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15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
16 **COUNTY OF SANTA CRUZ**

17 HANNAH (ELIO) ELLUTZI; LAAILA  
IRSHAD; CHRISTINE HONG,  
18 Plaintiffs,

19 vs.

20 THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA; CYNTHIA LARIVE, in her  
21 official capacity as Chancellor of the  
University of California, Santa Cruz  
22 (“UCSC”); LORI KLETZER, in her official  
capacity as UCSC Campus Provost and  
23 Executive Vice Chancellor; EDWARD D.  
REISKIN, in his official capacity as UCSC  
24 Vice Chancellor for Finance, Operations and  
Administration; AKIRAH J. BRADLEY-  
25 ARMSTRONG, in her official capacity as  
UCSC Vice Chancellor of Student Affairs;  
26 ALEX DOUGLAS MCCAFFERTY, in his  
official capacity as UCSC Campus Budget  
27 Director; SONYA KIERNAN, in her official  
capacity as Executive Assistant to the UCSC  
28 Chancellor; HERBERT LEE, in his official  
capacity as UCSC Vice Provost of Academic

Case No. 24CV02532  
*Assigned for all purposes to the Hon. Syda  
Kosofsky Cogliati*

**PLAINTIFF LAAILA IRSHAD’S  
NOTICE OF MOTION AND MOTION  
TO QUASH, VOID, OR MODIFY  
SEARCH WARRANT RE: DISCOVERY  
OF ELECTRONIC INFORMATION**

**(Pen. Code, § 1546.4(c))**

**Date:** December 19, 2024

**Time:** 8:30 a.m.

**Dept.:** 5

Action Filed: September 9, 2024

*[Filed concurrently with Memorandum of  
Points and Authorities in Support of Motion to  
Quash, Void, or Modify Search Warrant and  
Declaration of Laaila Irshad]*

1 Affairs; JESSICA RASHID, in her official  
2 capacity as UCSC Assistant Dean of Students,  
3 Student Conduct & Community Standards;  
4 ADRIENNE RATNER, in her official capacity  
5 as UCSC Director of Academic Employee  
6 Relations; KEVIN DOMBY, in his official  
7 capacity as UCSC Chief of Police and  
8 Executive Director of Public Safety; and  
9 DOES 1-10,  
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11 Defendants.  
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1 **NOTICE OF MOTION AND MOTION**

2 TO THE DISTRICT ATTORNEY; DEFENDANTS AND THEIR COUNSEL OF  
3 RECORD; AND THE ABOVE-ENTITLED COURT:

4 PLEASE TAKE NOTICE that on December 19, 2024, at 8:30 a.m., or as soon thereafter as  
5 the matter may be heard, in Department 5 of the Santa Cruz Superior Court, located at 701 Ocean  
6 Street, Santa Cruz, CA 95060, Plaintiff LAAILA IRSHAD will, and hereby does, petition this  
7 Court for an order voiding or modifying the search warrant issued on September 25, 2024 and  
8 served on her by University of California Santa Cruz (UCSC) police officers on October 1, 2024.  
9 Ms. Irshad requests that the Court quash the warrant, order the return of her property and the  
10 destruction of all seized information, and unseal the affidavit supporting the warrant. In the  
11 alternative, Ms. Irshad requests that the Court order her phone to be sealed until a hearing can be  
12 heard regarding her claim that the warrant is overbroad and that the cellphone contains attorney-  
13 client privileged communications and attorney-work product.

14 This Motion petitioning the Court is brought under the California Electronic  
15 Communications Privacy Act (CalECPA), Penal Code section 1546 *et seq.* Specifically,  
16 subsection (c) of Section 1546.4 authorizes an individual such as Ms. Irshad—“whose information  
17 is targeted by a warrant . . . that is inconsistent with [CalECPA], or the California Constitution or  
18 the United States Constitution”—to “petition the issuing court to void or modify the warrant,  
19 order, or process, or to order the destruction of any information obtained in violation of  
20 [CalECPA], or the California Constitution, or the United States Constitution.” Pursuant to this  
21 section, Ms. Irshad argues that the warrant is overbroad in violation of CalECPA, the First and  
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1 Fourth Amendments, and the California Constitution; and that the warrant threatens to sweep in  
2 privileged attorney-client communications and attorney work product.<sup>1</sup>

3 Ms. Irshad bases this Motion on this Notice of Motion and Motion; the accompanying  
4 Memorandum of Points and Authorities; the supporting declaration of Laaila Irshad with Exhibit  
5 A; the Complaint for Injunctive and Declaratory Relief and all other papers filed in this matter to  
6 date; and any evidence or further argument or authorities that may be requested or permitted by  
7 the Court.

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9 Dated: October 11, 2024

Respectfully submitted,

10 ACLU FOUNDATION OF NORTHERN  
11 CALIFORNIA, INC.

/s/ Chessie Thacher

Chessie Thacher (SBN 296767)

Shaila Nathu (SBN 314203)

Angelica Salceda (SBN 296152)

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14 THE LAW OFFICE OF THOMAS C.  
SEABAUGH

/s/ Thomas C. Seabaugh

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PROTEST LAW & LITIGATION

/s/ Rachel Lederman

Rachel Lederman (SBN 130192)

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19 *Attorneys for Plaintiffs*

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22 <sup>1</sup> Ms. Irshad recognizes that, under Penal Code section 1546.4(c), there is a presumption that any  
23 petition or motion to quash be heard by the magistrate judge who issued the challenged warrant.  
24 The Clerk's Office has, however, advised counsel for Ms. Irshad that such a petition or motion to  
25 quash cannot be filed before the magistrate as no criminal charges have been filed. Given the  
26 urgency of the issues raised herein, Ms. Irshad cannot wait to see if such charges will be filed.  
27 Therefore, Ms. Irshad seeks to petition this Court for relief. If the Court determines that this  
28 petition should ultimately be heard by the issuing magistrate, Ms. Irshad has no objection to the  
transfer of this particular matter to a different department.