DECLARATION

I, Devon Atkinson, declare as follows:

1. I am employed as a paralegal in the Legal Services Division of the Orange County Department of Education ("OCDE"). I have personal knowledge of the matters stated herein and, if called as a witness, could and would competently testify thereto.

2. I make this declaration to document the due diligence efforts I undertook to investigate and verify a claim made by Senator Tom Umberg during a March 24, 2026, hearing before the California State Assembly's Joint Committee on Legislative Audit ("JLAC") that alleged that a Brown Act violation occurred at or in connection with a "January 5, 2023," Orange County Board of Education ("OCBE") meeting and that a writ of mandate relating to such alleged violation was filed by or around March 2023.

3. In response to that claim, I conducted a diligent search to determine whether any such writ, lawsuit, or reference to such a proceeding exists.

4. I reviewed transcripts of more than eighty-three (83) OCBE meetings and hearings spanning approximately five (5) years, utilizing available electronic search tools to identify any references to Ralph M. Brown Act (Gov. Code, § 54950 et seq.) violations (including serial meetings), writs of mandate, or litigation relating to such matters. I found no references to any writ of mandate or lawsuit alleging a Brown Act violation involving OCBE.

5. I conducted a targeted review of transcripts and board meeting minutes for the period of January 2023 through June 2023, specifically focusing on the January 4, 2023, OCBE meeting (noting that no meeting occurred on January 5, 2023, despite that date being referenced during the JLAC hearing), at which the alleged violation is claimed to have occurred. I found no mention of any Brown Act-related writ, lawsuit, or legal proceeding during this time period.

6. Using LexisNexis CourtLink, I conducted searches of publicly available Orange County Superior Court records for lawsuits filed during March 2023 and surrounding months. I specifically searched for:

    - any writ of mandate proceedings, and
    - any cases naming OCBE as a party, particularly those alleging Brown Act violations.

    These searches revealed no such filings.

7. Based on the foregoing efforts, to the best of my knowledge and based on my duties and responsibilities, I have found no evidence of any writ of mandate, lawsuit, or legal proceeding alleging a Brown Act violation by OCBE arising from the January 2023 meeting or filed in or around March 2023, or at any other time.

8. Accordingly, despite conducting a reasonably diligent search of transcripts, board records, and court records, I have been unable to locate any information substantiating the existence of the claimed writ or related legal proceeding.

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

Executed this 2nd day of April 2026, at Costa Mesa, California.



Devon Atkinson