

FILED
LOS ANGELES SUPERIOR COURT

JUN 30 2008

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10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

FILE BY FAX

13 ROB LOWE, an individual; and SHERYL
14 LOWE, an individual,

15 Plaintiffs,

16 vs.

17 LAURA BOYCE, an individual; and
18 DOES 1 through 25, inclusive,

19 Defendant.

20 LAURA BOYCE,

21 Cross-Complainant

22 vs.

23 ROB LOWE, an individual; SHERYL
24 LOWE, an individual, and DOES 1 through
25 25 inclusive.

26 Cross-Defendants.

CASE NO: BC 388579

Hon. Maureen Duffy-Lewis - Dept. 38

**DECLARATION OF LAURA
BOYCE IN SUPPORT OF HER
SPECIAL MOTION TO STRIKE
THE COMPLAINT PURSUANT TO
CODE OF CIVIL PROCEDURE
SECTION 425.16**

Date: September 23, 2008
Time: 9:30 a.m.
Dept: 38

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DECLARATION OF LAURA BOYCE

6/30/88

1 **DECLARATION OF LAURA BOYCE**

2 I, LAURA BOYCE, do hereby declare and affirm:

3 1. I am over the age of 21 years and am a resident of the County of Los Angeles, State
4 of California. The following is true of my own personal knowledge. If called, I could and would
5 competently testify thereto.

6 2. I am a former employee of plaintiffs Rob Lowe and Sheryl Lowe (collectively "the
7 Lowes"). I worked as a nanny for the Lowe's two children from April 2007 through November
8 16, 2007, when I resigned.

9 3. On November 16, 2007, I called to advise Sheryl Lowe that I was not feeling well
10 but would be in to work the following day (Saturday, November 17, 2007). I spoke with the
11 Estate Manager Carol Andrade. As I was speaking with the Ms. Andrade, I heard Sheryl Lowe in
12 the background yelling and laughing into the phone, "she got strep throat from sucking nigger
13 dick. I mean black dick." At the time, I was dating an African American man.

14 4. This incident described above was the proverbial straw which caused me to resign
15 my employment. I told Ms. Andrade, "wow, I'm done." I could no longer tolerate Sheryl Lowe's
16 disgusting racially and sexually offensive behavior. I did not return to work for the Lowes.

17 5. Since November 16, 2007, I had no communication whatsoever with Sheryl or Rob
18 Lowe until, as described below, on March 31, 2008, when I received a telephone voice message
19 from Sheryl Lowe.

20 6. In March 2008, I was contacted by attorney John Richards from Santa Barbara. Mr.
21 Richards advised me that he was representing Jessica Gibson regarding claims against the Lowes.
22 I had been a co-worker of Ms. Gibson's. Mr. Richards asked me if I had received my last pay and
23 I told him no. I just wanted out from the Lowe's employment. I told him I did not want anything
24 to do with the Lowes.

25 7. I had no further communication with attorney John Richards.

26 8. On March 31, 2007, I received a voice message from Sheryl Lowe, stating:

27 Laura Boyce. It's Sheryl Lowe here - xxx-xxx-xxxx. Um, I was just talking to Elizabeth
28 Campos and she said you never picked up your pay and I want to get you paid. I don't want
any weirdness there. I didn't want you to resent us or think that we were trying to not pay

6/30/08

1 you and I just found that out. I actually did not know until the end of last week so... And
2 also I have a friend in L.A. who is looking for some part time work and I didn't know if
3 you had a job and I wanted to talk to you about that. Let you know some of the stuff. And
4 um... I just had a couple of things. Hey we're going away, you want to go? [laugh] Call
5 me. I really want to talk to you. It's been too long and please don't be a stranger and
6 there's no weirdness on my part. I hope there's none on yours. Okay, so call me xxxxxxxx.
7 I am leaving for India this weekend so call me today if you can. Today is Monday. I am
8 going to be around packing and I so want to talk to you. Bye.

9 I did not call Sheryl Lowe back.

10 10. On April 7, 2008, I was shocked to learn from a television report that I had been
11 sued by Rob and Sheryl Lowe. I also learned that Jessica Gibson (another former nanny) and Pete
12 Clemens (a former Chef) had also been sued by Rob and Sheryl Lowe the same day.

13 11. My current employer suggested I speak with an attorney friend of hers. I called the
14 attorney, but he was unavailable. I spoke with another attorney at that firm named Vanessa Lops
15 on or about April 9, 2008. Ms. Lops and I exchanged telephone voice messages over the course of
16 the next few days.

17 12. During one of my telephone conversations, with Ms. Lops, I learned that attorney
18 Stanton Stein was requesting a meeting with me to sign a declaration stating that I did not witness
19 sexual harassment on the job and that I did not speak with John Richards.

20 13. I told Ms. Lops that I did not witness sexual harassment directly towards Jessica
21 Gibson by Rob Lowe, but that I did speak with Mr. Richards. I told Ms. Lops that I would not sign
22 a declaration.

23 14. Ms. Lops then called me back and asked if I would just meet with Mr. Stein. I told
24 her no.

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15. I thereafter retained Alfred, Maroko & Goldberg to represent me in the defense of the lawsuit filed against me by the Lowes. Through my counsel, on April 30, 2008, I filed a cross-complaint for sexual harassment and unpaid wages.

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

Executed at Los Angeles, California, on this 29 day of June, 2008.


LAURA BOYCE



6/30/08

LAURA BOYCE