

1 Jeffrey Lewis (Bar No. 183934)
Sean Rotstan (Bar No. 316041)
2 **JEFF LEWIS LAW**
609 Deep Valley Drive, Suite 200
3 Rolling Hills Estates, CA 90274
Tel. (310) 935-4001
4 Fax. (310) 872-5389
E-Mail: Jeff@JeffLewisLaw.com

5 Attorney for Defendant
6 HEATHER MCDONALD

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF ORANGE – CENTRAL JUSTICE CENTER**

10
11 JAMES BELLINO, et al.,

12 Plaintiffs,

13 vs.

14 HEATHER MCDONALD, et al.

15 Defendants.

) Case No.: 30-2019-01078776-CU-DF-CJC

) **DECLARATION OF HEATHER**
) **MCDONALD IN SUPPORT OF**
) **SPECIAL MOTION TO STRIKE**
) **COMPLAINT**

) (Assigned for all purposes to
) Hon. Layne H. Melzer, Dept. C12)

16 RES ID: 73153139

17 Date: February 20, 2020

18 Time: 2:00 p.m.

Department: C12

19 Case Filed: June 24, 2019

20 Trial Date: None Set

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22
23 I, Heather McDonald, declare as follows:

24 1. I am the defendant herein.

25 2. I have personal knowledge of the truth and accuracy of the facts set
26 forth herein, and if called upon as a witness, I could competently testify thereto. I do
27 not intend to waive the attorney-client privilege or work product doctrine by making
28 any statement herein.

DECLARATION OF HEATHER MCDONALD

Jeff Lewis Law
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1 3. On Sunday June 24, 2018, I participated in a live taping of my podcast,
2 Juicy Scoop, at the Irvine Improv at 7 p.m. The Irvine Improv is a comedy club with
3 a two-drink minimum for audience members. I booked four guests to join me on
4 stage, comedians Chris Franjola (“Franjola”) and Sarah Colonna (“Colonna”), and
5 stars of the top-rated Bravo TV series, Real Housewives of Orange County (“RHOC”)
6 Tamra Judge (“Judge”) and Shannon Beador (“Beador.”) I asked Judge and Beador if
7 they would like to be my guests on the show because the venue was close to their
8 homes and my show’s audience members are enthusiastic about RHOC. Judge had
9 previously been a guest on Juicy Scoop in studio as well as live the previous year at
10 the Irvine Improv. Beador was my guest in studio and also live at the Hollywood
11 Improv.

12 4. The format of the show is a hosted discussion by me of hot pop culture
13 topics with guests from major TV news shows, magazines and online news sources
14 like TMZ, Radar online, People.com and more. I prepare for the show by choosing
15 news stories to discuss and screen grabbing a photo from the online source or
16 magazine; I put this photo on my iPad which is then projected to a screen on stage so
17 the audience can see who and what is being discussed. There is no script. It is
18 improvisation. The show is broadcast at least weekly.

19 5. On June 17, 2018, the Saturday before the June 24, 2018 show at issue
20 in this case, news broke that Defendant Jim Bellino (“Jim”) had filed for divorce
21 from his wife Alexis Bellino (“Alexis”). (I refer to the foregoing individuals by first
22 name for clarity and not out of any disrespect). I screen grabbed a photo from the
23 TMZ article that gave details of the very public divorce. I also read in Radar Online
24 that according to the divorce filing Jim was asking Alexis for spousal support. Based
25 on my watching them for hours and hours on television in the scenes I described
26 below, I found that part of the divorce to be very perplexing.

27 6. Jim and Alexis starred in RHOC for seasons 4, 5 and 6. The show was
28 in its 12th season and Judge has been on since season 3. Beador joined the cast in



1 season 9.

2 7. I found the Bellino divorce to be shocking since a major storyline about
3 their real lives on the reality show was that they both were devout Christians and
4 that Jim did not want Alexis to work outside the home. In that storyline, Alexis was
5 offered a job on a morning TV show in San Diego, but Jim was not supportive and
6 Alexis did not accept the job. Throughout the three seasons that Jim and Alexis
7 starred on the popular television show, which continues to run repeat episodes and
8 weekend-long marathons of past seasons, viewers have seen them both live their
9 lives as a married couple. Alexis would quote the Bible, “I was made from my
10 husband’s rib.”

