

**COSTA MESA  
LITIGATION STATUS REPORT**

**MARCH 7, 2017**

**AmeriCare MedServices, Inc. v. City of Costa Mesa and CARE Ambulance Services**

<b>Case Name</b>	AmeriCare MedServices, Inc. v. City of Costa Mesa and CARE Ambulance Services	<b>Case Number</b>	8:16-cv-01804-JLS-AFM
<b>Judge</b>	Hon. Josephine L. Staton Magistrate: Hon. Alexander F. MacKinnon	<b>Venue</b>	United States District Court for Central District of California
<b>Attorney(s) for City</b>	James R. Touchstone Melissa M. Ballard Bruce A. Lindsay Kendall H. MacVey - Best, Best & Krieger	<b>Opposing Attorney(s)</b>	Jarod Michael Bona Bona Law PC
<b>Date of Loss</b>	Not applicable.	<b>Complaint Filed</b>	09/28/2016
<b>Legal Fees and Costs Incurred to Date</b>	\$14,907.83		
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. Monopolization – 15 U.S.C. § 2</li> <li>2. Attempted Monopolization – 15 U.S.C. § 2</li> <li>3. Conspiracy to Monopolize – 15 U.S.C. § 2</li> <li>4. Conspiracy to Restrain Trade – 15 U.S.C. § 1</li> <li>5. Declaration of Rights – Cal. Civ. Proc. Code § 1060</li> <li>6. Declaratory Judgment – 28 U.S.C. § 2201; 15 U.S.C. § 26</li> </ol>		
<b>Summary</b>	Antitrust claim by AmeriCare MedServices that City created unlawful monopoly with CARE Ambulance Services.		
<b>Status</b>	City and CARE each filed motions to dismiss AmeriCare’s complaint. Court requested counsels’ input on pre-trial consolidation of AmeriCare’s twelve cases.		
<b>Next Hearing Date</b>	Motion to Dismiss – 03/03/17		
<b>Trial Date</b>	Not yet set.		
<b>Docket</b>	09/28/16	Summons and Complaint	
	10/12/16	Initial Standing Order of Judge Staton	
	12/01/16	Amended Complaint	
	12/13/16	Stipulation to Set Briefing Schedule and Procedure for Plaintiff’s Motion to Dismiss	
	12/14/16	Stipulation to Extend Time to Respond to Amended Complaint	
	12/19/16	Order to Show Cause; Order Granting Stipulations	
	12/29/16	City’s Response to Order to Show Cause re: Consolidation for Pre-trial	
	12/30/16	CARE’s Response to Order to Show Cause re: Consolidation	
	12/30/16	Plaintiff’s Response in Support of Order to Show Cause	
	01/06/17	City’s Notice of Motion and Motion to Dismiss Plaintiff’s Amended Complaint	
	01/06/17	[Proposed] Order Granting City’s Motion to Dismiss Plaintiff’s Amended Complaint	
	01/13/17	CARE Ambulance Service’s Notice of Motion and Motion to Dismiss Plaintiff’s First Amended Complaint	
	01/13/17	[Proposed] Order Granting CARE Ambulance Service’s Motion to Dismiss Plaintiff’s First Amended Complaint	

	01/18/17	Order Advancing Hearing re City's Motion to Dismiss
	02/10/17	Plaintiff's Memorandum in Opposition of Notice of Motion and Motion to Dismiss Plaintiff's Amended Complaint
	02/17/17	City's Reply in Support of Motion to Dismiss
	02/17/17	Plaintiff's Memorandum in Opposition to Notice of Motion and Motion to Dismiss Case
	02/23/17	Motion for Leave to File Amicus Curiae Brief of Richard A. Narad in Support of Plaintiff
<b>Written Discovery</b>		Not yet exchanged.

**Ming Cheng Chen; Hsiang Chu Shih Chen v. City of Costa Mesa**

<b>Case Name</b>	Ming Cheng Chen; Hsiang Chu Shih Chen v. City of Costa Mesa	<b>Case Number</b>	8:16-cv-01624-CJC-KES
<b>Judge</b>	Hon. Cormac J. Carney Magistrate: Hon. Karen E. Scott	<b>Venue</b>	United States District Court for Central District of California
<b>Attorney(s) for City</b>	James R. Touchstone Bruce A. Lindsay Dean J. Pucci Monica Choi Arredondo	<b>Opposing Attorney(s)</b>	Frank A. Weiser
<b>Date of Loss</b>	Not applicable.	<b>Complaint Filed</b>	09/02/2016* *Received by City 12/08/2016
<b>Legal Fees and Costs Incurred to Date</b>	\$2,867.40		
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. Violation of Federal Civil Rights under 42 U.S.C. § 1983 – First Amendment, Fourth Amendment, and Fourteenth Amendment</li> <li>2. Violation of Fair Housing Act – 42 U.S.C. § 3604(b)</li> </ol>		
<b>Summary</b>	Plaintiffs, the owners of the New Harbor Inn, which is the subject of an ongoing nuisance abatement lawsuit ( <i>City of Costa Mesa v. New Harbor Inn</i> ), allege the City violated their constitutional and civil rights in retaliation for their public criticism of the City’s campaign to oust motel owners, such as themselves, and long term occupants from the City.		
<b>Status</b>	The Court will issue its Scheduling Order on or about April 21, 2017.		
<b>Next Hearing Date</b>	04/21/17		
<b>Trial Date</b>	Not yet set.		
<b>Docket</b>	09/02/16	Summons and Complaint (City received 12-8-16)	
	12/27/16	Answer to Plaintiffs’ Complaint	
	02/08/17	Notice of Court’s Intent to Issue Scheduling Order	
<b>Written Discovery</b>		Not yet exchanged.	

**Timothy Dadey v. City of Costa Mesa**

<b>Case Name</b>	Timothy Dadey v. City of Costa Mesa	<b>Case Number</b>	30-2014-00757962-CU-CR-CJC
<b>Judge</b>	Hon. Sheila Fell	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	Monica Choi Arredondo Bruce A. Lindsay	<b>Opposing Attorney(s)</b>	Mark Erickson Matthew Costello Christopher Maciel Haynes and Boone  Kenneth Babcock Lili Graham Richard Walker Public Law Center  Navneet Grewal Stephanie Haffner S. Lynn Martinez Richard Rothschild Western Center on Law and Poverty
<b>Date of Loss</b>	Not applicable.	<b>Complaint Filed</b>	11/24/2014
<b>Legal Fees and Costs Incurred to Date</b>	\$655,481.12		
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. Land Use Discrimination – Cal. Gov’t Code § 65008</li> <li>2. Disability Discrimination in Violation of the Fair Housing Act (FHA) – 42 U.S.C. § 3604</li> <li>3. Disability Discrimination in Violation of the Americans with Disabilities Act (ADA) – 42 U.S.C. § 12132</li> <li>4. Disability Discrimination in Violation of the Fair Employment and Housing Act (FEHA) – Cal. Gov’t Code §§ 12920, 12927, 12955</li> <li>5. Familial Status Discrimination in Housing in Violation of the FHA – 42 U.S.C. § 3604</li> <li>6. Familial Status Discrimination in Housing in Violation of FEHA – Cal. Gov’t Code §§ 12920, 12927, 12955</li> <li>7. Source of Income Discrimination in Violation of FEHA – Cal. Gov’t Code §§ 12920, 12927, 12955</li> <li>8. Violation of Duty to Affirmatively Further Fair Housing – 42 U.S.C. §§ 1983, 3608(e)(5)</li> <li>9. Violation of Constitutional Right to Travel</li> <li>10. Violation of Constitutional Right to Privacy</li> <li>11. Violation of the Housing and Community Development Act of 1974 – 42 U.S.C. §§ 1983, 5301 <i>et seq.</i>, 24 C.F.R. §§ 570.600 <i>et seq.</i>, 24 C.F.R. §§ 42 <i>et seq.</i></li> <li>12. Violation of the California Relocation Assistance Act – Cal. Gov’t Code §§ 7260 <i>et seq.</i>, 25 C.C.R. § 6010</li> </ol>		

