ☐ Other: County/state: _____

Case No. (if known): _____

3. ☐ CHILD SUPPORT (An earnings assignment order may be issued.)a. Child (name, age)b. Monthly amount (if not by guideline)

\$

c. ☐ Modify existing order

(1) filed on (date):

(2) ordering (specify):

4. ☐ SPOUSAL OR PARTNER SUPPORT (An earnings assignment order may be issued.)a. ☐ Amount requested (monthly): \$c. ☐ Modify existing orderb. ☐ Terminate existing order

(1) filed on (date):

(1) filed on (date):

(2) ordering (specify):

(2) ordering (specify):

5. ☐ ATTORNEY FEES AND COSTS a. ☐ Fees: \$b. ☐ Costs: \$

NOTE: To obtain domestic violence restraining orders, you must use the forms *Request for Order (Domestic Violence Prevention)* (form DV-100) and *Temporary Restraining Order and Notice of Hearing (Domestic Violence Prevention)* (form DV-110).

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PETITIONER: KIM BASINGER	CASE NUMBER: BD 337 739
RESPONDENT: ALEXANDER BALDWIN, III	

6. ☐ PROPERTY RESTRAINT ☐ To be ordered pending the hearing
- a. The ☐ petitioner ☐ respondent ☐ claimant is restrained from transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, except in the usual course of business or for the necessities of life.
- ☐ The applicant will be notified at least five business days before any proposed extraordinary expenditures, and an accounting of such will be made to the court.
- b. ☐ Both parties are restrained and enjoined from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties or their minor children.
- c. ☐ Neither party may incur any debts or liabilities for which the other may be held responsible, other than in the ordinary course of business or for the necessities of life.
7. ☐ PROPERTY CONTROL ☐ To be ordered pending the hearing
- a. ☐ The petitioner ☐ respondent is given the exclusive temporary use, possession, and control of the following property we own or are buying (specify):
- b. ☐ The petitioner ☐ respondent is ordered to make the following payments on liens and encumbrances coming due while the order is in effect:
- | <u>Debt</u> | <u>Amount of payment</u> | <u>Pay to</u> |
|-------------|--------------------------|---------------|
| | | |
8. ☐ I request that time for service of the Order to Show Cause and accompanying papers be shortened so that these documents may be served no less than (specify number) _____ days before the time set for the hearing. I need to have the order shortening time because of the facts specified in the attached declaration.
9. ☒ OTHER RELIEF (specify): See Attachment 9
10. ☒ FACTS IN SUPPORT of relief requested and change of circumstances for any modification are (specify):
☒ contained in the attached declaration.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: April 19, 2007

VICKI J. GREENE

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT)

ATTACHMENT 9**9. OTHER RELIEF:**

1. That the Court set an evidentiary hearing, Order to Show Cause re Contempt, or such other hearing that it deems appropriate for the purpose of determining the manner in which its April 18, 2007 Orders were violated, pursuant to Section 128(4) of the *California Code of Civil Procedure*;

2. That the Court order the attendance of persons to testify in this proceeding, including Petitioner, Neal Hersh, Judy Bogen and Harvey Levin and such other persons as the Court deems necessary or appropriate to determine the manner in which the voice-mail message between Respondent and the minor child (and any information of and concerning the closed hearing on April 18, 2007) ended up in the hands of Harvey Levin and published on TMZ.com, pursuant to Section 128(6) of the *California Code of Civil Procedure*;

3. That the Court determine whether there are grounds for taking action against Petitioner and her counsel, or any of her or their agents or employees for the intentional dissemination of private information of and concerning the minor child of the parties for improper motives.

DECLARATION OF VICKI J. GREENE

VICKI J. GREENE, hereby declares as follows:

1. Declarant is an attorney duly licensed to practice law in the State of California and attorney of record for Respondent in this dissolution proceeding. I have personal knowledge of the following facts and if called upon could and would testify competently thereto. I submit the following in support of Respondent's requests for relief:

2. On April 18, 2007, I appeared before this Court for the hearing on Petitioner's Motion. After that Motion was ruled upon in open Court, the Court entertained an ex parte application. However, over Petitioner's objection, the court closed the courtroom for the protection and privacy of the minor child (pursuant to *Family Code* §214) and conditionally sealed certain pleadings.

3. On April 19, 2007, Harvey Levin of TMZ.com, a celebrity online gossip website, admitted to me that he intended to publish a tape recording of a voice-mail message he had between Respondent and the minor child. He told me that he obtained the tape from a source whom he would not disclose to me. He also told me he had information he believed came from the April 18 hearing. I told Mr. Levin that I had no idea what he had, but that what he purported to have had to have come from an improper source. I also told Mr. Levin that the court proceedings had been closed to the public and sealed.

4. I urged Mr. Levin not to go public with the tape recorded message and that the dissemination of what he claimed to have could result in Respondent taking legal action against him or TMZ.com.

5. During my conversation with Mr. Levin, I told him that it was my intention to send a letter to him, confirming the subject of our conversation. He provided his address and fax number. A copy of my letter is attached hereto, incorporated herein by this reference and marked Exhibit "A."

1 6. However, within minutes of our conversation, Mr. Levin published the
2 voice-mail message between Respondent and his daughter and other information.

3 7. Petitioner is the only parent with custody, possession and control of the
4 minor child's telephone voice-mail message that was dissemination to Harvey Levin
5 and TMZ.com.

6 8. If Mr. Levin had a tape recorded message between Respondent and the
7 minor child, it had to have originated from Petitioner or her employees, agents or
8 attorneys.

9 9. I do not know how Mr. Levin received any information about the court
10 proceeding that was closed to the public, but again, it had to have come from
11 someone connected to the proceeding, and it was not me.

12 10. The Court closed the courtroom, pursuant to *Family Code* §214, in
13 order to protect the minor child of the parties from unwarranted public intrusion or
14 publicity, which it deemed not to be in the best interests of the minor child.
15 Moreover, what was to be discussed, was already the subject of previously sealed
16 pleadings and closed proceedings.

17 11. The Court conditionally sealed the pleadings filed by Petitioner and
18 Respondent and provided me with the time I needed to file a formal Motion, which it
19 asked me to set for hearing on May 4, 2007.

20 12. Respondent urges the Court to set a hearing to determine the source of
21 the leak and whether and how its Orders have been violated. Information has been
22 leaked to the press intentionally. The specific source is unknown, but it could only
23 have come from Petitioner's side of the case. Whether the act was intentional,

24 ///

25 ///

1 negligent or reckless, it goes against the Court's stated desire to protect the child from
2 unwarranted publicity.

3 I declare under penalty of perjury that the foregoing is true and correct.

4 Executed this 19th day of April, 2007, at Los Angeles, California.

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7 Vicki J. Greene, Declarant
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April 19, 2007

Re: Alec Baldwin

Dear Harvey:

This will serve to confirm that I called you at 12:30 p.m., after learning that you intended to go public with some information you obtained (from an undisclosed source) relating to Ireland and Alec Baldwin and a closed hearing conducted in the Los Angeles Superior Court on April 18, 2007. I cautioned you against taking any action, especially when what you disclosed to me could only have been obtained from an improper source, was sealed by the Court and should not be in your possession, let alone disclosed to the public.

Please be advised that if you chose to ignore my admonition, Alec fully intends to take legal action to protect his and his daughter's rights and the Court's Order.

Very truly yours,

dictated but not read

VICKI J. GREENE

VJG:mlh

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