11 8. On June 24, 2018, the day of the taping of my live show, I greeted
12 Judge and Bador in the green room and then left them in there alone for about 30
13 minutes while I interviewed Franjola and Colonna. I then introduced Judge and
14 Bador. I brought up the shocking divorce news of Jim and Alexis and that Jim was
15 asking for spousal support. Given the aforementioned TV show plotline wherein Jim
16 had expressed that he did not want Alexis to work outside the home, I found that
17 request very interesting. Judge then gave her opinion on the news story. I then
18 remembered Jim and Alexis owned trampoline parks which were heavily featured on
19 many episodes of the reality show, so I asked the audience, “Do they still own those
20 trampoline parks?” An audience member said, “Yes, they do.” I did not know what
21 Judge and Bador would say thereafter about the divorce as my show is unscripted
22 and improvised.

23 9. On the morning of June 25, 2018, the following Monday, I called both
24 Judge and Bador separately and thanked them for their participation and asked if
25 there was anything they said in the live show that they wanted me to edit out before
26 it was uploaded to iTunes the next morning, Tuesday, June 26, 2018. Both Judge
27 and Bador said no, that there was nothing to cut out. I said “Ok, but I am going to
28 edit out that you both mention that your cast trip was in Jamaica, because that



1 would be a spoiler for the upcoming season and the Public Relations representative
2 from Bravo had asked me to not have any spoilers in the podcast.” The season was
3 filmed but had not begun airing. We all agreed that was the only portion to cut of the
4 podcast. To the best of my knowledge, the podcast of the June 24, 2018 show was
5 scheduled to be uploaded and available for listening by 12:01 a.m. on Tuesday,
6 January 26, 2018.

7 10. I have asked each and every one of my 380 guests on Juicy Scoop over
8 the past four years, including both Judge and Beador when they appeared on
9 previous episodes of Juicy Scoop, if they want me to remove anything they said
10 before uploading the podcast.

11 11. On Tuesday, June 26, 2018, at approximately 10:00 or 11:00 a.m. I
12 talked to Judge on the phone and she told me that she had heard that Alexis was
13 hurt that Judge had discussed her divorce at the Irvine Improv. I said, “No problem.
14 I’ll call my editor right now and have him digitally remove the parts about the
15 Bellinos.” It was then removed at approximately 12:00 p.m. on June 26, 2018. From
16 that moment on, the only version of the show available to listen to did not include
17 the discussion about the numerous news stories regarding the Bellinos’ public
18 divorce. Thus, the discussion about the Bellinos’ divorce was included on my podcast
19 on Tuesday, June 26, 2018, only between 12:01 a.m. when it was first uploaded until
20 noon that same day when that discussion was edited out. A matter of perhaps 12
21 hours.

22 12. My podcast is posted to the Internet at least once a week for
23 downloading by listeners. Jim did not demand that I retract the statements made on
24 my podcast within twenty days of its publication on June 26, 2018.

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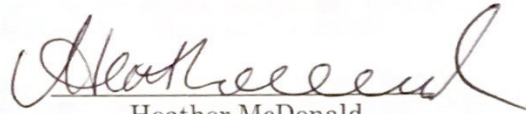
Jeff Lewis Law
609 Deep Valley Drive, Suite 200
Rolling Hills Estates, CA 90274



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

Executed this 18th day of October 2019, at Los Angeles, California.


Heather McDonald



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PROOF OF SERVICE

Bellino, et al. v. McDonald
Orange County Superior Court Case No.: 30-2019-01078776-CU-DF-CJC

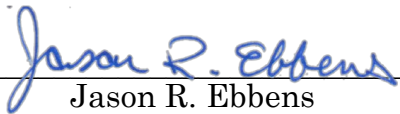
I, Jason R. Ebbens, declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the within action; my business address is 609 Deep Valley Drive, Suite 200, Rolling Hills Estates, CA 90274.

On **October 17, 2019**, I served the foregoing: **DECLARATION OF HEATHER MCDONALD IN SUPPORT OF SPECIAL MOTION TO STRIKE COMPLAINT** on the interested parties in this action by placing the original a true copy thereof, enclosed in a sealed envelope with postage pre-paid, addressed as follows:

** See Attached Service List **

- BY ELECTRONIC SERVICE. I served the foregoing document(s) on interested parties by using the electronic filing service ONELEGAL to serve and file documents electronically as mandated by the Orange County Superior Court. The documents were electronically transmitted to the e-mail addresses of the persons set forth the above.
- (STATE) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **October 17, 2019**, in Rolling Hills Estates, California.



Jason R. Ebbens



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SERVICE LIST

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BROWN, NERI, SMITH & KHAN LLP
11601 Wilshire Blvd., Suite 2080
Los Angeles, CA 90025

Geoffrey A. Neri, Esq.
Email: geoff@bnsklaw.com

Attorneys for Plaintiff:

James Bellino

Jump Management CO., LLC