<b>Summary</b>	Plaintiffs challenge the City's adoption of Ordinance No. 14-11. Plaintiffs allege discrimination based on mental/physical disability, income level, source of income, and/or familial status under state and federal housing discrimination statutes, as well as related state and federal civil rights violations.	
<b>Status</b>	The parties are preparing for the hearing on the Motion for Summary Judgment as well as trial.	
<b>Next Hearing Date</b>	Hearing on Motion for Summary Judgment – 05/24/17	
<b>Trial Date</b>	09/18/17	
<b>Docket</b>	11/24/14	Summons and Complaint
	11/24/14	Plaintiffs' Ex Parte Application; Proposed Order
	11/24/14	Plaintiffs' Petition for Writ of Mandate
	11/25/14	City's Opposition
	11/25/14	Hearing on Plaintiff's Ex Parte Application
	11/26/14	Plaintiffs' Peremptory Challenge Pursuant to CCP 170.6
	12/11/14	Peremptory Challenge Under CCP 170.6
	12/30/14	Plaintiffs' First Amended Complaint
	01/08/15	Plaintiffs' Motion for Preliminary Injunction; Proposed Order
	01/08/15	Plaintiffs' Ex Parte Application
	01/09/15	Hearing on Plaintiffs' Ex Parte Application; Order
	02/04/15	City's Demurrer; Request for Judicial Notice
	02/10/15	City's Opposition to Plaintiffs' Motion for Preliminary Injunction
	02/18/15	Plaintiffs' Reply to City's Opposition
	02/25/15	Hearing on Motion for Preliminary Injunction
	03/24/15	Order Granting Plaintiffs' Motion for Preliminary Injunction
	04/30/15	Plaintiffs' Opposition to City's Demurrer to Writ of Mandate
	05/06/15	City's Reply to Plaintiffs' Opposition
	05/13/15	Hearing on Demurrer to Complaint
	05/14/15	Notice of Ruling
	05/26/15	City's Answer to Petition for Writ of Mandate
	05/28/15	City's Answer to Plaintiffs' Amended Complaint
	06/10/15	Plaintiffs' Demurrer to City's Answer
	06/10/15	Plaintiffs' Demurrer to City's Answer
	08/03/15	Plaintiffs' Case Management Statement Filed
	08/04/15	City's Case Management Statement Filed
	08/07/15	Plaintiffs' Ex Parte Application
	08/07/15	Plaintiffs' Motion to Compel Deposition
	08/10/15	Hearing on Plaintiffs' Ex Parte Application
	08/18/15	Case Management Conference
	08/28/15	City's First Amended Answer
	09/14/15	Plaintiffs' Case Management Statement Filed
	09/15/15	City's Opposition to Motion to Compel
	09/29/15	Case Management Conference
	10/06/15	Report and Recommendation of Discovery Referee Filed
	10/26/15	Plaintiffs' Case Management Statement Filed
	11/05/15	City's Case Management Statement Filed
	11/10/15	Case Management Conference
	12/31/15	City's Ex Parte Application

	01/04/16	Hearing on City's Ex Parte Application
	01/04/16	Plaintiffs' Opposition
	01/15/16	City's Motion for Summary Judgment/Adjudication; Request for Judicial Notice
	01/21/16	Report and Recommendation of Discovery Referee
	02/02/16	City's Objection to Report and Recommendation of Discovery Referee
	03/02/16	Dadey's Request for Dismissal with Prejudice
	03/04/16	Rose's Request for Dismissal with Prejudice
	03/07/16	City's Motion to Bifurcate
	03/14/16	Stipulation and Protective Order Filed by Plaintiffs
	03/18/16	City's Ex Parte Application to Continue Trial Date
	03/21/16	Plaintiffs' Opposition to Ex Parte
	03/21/16	Hearing on City's Ex Parte Application
	03/21/16	Plaintiffs' Request for Dismissal with Prejudice as to Wimberly
	03/22/16	Stay Order Filed by Fourth District Court of Appeal
	03/25/16	City's Request for Judicial Notice
	03/30/16	Plaintiffs' Opposition; Request for Judicial Notice
	04/01/16	Order on Report and Recommendation of Discovery Referee
	04/04/16	City's Ex Parte Application re Court Conference re Stay
	04/05/16	Hearing on City's Ex Parte Application
	04/06/16	Plaintiffs' Response to City's Objection
	04/11/16	Court of Appeal's Order Clarifying Stay
	11/18/16	Court of Appeal Opinion Filed
	02/23/17	Plaintiffs' Status Conference Statement Filed
	02/24/17	City's Status Conference Statement Filed
	02/28/17	Status Conference
<b>Writ re Mental Process Privilege</b>	03/16/16	City's Petition for Writ of Mandate with Request for Immediate Stay
	03/22/16	Court's Order Staying Proceedings Pending Determination of the Writ of Mandate
	04/08/16	City's Letter to Court re Request for Clarification of Stay of Proceedings
	04/08/16	Plaintiffs' Response to City's Letter re Request for Clarification
	04/11/16	Court's Order Clarifying that Entire Action is Stayed Pending Determination of the Petition for Writ of Mandate
	04/12/16	Real Parties in Interest's ("RPI") Opposition to City's Petition for Writ of Mandate
	04/22/16	RPI's Motion for Calendar Preference
	04/22/16	City's Reply to RPI's Opposition to City's Petition
	04/29/16	Letter from RPI's Responding to Select Matters in City's Reply Brief
	05/03/16	Order to Show Cause Why Relief Prayed for Should Not Be Granted
	05/05/16	City's Opposition to RPI's Motion for Calendar Preference
	05/10/16	Order Granting RPI Calendar Preference
	05/13/16	Letter from RPI re Request to Treat 04/27/16 Letter Brief as RPI's Formal Return
	05/27/16	Legal Aid Association of California and Public Counsel Application to File Amicus Curiae Brief
	05/31/16	City's Traverse to Return
	06/01/16	City's Objection to Application for Leave to File Amicus Curiae Brief
	06/07/16	Court's Order Denying as Untimely Legal Aid Association of California and Public Counsel's Application for Leave to File Amici Curiae Brief

	06/08/16	RPI's Motion to Strike Portions of City's Traverse
	06/23/16	City's Motion to Strike Portions of RPI's Opposition
	06/23/16	City's Opposition to RPI's Motion to Strike Portions of its Traverse
	07/01/16	RPI's Reply Brief in Support of Motion to Strike Portions of City's Traverse
	07/01/16	RPI's Opposition to City's Motion to Strike Portions of RPI's Opposition to Petition for Writ of Mandate
	07/06/16	City's Reply Brief in Support of City's Motion to Strike Portions of RPI's Opposition to Petition for Writ of Mandate
	08/08/16	RPI's Waiver of Oral Argument
	08/12/16	City's Request for Oral Argument
	11/02/16	Case Argued and Submitted
	11/18/16	Opinion Filed
	01/18/17	Remittitur Issued
	01/18/17	Peremptory Writ Issued
<b>Written Discovery</b>	03/27/15	Dadey's Form Interrogatories (ROGS) to City, Set One
	03/27/15	Dadey's Special ROGS to City, Set One
	03/27/15	Dadey's Requests for Admission (RFAS) to City, Set One
	03/30/15	Dadey's Requests for Production (RFPS) to City, Set One
	03/30/15	Dadey's Special ROGS to City, Set Two
	03/30/15	Christopher's Special ROGS to City, Set One
	03/30/15	Rose's Special ROGS to City, Set One
	03/30/15	Wimberly's Special ROGS to City, Set One
	06/24/15	CMMRA's Form ROGS to City, Set One
	11/13/15	City's RFAS to Christopher, Set One
	11/13/15	City's RFAS to Dadey, Set One
	11/13/15	City's Form ROGS to CMMRA, Set One
	11/13/15	City's Form ROGS to Christopher, Set One
	11/13/15	City's Form ROGS to Dadey, Set One
	11/13/15	City's Form ROGS to Rose, Set One
	11/13/15	City's Form ROGS to Wimberly, Set One
	11/13/15	City's RFAS to Dadey, Set One
	11/13/15	City's RFAS to Rose, Set One
	11/13/15	City's RFAS to Wimberly, Set One
	11/13/15	City's RFPS to CMMRA, Set One
	11/13/15	City's RFPS to Christopher, Set One
	11/13/15	City's RFPS to Dadey, Set One
	11/13/15	City's RFPS to Rose, Set One
	11/13/15	City's RFPS to Wimberly, Set One
	11/13/15	City's Special ROGS to CMMRA, Set One
	11/13/15	City's Special ROGS to Christopher, Set One
	11/13/15	City's Special ROGS to Dadey, Set One
	11/13/15	City's Special ROGS to Rose, Set One
	11/13/15	City's Special ROGS to Wimberly, Set One
	12/11/15	City's RFPS to Dadey, Set Two
	12/11/15	City's RFPS to Christopher, Set Two
	12/11/15	City's RFPS to Rose, Set Two
	12/11/15	City's RFPS to Wimberly, Set Two
	12/11/15	City's RFPS to CMMRA, Set Two
	12/11/15	City's Special ROGS to Dadey, Set Two



