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## DECLARATION OF HALLE BERRY

I, Halle Berry, declare as follows:

1. On Saturday, July 9, 2011, I was standing in the kitchen of my home on [REDACTED] in Los Angeles, California, speaking with my manager, Vincent Cirrincione, when I looked out the glass door leading to my enclosed and gated back yard and was shocked to see a complete stranger, carrying something in his hands and approaching us.

2. The intruder was a male Caucasian or Hispanic, and dressed in black pants and a white shirt which was not tucked in.

3. I was immediately in fear as I saw this intruder in my yard coming towards me and I screamed "There's a guy in my yard." Vincent, my manager, yelled out as he opened the door to get between me and the intruder, "What are you doing here?" and the man replied something like, "Santiago sent me" or "I am looking for Santiago."

4. I know that no one I know is named "Santiago" and felt in extreme danger at that moment. Vincent yelled to the intruder something to the effect of "If I had a gun I would shoot you" and the man then turned back towards the fence. He was only a few yards from my kitchen door when I first saw his advance.

5. I immediately ran into my security room and watched the video monitor as the intruder scaled my fence and went into my driveway. I watched as he looked at Vincent's convertible, paused for a few seconds, and then calmly walked down [REDACTED] away from my home.

6. I immediately called two different LAPD officers who had responded to my neighborhood previously. Unable to reach either, I called the police dispatcher and requested assistance. Three LAPD officers arrived and searched for the intruder but did not find him.

7. On Sunday, July 10, 2011, between 4:45 and 5:00 p.m. I was in my home and went towards my garage, which has been converted into a salon. I opened the locked door to the salon with my key, which was attached to a key chain with the letter "S" on it. I left the key in the door as I normally do and entered the salon. I was inside for approximately ten minutes when I decided to open up two large doors, which face and interior yard, in order to get some air in. As I did so, I walked back toward my kitchen door in the yard to grab a Diet Coke from my refrigerator. As I opened my glass kitchen door and closed it behind me, all of a sudden I sensed

1 someone behind me and turned to see the same intruder standing less than a foot behind me  
2 starring at me through my glass kitchen door.

3 8. Panicking and in fear of my life, I turned my body and quickly hit the deadbolt  
4 lock on the glass door. I grabbed my phone and ran as fast as I could upstairs, slamming each  
5 door behind me as I ran. I got upstairs to a safe space, locked myself inside and dialed 911.

6 9. Within six or seven minutes, LAPD units responded in full force and with a  
7 helicopter and thoroughly searched the grounds for the intruder. They did not find him. When  
8 the security footage was reviewed, it showed the intruder hiding in some bushes right outside the  
9 salon/garage apparently waiting as I was inside the salon. We also discovered someone had  
10 removed the key and the key chain from the door.

11 10. On Sunday evening, arrangements were made to have fully armed security officers  
12 at my residence and on the grounds 24 hours a day.

13 11. On Monday, July 11, 2011, there were a number of people in my home with me all  
14 day and into the evening. At around 10:00 p.m., our nanny departed, which left me alone in my  
15 home with my 3-year-old daughter. The armed security officers were positioned outside and  
16 around the house while I was upstairs with my daughter. The security officers gave me a walkie-  
17 talkie and directed me as to what to do if they gave a certain signal. Almost immediately after  
18 our nanny left, my walkie-talkie activated and I was instructed to get to safety as quickly as  
19 possible with my daughter and to stay there. Although extremely afraid at this point for the safety  
20 of my child, I acted quickly and ran to the safe place and stayed there. A few minutes later I was  
21 notified on the walkie-talkie that the intruder had been apprehended. The police officers who  
22 captured him asked me to identify if this was the same intruder from July 9 and July 10 and when  
23 I looked at him it was clear to me it was the same person who has been described to me as  
24 Richard Franco.

25 12. Richard Franco is a stranger to me and I have no desire to have any contact with  
26 him. He has terrorized me and my family in three consecutive incidents over the last three days.  
27 It is my understanding that the LAPD Threat Management Unit, which has been specially  
28 assigned to the case, has confirmed that Franco was carrying with him a book with nonsensical  
ramblings and my name written in his handwriting. I am also informed that Franco has a criminal  
history of violence, theft and drug offenses. This person has jeopardized not only my own  
personal safety, but also the safety and well-being of my family. This person has invaded and  
trampled upon the most fundamental sense of security I have and I am extremely frightened of

1 him and what he might do to me or those I love. I believe a Restraining Order it necessary in  
2 order to protect my safety and assist law enforcement in ensuring that this matter does not  
3 escalate further.

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

6 Executed this 12th day of July, 2011, at Los Angeles, California

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Halle Berry

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