12/11/15	City's Special ROGS to Christopher, Set Two
12/11/15	City's Special ROGS to Rose, Set Two
12/11/15	City's Special ROGS to Wimberly, Set Two
06/03/15	City's Responses to Dadey's Form ROGS, Set One
06/03/15	City's Responses to Dadey's Special ROGS, Set One
06/03/15	City's Responses to Dadey's Special ROGS, Set Two
06/03/15	City's Responses to Christopher's Special ROGS, Set One
06/03/15	City's Responses to Rose's Special ROGS, Set One
06/03/15	City's Responses to Wimberly's Special ROGS, Set One
06/03/15	City's Responses to Dadey's RFPS, Set One
06/03/15	City's Responses to Dadey's RFAS, Set One
07/20/15	City's Supplemental Responses to Dadey's Form ROGS, Set One
07/20/15	City's Supplemental Responses to Dadey's RFAS, Set One
07/20/15	City's Supplemental Responses to Dadey's RFPS, Set One
07/20/15	City's Supplemental Responses to Christopher's Special ROGS, Set One
07/20/15	City's Supplemental Responses to Dadey's Special ROGS, Set Two
07/20/15	City's Supplemental Responses to Rose's Special ROGS, Set One
07/20/15	City's Supplemental Responses to Wimberly's Special ROGS, Set One
07/28/15	City's Responses to CMMRA's Form ROGS, Set One
10/23/15	City's Amended Responses to CMMRA's Form ROGS, Set One
10/23/15	City's Further Supplemental Responses to Dadey's RFPS, Set One
12/24/15	Dadey's Responses to City's Special ROGS, Set One
12/24/15	Dadey's Responses to City's Form ROGS, Set One
12/24/15	Dadey's Responses to City's RFAS, Set One
12/24/15	Dadey's Responses to City's RFPS, Set One
12/24/15	Christopher's Responses to City's Special ROGS, Set One
12/24/15	Christopher's Responses to City's Form ROGS, Set One
12/24/15	Christopher's Responses to City's RFPS, Set One
12/24/15	Christopher's Responses to City's RFAS, Set One
12/24/15	Wimberly's Responses to City's Special ROGS, Set One
12/24/15	Wimberly's Responses to City's Form ROGS, Set One
12/24/15	Wimberly's Responses to City's RFPS, Set One
12/24/15	Wimberly's Responses to City's RFAS, Set One
12/24/15	CMMRA's Responses to City's Special ROGS, Set One
12/24/15	CMMRA's Responses to City's Form ROGS, Set One
12/24/15	CMMRA's Responses to City's RFPS, Set One
12/24/15	CMMRA's Responses to City's RFAS, Set One
12/30/15	Rose's Responses to City's RFPS, Set One
12/30/15	Rose's Responses to City's RFAS, Set One
12/30/15	Rose's Responses to City's Form ROGS, Set One
12/30/15	Rose's Responses to City's Special ROGS, Set One
01/13/16	Rose's Responses to City's Special ROGS, Set Two
01/13/16	Rose's Responses to City's RFPS, Set Two
01/13/16	Wimberly's Responses to City's Special ROGS, Set Two
01/13/16	Wimberly's Responses to City's RFPS, Set Two
01/13/16	CMMRA's Responses to City's Special ROGS, Set Two
01/13/16	CMMRA's Responses to City's RFPS, Set Two
01/13/16	Dadey's Responses to City's Special ROGS, Set Two
01/13/16	Dadey's Responses to City's RFPS, Set Two

01/13/16	Christopher's Responses to City's Special ROGS, Set Two
01/13/16	Christopher's Responses to City's RFPS, Set Two
01/13/16	CMMRA's Amended Responses to City's Special ROGS, Set One
01/13/16	CMMRA's Amended Responses to City's Form ROGS, Set One
01/13/16	Dadey's Amended Responses to City's Form ROGS, Set One
01/13/16	Dadey's Amended Responses to City's Special ROGS, Set one
01/20/16	City's RFAS to CMMRA, Set Two
01/20/16	City's RFAS to Dadey, Set Two
01/20/16	City's RFAS to Christopher, Set Two
01/20/16	City's RFAS to Wimberly, Set Two
01/20/16	City's RFAS to Rose, Set Two
01/21/16	City's Form ROGS to CMMRA, Set Two
01/21/16	City's Form ROGS to Dadey, Set Two
01/21/16	City's Form ROGS to Christopher, Set Two
01/21/16	City's Form ROGS to Wimberly, Set Two
01/21/16	City's Form ROGS to Rose, Set Two
02/05/16	Dadey's RFPS to City, Set Two
02/05/16	CMMRA's Special ROGS to City, Set Two
02/05/16	CMMRA's RFAS to City, Set One
02/23/16	Dadey's Responses to City's RFAS, Set Two
02/23/16	Christopher's Responses to City's RFAS, Set Two
02/23/16	CMMRA's Responses to City's RFAS, Set Two
02/23/16	Rose's Responses to City's RFAS, Set Two
02/23/16	Wimberly's Responses to City's RFAS, Set Two
02/24/16	Wimberly's Responses to City's Form ROGS, Set Two
02/24/16	Christopher's Responses to City's Form ROGS, Set Two
02/24/16	Dadey's Responses to City's Form ROGS, Set Two
02/24/16	CMMRA's Responses to City's Form ROGS, Set Two
03/03/16	City's Special ROGS to CMMRA, Set Two
03/03/16	City's Special ROGS to Christopher, Set Three
03/03/16	City's Special ROGS to Dadey, Set Three
03/03/16	City's Special ROGS to Wimberly, Set Three
03/03/16	City's RFPS to CMMRA, Set Three
03/03/16	City's RFPS to Christopher, Set Three
03/03/16	City's RFPS to Dadey, Set Three
03/03/16	City's RFPS to Wimberly, Set Three
03/04/16	Dadey's Supplemental Amended Responses to City's Special ROGS, Set One
03/04/16	Dadey's Supplemental Amended Responses to City's Form ROGS, Set One
03/04/16	Dadey's RFPS to City, Set Three
03/04/16	Dadey's Supplemental RFPS to City
03/04/16	Christopher's Supplemental ROGS to City
03/04/16	Wimberly's Supplemental ROGS to City
03/04/16	CMMRA's Supplemental ROGS to City
03/07/16	City's Responses to Dadey's RFPS, Set Two
03/07/16	City's Responses to CMMRA's Form ROGS, Set Two
03/07/16	City's Responses to CMMRA's RFAS, Set One
03/07/16	City's Responses to CMMRA's Special ROGS, Set One
03/10/16	CMMRA's Supplemental Amended Responses to City's Special ROGS, Set One

	03/10/16	CMMRA's Supplemental Amended Responses to City's Form ROGS, Set One
	03/11/16	Christopher's Supplemental Responses to City's Special ROGS, Set One
	03/11/16	Christopher's Supplemental Responses to City's Special ROGS, Set Two
	03/11/16	Christopher's Supplemental Responses to City's Form ROGS, Set One
	03/11/16	Dadey's Supplemental Responses to City's Special ROGS, Set Two

**Stephanie De La Cruz v. City of Costa Mesa**

<b>Case Name</b>	Stephanie De La Cruz v. City of Costa Mesa	<b>Case Number</b>	30-2016-00830354-CU-PO-CJC
<b>Judge</b>	Hon. Mary Schulte	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	James R. Touchstone Melissa M. Ballard	<b>Opposing Attorney(s)</b>	Jeffrey J. Greenman Greenman Law  Court B. Purdy Paoli & Purdy, LLP
<b>Date of Loss</b>	01/21/2014	<b>Complaint Filed</b>	01/15/2016* *Received by City 04/22/2016
<b>Legal Fees and Costs Incurred to Date</b>	\$44,114.12		
<b>Causes of Action</b>	1. Dangerous Condition of Public Property – Cal. Gov’t Code §§ 830, 835		
<b>Summary</b>	Plaintiff alleges that on January 21, 2014, she tripped and fell over PVC pipes, loops of electrical wiring and large anchor bolts that were left protruding from the sidewalk for months after the lamp post was struck by a motor vehicle.		
<b>Status</b>	Case is in pleading stage.		
<b>Next Hearing Date</b>	Mandatory Settlement Conference – 08/11/17		
<b>Trial Date</b>	10/10/17		
<b>Docket</b>	01/15/16	Complaint Filed	
	01/15/16	Case Assigned to Judge Mary Schulte	
	01/22/16	Summons Issued	
	04/28/16	Proof of Service Filed by Plaintiff	
	04/28/16	City's Answer to Complaint Filed	
	05/03/16	Plaintiff's Case Management Statement Filed	
	05/04/16	City's Case Management Statement Filed	
	05/17/16	Case Management Conference	
	11/07/16	Proposed Stipulation and Order	
	11/07/16	Stipulation and Order	
	11/09/16	Notice of Ruling	
	11/09/16	City's Cross-Complaint Filed; Summons Issued and Filed	
	12/09/16	City's Application for Extension of Time to Serve	
	12/12/16	Amendment to City's Cross-Complaint	
	01/05/17	Answer to Cross-Complaint	
	01/05/17	Cross-Complaint Filed by Hoo Chung	
	01/12/17	Order re Application for Extension of Time to Serve Complaint	
	01/18/17	Notice of Hearing Filed by City	
	01/18/17	Case Management Statement Filed by Hoo Chung	
	01/26/17	Amendment to City's Cross-Complaint	
	01/30/17	Trial Setting Conference	
	02/07/17	City's Answer to Cross-Complaint	
<b>Written Discovery</b>	05/19/16	City's Request for Production (RFPS) to Plaintiff, Set One	
	05/19/16	City's Form Interrogatories (ROGS) to Plaintiff, Set One	
	05/19/16	City's Special ROGS to Plaintiff, Set One	

07/06/16	Plaintiff's Form ROGS to City, Set One
07/06/16	Plaintiff's Requests for Admission (RFAS) to City, Set One
07/06/16	Plaintiff's Special ROGS to City, Set One
07/06/16	Plaintiffs Requests for Production (RFPS) to City, Set One
07/07/16	Plaintiff's Responses to City's Form ROGS, Set One
07/07/16	Plaintiff's Responses to City's RFPS, Set One
07/07/16	Plaintiff's Responses to City's Special ROGS, Set One
08/17/16	City's Responses to Plaintiff's Form ROGS, Set One
08/17/16	City's Responses to Plaintiff's Special ROGS, Set One
08/17/16	City's Responses to Plaintiff's RFAS, Set One
08/17/16	City's Responses to Plaintiff's RFPS, Set One
08/26/16	City's Production of Documents in Response to Plaintiff's RFP
01/11/17	Hoo Chung's Form ROGS to City, Set One
01/11/17	Hoo Chung's RFPS to Plaintiff, Set One
01/11/17	Hoo Chung's Special ROGS to Plaintiff, Set One
01/11/17	Hoo Chung's Form ROGS to Plaintiff, Set One
01/11/17	Hoo Chung's RFAS to City, Set One
01/11/17	Hoo Chung's RFPS to City, Set One
01/11/17	Hoo Chung's Form ROGS to City, Set Two
01/11/17	Hoo Chung's RFAS to City, Set Two
01/27/17	City's Form ROGS to Hoo Chung, Individual and Executor, Set One
01/27/17	City's Form ROGS to Hoo Chung, Individual, Set Two
01/27/17	City's Form ROGS to Hoo Chung, Executor, Set Two
01/27/17	City's Requests for Admissions (RFAS) to Hoo Chung, Executor, Set One
01/27/17	City's RFAS to Hoo Chung, Individual, Set One
01/27/17	City's Request for RFPS to Hoo Chung, Individual and Executor, Set One
01/27/17	City's Special ROGS to Hoo Chung, Individual and Executor, Set One
01/31/17	City's Response to Cross-Defendant's Request for Prior Pleadings

## Todd Gosson v. City of Costa Mesa

<b>Case Name</b>	Todd Gosson v. City of Costa Mesa	<b>Case Number</b>	30-2015-00816221-CU-PO-CJC
<b>Judge</b>	Hon. Frederick Aguirre	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	Gary S. Kranker	<b>Opposing Attorney(s)</b>	Robert Ounjian Paul Zuckerman Carpenter, Zuckerman and Rowley
<b>Date of Loss</b>	12/15/2014	<b>Complaint Filed</b>	10/22/2015
<b>Legal Fees and Costs Incurred to Date</b>	\$46,485.45		
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. General Negligence</li> <li>2. Premises Liability</li> <li>3. Violations of Mandatory Duties</li> </ol>		
<b>Summary</b>	Plaintiff crashed his bicycle into a wooden post that had been broken off and alleges he sustained serious injuries. Plaintiff alleges the City maintained a dangerous condition of public property.		
<b>Status</b>	If the case is not resolved at mediation, the case will proceed to trial.		
<b>Next Hearing Date</b>	Mediation – 03/09/17		
<b>Trial Date</b>	07/03/17		
<b>Docket</b>	10/22/15 12/09/15 12/09/15 12/21/15 12/21/15  02/29/16 03/07/16 03/08/16 03/09/16  03/15/16 03/22/16 03/28/16 04/05/16 05/10/16  05/12/16 12/05/16 12/07/16	Summons and Complaint City's Answer to Complaint Filed City's First Amended Answer to Complaint Filed Proposed Order State of California, Department of Transportation's Demurrer to Complaint Filed  Plaintiff's Case Management Statement Filed City's Case Management Statement Filed Plaintiff's Opposition Filed State of California, Department of Transportation's Case Management Statement Filed  State of California, Department of Transportation's Reply to Opposition Filed Demurrer to Complaint Case Management Conference Plaintiff's First Amended Complaint Filed State of California, Department of Transportation's Answer to Amended Complaint Filed  City's Answer to Amended Complaint Filed Stipulation and Proposed Order Order to Continue Trial	
<b>Written Discovery</b>	12/16/15 01/19/16 01/27/16 01/27/16 01/27/16	Plaintiff's Form Interrogatories (ROGS) to City, Set One City's Responses to Plaintiff's Form ROGS, Set One Plaintiff's Form ROGS to State of California, Set One Plaintiff's Request for Production (RFPS) to State, Set One Plaintiff's Special ROGS to State, Set One	

01/27/16	Plaintiff's Requests for Admissions (RFAS) to State, Set One
01/27/16	Plaintiff's Form ROGS to City, Set Two
01/27/16	Plaintiff's RFPS to City, Set One
01/27/16	Plaintiff's Special ROGS to City, Set One
01/27/16	Plaintiff's RFAS to City, Set One
02/26/16	City's Responses to Plaintiff's RFPS, Set One
02/26/16	City's Responses to Plaintiff's Form ROGS, Set One
02/26/16	City's Responses to Plaintiff's Special ROGS, Set One
02/26/16	City's Responses to Plaintiff's RFAS, Set One
03/16/16	State's Responses to Plaintiff's RFPS, Set One
03/16/16	State's Responses to Plaintiff's Form ROGS, Set One
03/16/16	State's Responses to Plaintiff's Special ROGS, Set One
03/16/16	State's Responses to Plaintiff's RFAS, Set One
04/04/16	City's RFPS to Plaintiff, Set One
04/07/16	State's Notice of Inspection of Bicycle and Demand to Plaintiff for Production of Documents and Things
05/03/16	Plaintiff's Response to State's Inspection of Bicycle and Demand for Production of Documents and Things
05/09/16	Plaintiff's Responses to City's RFPS, Set One
05/17/16	Plaintiff's Supplemental Responses to City's RFPS, Set One
06/01/16	Medical Report Prepared by Irwin Goldstein, MD
06/06/16	State's Form ROGS to Plaintiff, Set One
06/06/16	State's Special ROGS to Plaintiff, Set One
06/06/16	State's RFPS to Plaintiff, Set One
06/21/16	City's Form ROGS to Plaintiff, Set One
06/21/16	City's Special ROGS to Plaintiff, Set One
06/21/16	City's RFAS to Plaintiff, Set One
06/21/16	City's RFPS to Plaintiff, Set One
08/12/16	Plaintiff's Responses to State's RFPS, Set One
08/12/16	Plaintiff's Responses to State's Form ROGS, Set One
08/12/16	Plaintiff's Responses to State's Special ROGS, Set One
08/12/16	Plaintiff's Responses to City's RFAS, Set One
08/12/16	Plaintiff's Responses to City's Form ROGS, Set One
08/12/16	Plaintiff's Responses to City's Special ROGS, Set One
08/12/16	Plaintiff's Responses to City's RFPS, Set One
09/26/16	State's Request for Statement of Damages
10/05/16	Plaintiff's Responses to City's Form ROGS, Set One
10/05/16	Plaintiff's Responses to City's Special ROGS, Set One
10/05/16	Plaintiff's Supplemental Responses to City's RFPS, Set One
10/25/16	Plaintiff's Supplemental RFPS to City, Set One
10/25/16	Plaintiff's Supplemental ROGS to City, Set One
10/25/16	Plaintiff's Supplemental RFPS to State, Set One
10/25/16	Plaintiff's Supplemental ROGS to State, Set One
10/31/16	Plaintiff's Supplemental Responses to City's RFPS, Set One
11/18/16	Plaintiff's Objection and Response to City's Demand for IME of Plaintiff
11/22/16	City's Amended Notice of Independent Medical Examination ("IME") of Plaintiff
11/22/16	State's Amended Demand of IME of Plaintiff
11/22/16	Plaintiff's Objection and Response to State's Demand for IME

11/22/16	Plaintiff's Supplemental Responses to State's RFPS, Set One
11/22/16	Plaintiff's Supplemental Responses to City's RFPS, Set One
11/29/16	Plaintiff's Objection and Response to City's Demand for IME
11/29/16	Plaintiff's Objection and Response to State's Demand for IME
12/13/16	State's Supplemental Responses to Plaintiff's Form ROGS, Set One
12/13/16	State's Supplemental Responses to Plaintiff's Special ROGS, Set One
12/13/16	State's Supplemental Responses to Plaintiff's RFPS, Set One
02/14/17	Plaintiff's Supplemental Responses to State's RFPS, Set One



**Koll-Irvine Community Association v. City of Costa Mesa and Costa Mesa City Council**

<b>Case Name</b>	Koll-Irvine Community Association v. City of Costa Mesa and Costa Mesa City Council	<b>Case Number</b>	30-2016-00857453-CU-WM-CJC
<b>Judge</b>	Hon. Craig Griffin	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	Krista MacNevin Jee Yolanda M. Summerhill James R. Touchstone	<b>Opposing Attorney(s)</b>	Michael Leifer Erin Naderi Palmieri, Tyler, Wiener, Wilhelm & Waldron, LLP
<b>Date of Loss</b>	Not applicable.	<b>Complaint Filed</b>	06/03/2016
<b>Legal Fees and Costs Incurred to Date</b>	\$19,911.67		
<b>Causes of Action</b>	1. Petition for Writ of Mandate 2. Declaratory Relief		
<b>Summary</b>	Plaintiff challenges the City Council's approval of a minor conditional use permit to allow shared parking in the business park where it is located, 3184 Airway, Costa Mesa, CA.		
<b>Status</b>	Settlement discussions are ongoing.		
<b>Next Hearing Date</b>	Case Management Conference – 04/07/17		
<b>Trial Date</b>	Not yet set.		
<b>Docket</b>	06/13/16 10/06/16 10/06/16 10/07/16 10/21/16 01/12/17 01/12/17 01/17/17	Petition for Writ of Mandate Filed Case Management Statement Filed by Respondent Ahzhr, LLC; His Highness Prince Aga Khan Shia Imami Ismaili Council for the Western United States Case Management Statement Filed by Petitioner Case Management Statement Filed by City Case Management Conference Case Management Statement Filed by Respondent Ahzhr, LLC; His Highness Prince Aga Khan Shia Imami Ismaili Council for the Western United States Proposed Stipulation and Order Filed Stipulation and Order Filed	
<b>Written Discovery</b>	01/05/17 01/05/17 01/05/17 01/05/16 01/05/17 01/05/17 01/05/17 01/05/17 01/05/17	Plaintiff's Form Interrogatories (ROGS) to Ahzhr, LLC, Set One Plaintiff's Form ROGS to City, Set One Plaintiff's Form ROGS to His Highness Prince Aga Khan Imami Ismaili Council for the Western United States, Set One Plaintiff's Requests for Admissions (RFAS) to Ahzhr, LLC, Set One Plaintiff's RFAS to His Highness Prince Aga Khan Imami Ismaili Council for the Western United States, Set One Plaintiff's RFAS to Costa Mesa City Council, Set One Plaintiff's RFAS to City, Set One Plaintiff's Form ROGS to Costa Mesa City Council, Set One	

**Karen Leto v. City of Costa Mesa**

<b>Case Name</b>	Karen Leto v. City of Costa Mesa	<b>Case Number</b>	30-2016-00856579-CU-PP-CJC
<b>Judge</b>	Hon. Martha K. Gooding	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	Gary S. Kranker	<b>Opposing Attorney(s)</b>	Matthew Neale Aaron Fhima Neale & Fhima, LLP
<b>Date of Loss</b>	11/04/2015	<b>Complaint Filed</b>	11/23/2016
<b>Legal Fees and Costs Incurred to Date</b>	\$3,186.00		
<b>Causes of Action</b>	1. Premises Liability 2. Negligence		
<b>Summary</b>	Plaintiff alleges she tripped and fell on an uneven sidewalk/walkway.		
<b>Status</b>	On 2/14/17, Plaintiff dismissed the City from the lawsuit, since the City did not own, control or maintain the area where the incident occurred.		

**Ivin Mood v. City of Costa Mesa; City of Newport Beach**

<b>Case Name</b>	Ivin Mood v. City of Costa Mesa; City of Newport Beach	<b>Case Number</b>	8:15-cv-01154-SVW-KK
<b>Judge</b>	Hon. Stephen V. Wilson Magistrate: Hon. Kenly Kiya Kato	<b>Venue</b>	United States District Court for the Central District of California
<b>Attorney(s) for City</b>	James R. Touchstone Denise L. Rocawich	<b>Opposing Attorney(s)</b>	Pro per
<b>Date of Loss</b>	04/05/2014	<b>Complaint Filed</b>	07/22/2015
<b>Legal Fees and Costs Incurred to Date</b>	\$21,107.00		
<b>Causes of Action</b>	1. 42 U.S.C. § 1983 – Fourth Amendment, Fourteenth Amendment		
<b>Summary</b>	Plaintiff alleges various incidents of false arrest and use of excessive force.		
<b>Status</b>	City is currently exchanging written discovery with plaintiff.		
<b>Next Hearing Date</b>	Status Report due 05/08/17		
<b>Trial Date</b>	Not yet set.		
<b>Docket</b>	07/22/15	Complaint	
	07/22/15	Request to Proceed in Forma Pauperis	
	07/24/15	Order Granting Request to Proceed in Forma Pauperis	
	07/27/15	Initial Civil Rights Case Order	
	07/27/15	Order Dismissing Complaint with Leave to Amend	
	08/24/15	First Amended Complaint	
	08/26/15	Order Dismissing First Amended Complaint with Leave to Amend	
	09/28/15	Second Amended Complaint	
	10/08/15	Order Dismissing Second Amended Complaint with Leave to Amend	
	10/15/15	Notice of Voluntary Dismissal of Causes of Action	
	10/16/15	Minute Order Granting Voluntary Dismissal of Claims	
	11/12/15	Plaintiff's Request for Extension	
	11/13/15	Minute Order Granting Request for Extension of Time	
	01/26/16	City's Notice of Motion and Motion to Dismiss	
	01/27/16	Case Management and Scheduling Order	
	02/05/16	Plaintiff's Request for Extension of Time to File Opposition	
	02/08/16	Minute Order Granting Extension of Time	
	02/18/16	Plaintiff's Request for Extension	
	02/22/16	Minute Order Granting Request of Extension of Time to File Opposition	
	03/31/16	Memorandum of Points and Authorities in Opposition to Motion to Dismiss Plaintiff's Second Amended Complaint	
	04/14/16	City's Reply in Support of Notice of Motion and Motion to Dismiss	
	04/18/16	Judge Kato's Report and Recommendation re Notice of Motion and Motion to Dismiss	
	05/18/16	City's Joinder to Newport Beach's Objection to Report and Recommendation	
	05/31/16	Plaintiff's Response to Defendant's Objections to Report and Recommendation	
	06/02/16	Judge Kato's Final Report and Recommendation re Notice of Motion and Motion to Dismiss case	
	06/27/16	City's Status Report	

	07/01/16	Plaintiff's Request for Extension of Time to File Status Report
	07/05/16	Minute Order Granting Plaintiff's Request for Extension of Time to File Status Report
	07/08/16	Plaintiff's Status Report
	10/26/16	Plaintiff's Request for Order on Report and Recommendation and Revised Scheduling Order
	11/22/16	Judge Wilson's Order Accepting Findings and Recommendations of Judge Kato and Denying City's Motion to Dismiss
	11/30/16	City's Answer to Amended Complaint
	02/23/17	Newport Beach's Notice of Motion and Motion to Compel Plaintiff's Answers to ROGS
<b>Written Discovery</b>	08/26/16	Plaintiff's Interrogatories (ROGS) to City, Set One
	09/14/16	City's Objection to Plaintiff's ROGS, Set One
	09/30/16	Defendant Newport Beach's Responses to Plaintiff's ROGS, Set One
	12/20/16	Defendant Newport Beach's Initial Disclosures
	12/20/16	Defendant Newport Beach's Requests for Admissions (RFAS) to Plaintiff, Set One
	12/20/16	Defendant Newport Beach's Requests for Production (RFPS) to Plaintiff, Set One
	12/20/16	Defendant Newport Beach's Special ROGS to Plaintiff, Set One
	01/12/17	Plaintiff's RFPS to City, Set One
	02/07/17	Plaintiff's RFAS to City, Set One
	02/10/17	City's RFAS to Plaintiff, Set One
	02/10/17	City's RFPS to Plaintiff, Set One
	02/10/17	City's ROGS to Plaintiff, Set One
	02/13/17	Defendant Newport Beach's Responses to Plaintiff's RFPS, Set One

**City of Costa Mesa v. New Harbor Inn, Ming Cheng Chen, Hsiange Chu Shih Chen**

<b>Case Name</b>	City of Costa Mesa v. New Harbor Inn, Ming Cheng Chen, Hsiange Chu Shih Chen	<b>Case Number</b>	30-2016-00848149-CU-OR-CJC
<b>Judge</b>	Hon. Walter Schwarm	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	Dean J. Pucci Bruce A. Lindsay Jamaar Boyd-Weatherby	<b>Opposing Attorney(s)</b>	Frank Weiser
<b>Date of Loss</b>	Not applicable.	<b>Complaint Filed</b>	04/22/2016
<b>Legal Fees and Costs Incurred to Date</b>	\$81,144.00		
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. Public Nuisance</li> <li>2. Maintenance of a Public Nuisance by Violations of Costa Mesa Municipal Code</li> <li>3. Drug Abatement</li> </ol>		
<b>Summary</b>	City brought lawsuit to attempt to abate a continuing public nuisance at the New Harbor Inn.		
<b>Status</b>	The parties are preparing for trial.		
<b>Next Hearing Date</b>	Mandatory Settlement Conference – 05/19/17		
<b>Trial Date</b>	06/16/17		
<b>Docket</b>	<p>04/22/16 Summons and Complaint</p> <p>06/20/16 Answer to Complaint Filed</p> <p>06/20/16 Civil Code of Procedure section 170.6 Peremptory Challenge Filed by Defendants</p> <p>07/08/16 Meet and Confer Statement Filed by City</p> <p>07/11/16 City’s Motion for Preliminary Injunction; Request for Judicial Notice; Proposed Order</p> <p>07/21/16 Defendants’ Ex Parte Application to Continue Motion Hearing Date; Proposed Order</p> <p>07/22/16 Hearing on Defendants’ Ex Parte Application</p> <p>08/10/16 City’s Case Management Statement</p> <p>08/17/16 Ex Parte Application for Leave to File Amicus Curiae Brief Filed by Costa Mesa Motel Resident Association (“CMMRA”); Request for Judicial Notice; Proposed Order</p> <p>08/17/16 City’s Opposition to CMMRA’s Ex Parte Application</p> <p>08/18/16 Hearing on CMMRA’s Ex Parte Application</p> <p>08/23/16 Amicus Brief Filed by CMMRA; Request for Judicial Notice</p> <p>08/26/16 Case Management Conference</p> <p>08/29/16 City’s Objections to CMMRA’s Request for Judicial Notice</p> <p>08/29/16 City’s Objections to Declarations Submitted in Support of CMMRA’s Amicus Curiae Brief</p> <p>08/29/16 City’s Opposition to CMMRA’s Amicus Curiae Brief</p> <p>08/29/16 City’s Reply to Opposition to Application for Temporary Restraining Order</p> <p>09/01/16 Defendants’ Case Management Statement Filed</p> <p>09/06/16 Defendants’ Objection to Plaintiff Filing Additional Evidence re: Motion for</p>		

	09/16/16	Preliminary Injunction
	09/16/16	Defendants' Objections to Declaration
	09/16/16	Defendants' Opposition
	09/16/16	Defendants' Response to Plaintiff's Request for Conditions of Proposed Preliminary Injunction
	09/23/16	City's Objections to Declarations in Support of CMMRA's Amicus Curiae Brief
	09/27/16	Case Management Conference
	10/11/16	City's Case Management Statement Filed
	10/28/16	Case Management Conference
	12/15/16	City's Motion to Compel Answers to Form ROGS
	12/15/16	City's Motion to Compel Answers to Special ROGS
	12/15/16	City's Motion to Compel Production of Documents
	02/07/17	Defendants' Opposition to City's Motions to Compel
	02/09/17	City's Reply to Defendants' Opposition
	02/22/17	Hearing on Motions to Compel
<b>Written Discovery</b>	10/24/16	City's Form Interrogatories (ROGS) to New Harbor Inn, Set One
	10/24/16	City's Form ROGS to Ming Chen, Set One
	10/24/16	City's Form ROGS to Hsiange Chen, Set One
	10/24/16	City's Special ROGS to New Harbor Inn, Set One
	10/24/16	City's Special ROGS to Ming Chen, Set One
	10/24/16	City's Special ROGS to Hsiange Chen, Set One
	10/24/16	City's Requests for Production (RFPS) to New Harbor Inn, Set One
	10/24/16	City's RFPS to Ming Chen, Set One
	10/24/16	City's RFPS to Hsiange Chen, Set One

**OneSource Distributors, LLC v. Old Republic Surety Company; City of Costa Mesa;  
City of Buena Park**

<b>Case Name</b>	OneSource Distributors, LLC v. Old Republic Surety Company; City of Costa Mesa; City of Buena Park	<b>Case Number</b>	30-2016-00884879-CU-BC-CJC
<b>Judge</b>	Hon. Nathan Scott	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	Gary S. Kranker	<b>Opposing Attorney(s)</b>	Pamela Scholefield Scholefield P.C.
<b>Date of Loss</b>	Not applicable.	<b>Complaint Filed</b>	11/03/2016
<b>Legal Fees and Costs Incurred to Date</b>	\$708.00		
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. Recovery on Stop Payment Notices</li> <li>2. Recovery on Payment Bond</li> </ol>		
<b>Summary</b>	OneSource alleges Smart Tech, the former contractor for the City's Placentia Avenue Bicycle Signal Improvement Project, purchased electrical materials, equipment and services for the project and failed to pay OneSource for the materials.		
<b>Status</b>	Case is in pleading stage.		
<b>Next Hearing Date</b>	Case Management Conference – 05/01/17		
<b>Trial Date</b>	Not yet set.		
<b>Docket</b>	11/03/16	Summons and Complaint	
<b>Written Discovery</b>		Not yet exchanged.	

**Robertson's Ready Mix, Ltd. v. City of Costa Mesa; RRM Surety; Smart Tech Group Inc.**

<b>Case Name</b>	Robertson's Ready Mix, Ltd. v. City of Costa Mesa; RRM Surety; Smart Tech Group Inc.	<b>Case Number</b>	30-2017-00897636-CL-MC-CJC
<b>Judge</b>	Not yet assigned.	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	Gary S. Kranker	<b>Opposing Attorney(s)</b>	Mervyn Y. Encarnacion Law Offices of Mervyn Y. Encarnacion
<b>Date of Loss</b>	Not applicable.	<b>Complaint Filed</b>	01/13/2017
<b>Legal Fees and Costs Incurred to Date</b>	\$159.30		
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. Breach of Contract</li> <li>2. Common Counts</li> <li>3. Enforcement of Public Works Stop Notice</li> <li>4. Enforcement of Public Works Payment Bond</li> </ol>		
<b>Summary</b>	Robertson's alleges that Smart Tech, the former contractor for the City's Placentia Avenue Bicycle Signal Improvement Project, has failed to pay Robertson's sums due for ready mix concrete materials and other construction materials provided to Smart Tech in connection with the project.		
<b>Status</b>	Case is in pleading stage.		
<b>Next Hearing Date</b>	None scheduled to date.		
<b>Trial Date</b>	Not yet set.		
<b>Docket</b>	01/13/17	Summons and Complaint	
<b>Written Discovery</b>		Not yet exchanged.	



**Maria Santos De Lucas v. City of Costa Mesa; Ryan C. Pilato**

<b>Case Name</b>	Maria Santos De Lucas v. City of Costa Mesa; Ryan C. Pilato	<b>Case Number</b>	30-2016-00880282-CU-PA-CJC
<b>Judge</b>	Hon. Ronald Bauer	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	James R. Touchstone Melissa M. Ballard	<b>Opposing Attorney(s)</b>	Stephen Fredkin Law Offices of Stephen Fredkin
<b>Date of Loss</b>	04/25/2016	<b>Complaint Filed</b>	10/11/2016
<b>Legal Fees and Costs Incurred to Date</b>	\$5,977.20		
<b>Causes of Action</b>	1. Motor Vehicle Negligence 2. General Negligence		
<b>Summary</b>	Plaintiff alleges defendants failed to properly and adequately inspect, service, maintain, and repair the breaks of a 2002 GMC truck; that Mr. Pilato, while within the course of his scope of employment, negligently and carelessly drove too close to the vehicles in front of him, and rear ended the vehicles in front of him, including plaintiff's silver Honda. Plaintiff alleges she sustained serious bodily injuries as a result of the defendants' negligence.		
<b>Status</b>	Case is in pleading stage.		
<b>Next Hearing Date</b>	Mandatory Settlement Conference – 10/20/17		
<b>Trial Date</b>	11/20/17		
<b>Docket</b>	10/11/16	Summons and Complaint	
	11/22/16	City's Answer to Complaint	
	01/09/17	Plaintiff's Case Management Statement Filed	
	02/14/17	City's Case Management Statement Filed	
	02/24/17	Pilato's Answer to Complaint	
	02/27/17	City's Case Management Statement Filed	
	02/28/17	Case Management Conference	
<b>Written Discovery</b>	01/26/17	City's Form Interrogatories (ROGS) to Plaintiff, Set One	
	01/26/17	City's Special ROGS to Plaintiff, Set One	
	01/26/17	City's Requests for Production (RFPS) to Plaintiff, Set One	

## Yellowstone v. City of Costa Mesa

<b>Case Name</b>	Yellowstone v. City of Costa Mesa	<b>Case Number</b>	8:14-cv-01852-JVS-JCG	
<b>Judge</b>	Hon. James Selna Magistrate: Hon. Jay Gandhi	<b>Venue</b>	United States District Court for the Central District of California	
<b>Attorney(s) for City</b>	James R. Touchstone Bruce A. Lindsay Monica Choi Arredondo	<b>Opposing Attorney(s)</b>	Steven Polin Law Offices of Steven G. Polin  Christopher Brancart Elizabeth Brancart Brancart & Brancart	
<b>Date of Loss</b>	Not applicable.	<b>Complaint Filed</b>	11/20/2014	
<b>Legal Fees and Costs Incurred to Date</b>	\$526,801.49			
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. Violation of Fair Housing Act, 42 U.S.C. §§ 3601 <i>et seq.</i></li> <li>2. Violation of Americans with Disabilities Act, 42 U.S.C. §§ 12131 <i>et seq.</i></li> <li>3. Violation of Rehabilitation Act, 29 U.S.C. § 794</li> <li>4. Violation of Civil Rights Act of 1871, 42 U.S.C. §§ 1983, 1985(3) and 1986</li> <li>5. Violation of California Fair Employment and Housing Act, Cal. Gov. Code §§ 12626, 12627, and 12955, <i>et seq.</i></li> <li>6. Violation of Cal. Gov. Code §§ 11135 and 65008</li> </ol>			
<b>Summary</b>	Plaintiffs challenge the City's adoption of Ordinance No. 14-13, alleging that the ordinance violates state and federal law and the state and federal constitutions.			
<b>Status</b>	The parties are currently exchanging written discovery.			
<b>Next Hearing Date</b>	Interim Status Conference – 03/13/17			
<b>Trial Date</b>	11/07/17			
<b>Docket</b>	<p>11/20/14</p> <p>01/16/15</p> <p>01/22/15</p> <p>03/13/15</p> <p>03/16/15</p> <p>03/17/15</p> <p>05/04/15</p> <p>05/15/15</p> <p>05/29/15</p> <p>06/15/15</p> <p>06/16/15</p> <p>06/29/15</p> <p>06/29/15</p> <p>06/29/15</p> <p>06/30/15</p>	<p>Summons and Complaint</p> <p>Application to Appear Pro Hac Vice</p> <p>Order Granting Leave for Christopher Brancart to Act as Local Counsel</p> <p>Initial Order Following Filing of Complaint</p> <p>Request for Order for Extending Time to Serve Complaint</p> <p>Order Granting Request for Order Extending Time for Service of Complaint</p> <p>Stipulation Extending Time to Answer Complaint</p> <p>Second Stipulation Extending Time to Answer Complaint</p> <p>Notice of Motion and Motion to Dismiss Case Filed by City; Request for Judicial Notice</p> <p>First Application for Extension of Time to File Response to City's Motion to Dismiss</p> <p>Order Granting Application Extending Time to Respond to City's Motion to Dismiss</p> <p>Joint Application to Continue Scheduling Conference</p> <p>Notice of Motion and Motion to Amend Complaint</p> <p>Memorandum in Opposition to Motion to Dismiss</p> <p>Order Continuing Scheduling Conference Pursuant to Joint Application of the</p>		

		Parties
07/07/15		Order Granting Plaintiffs' Motion to Amend Complaint and Denying as Moot Defendant's Motion to Dismiss
07/07/15		First Amended Complaint Filed
07/08/15		Joint Stipulation for Extension of Time to File Response to First Amended Complaint and to Continue Scheduling Conference
07/09/15		Order re Joint Application and Stipulation for Extension of Time to File Response/Reply
07/17/15		Joint Stipulation to Continue Scheduling Conference
07/20/15		Order Continuing Scheduling Conference
08/03/15		Notice of Motion and Motion to Dismiss Plaintiff's First Amended Complaint; Request for Judicial Notice
08/07/15		Stipulation for Extension of time to File Response as to Notice of Motion and Motion to Dismiss First Amended Complaint
08/07/15		Order Extending Time to Response to City's Motion to Dismiss First Amended Complaint
08/12/15		Ex Parte Application to Expedite Rule 26(f) Conference or Discovery
08/13/15		Opposition to Plaintiff's Ex Parte Application
08/18/15		Joint Application for Leave to File Second Amended Complaint and First Supplemental Complaint
08/18/15		Order Filing Second Amended and First Supplemental Complaint and Setting Date for Response
08/19/15		Order Denying Application to Compel Rule 26(f) Conference and Commencement of Discovery
08/19/15		Second Amended Complaint and First Supplemental Amended Complaint
08/24/15		Plaintiffs' Request for Judicial Notice
08/24/15		Notice of Motion and Motion to Dismiss Plaintiffs' Second Amended and First Supplemental Complaint; Request for Judicial Notice
08/31/15		Objection Opposition re: Notice of Motion and Motion to Dismiss Plaintiffs' Second Amended and First Supplemental Complaint
08/31/15		Opposition to Notice of Motion and Motion to Dismiss Plaintiffs' Second Amended and First Supplemental Complaint
09/04/15		Reply in Support of Notice of Motion and Motion to Dismiss Plaintiffs' Second Amended and First Supplemental Complaint
09/04/15		City's Response to Plaintiffs' Objection to City's Request for Judicial Notice re Notice of Motion and Motion to Dismiss Plaintiffs' Second Amended and First Supplemental Complaint
09/21/15		Hearing on Motion to Dismiss First Amended Complaint and Motion to Dismiss Second Amended Complaint and First Supplemental Complaint
10/08/15		Order Granting Motion to Dismiss Second Amended Complaint and Denying as Moot Motion to Dismiss First Amended Complaint
10/22/15		First Application for Extension of Time to Amend
10/29/15		Order Extending Time to File Third Amended Complaint
11/13/15		Third Amended Complaint
11/30/15		Notice of Motion and Motion to Dismiss Third Amended Complaint; Request for Judicial Notice
12/07/15		Plaintiffs' Request for Judicial Notice re Notice of Motion and Motion to Dismiss Plaintiffs' Third Amended Complaint
12/07/15		Objection to Defendant's Request for Judicial Notice re: Notice of Motion

	12/07/15	and Motion to Dismiss Plaintiffs' Third Amended Complaint Opposition to Notice of Motion and Motion to Dismiss Plaintiffs' Third Amended Complaint
	12/10/15	Order to Show Cause Why Case Should Not Be Stayed
	12/17/15	City's Brief in Support of Stay
	12/17/15	Plaintiffs' Response to Order to Show Cause
	12/18/15	Order Directing City to File a Response
	12/23/15	City's Response to Order to Show Cause
	01/05/16	Order Staying Action Pending Solid Landings Appeal
	01/22/16	Order Removing Action from Active Caseload and Directing Parties to File Status Report
	05/03/16	Joint Status Report
	06/14/16	Joint Status Report
	07/15/16	Joint Status Report
	08/15/16	Status Report
	09/02/16	Order Lifting Stay of Action and Setting Scheduling Conference
	09/13/16	Status Report/Joint Scheduling Report
	09/26/16	Opposition to Notice of Motion and Motion to Dismiss Plaintiffs' Third Amended Complaint
	10/03/16	Reply to Plaintiffs' Amended Opposition
	10/03/16	City's Objection to Plaintiffs' Second Request for Judicial Notice in Opposition to City's Motion to Dismiss
	10/03/16	Request for Judicial Notice and Notice of Motion and Motion to Dismiss Plaintiffs' Third Amended Complaint
	10/05/16	Plaintiffs' Response to City's Second Request for Judicial Notice
	10/05/16	Plaintiffs' Request for Judicial Notice
	10/10/16	Objection to Plaintiffs' Second Request for Judicial Notice and Confession of Error Filed in Opposition to City's re: Notice of Motion and Motion to Dismiss Plaintiffs' Third Amended Complaint
	10/17/16	Hearing on Motion to Dismiss Third Amended Complaint
	10/20/16	Stipulation for Protective Order
	10/25/16	Order Granting Stipulated Confidentiality Order
	11/07/16	Fourth Amended Complaint
	11/21/16	Answer to Amended Complaint/Petition
<b>Written Discovery</b>	09/30/15	Plaintiffs' Interrogatories (ROGS) to City, Set One
	09/30/15	Plaintiffs' ROGS to City, Set Two
	10/01/15	Plaintiffs' Requests for Production (RFPS) to City, Set One
	11/20/15	City's Responses to Plaintiffs' ROGS, Set One
	11/20/15	City's Responses to Plaintiffs' ROGS, Set Two
	11/23/15	City's Responses to Plaintiffs' RFPS, Set One
	09/07/16	Plaintiffs' ROGS to City, Set Three
	09/20/16	City's ROGS to Plaintiff California Women's Recovery ("CWR"), Set One
	09/20/16	City's RFPS to Plaintiff CWR, Set One
	09/20/16	City's ROGS to Plaintiff Sober Living Network ("SLN"), Set One
	09/20/16	City's RFPS to Plaintiff SLN, Set One
	09/20/16	City's ROGS to Plaintiff Yellowstone, Set One
	09/20/16	City's RFPS to Plaintiff Yellowstone, Set One
	09/20/16	City's RFPS to Plaintiff CWR, Set Two
	09/29/16	Plaintiffs' RFPS to City, Set Two

10/09/16	Plaintiffs' ROGS to City, Set Four
10/09/16	Plaintiffs' RFPS to City, Set Three
10/10/16	Plaintiffs' Initial Disclosures
10/10/16	City's Initial Disclosures
10/10/16	City's Supplemental Responses to Plaintiffs' ROGS, Set One
10/10/16	City's Supplemental Responses to Plaintiffs' ROGS, Set Two
10/10/16	City's Responses to Plaintiffs' ROGS, Set Three
10/10/16	City's Supplemental Responses to Plaintiffs' ROGS, Set One
10/11/16	Plaintiffs' Requests for Admissions (RFAS), Set One
10/16/16	Plaintiffs' RFPS to City, Set Four
10/19/16	Plaintiffs' RFPS to City, Set Five
10/28/16	City's RFPS to Plaintiff SLN, Set Two
10/28/16	City's RFPS to Plaintiff Yellowstone, Set Two
10/28/16	City's Supplemental Responses to Plaintiffs' ROGS, Set Three
10/28/16	Plaintiffs' RFPS to City, Set Six
11/01/16	City's Responses to Plaintiffs' RFPS, Set Two
11/03/16	Plaintiff CWR's Objections and Responses to City's RFPS, Set One
11/03/16	Plaintiff CWR's Objections and Answers to City's ROGS, Set One
11/03/16	Plaintiff SLN's Objections and Answers to City's ROGS, Set One
11/03/16	Plaintiff SLN's Objections and Responses to City's RFPS, Set One
11/03/16	Plaintiff Yellowstone's Responses to City's Special ROGS, Set One
11/03/16	Plaintiff Yellowstone's Responses to City's RFPS, Set One
11/04/16	Plaintiffs' First Supplemental Disclosures
11/06/16	Plaintiffs' ROGS to City, Set Five
11/06/16	Plaintiffs' RFPS to City, Set Seven
11/14/16	City's Responses to Plaintiffs' ROGS, Set Four
11/14/16	City's Responses to Plaintiffs' RFAS, Set One
11/14/16	City's Responses to Plaintiffs' RFPS, Set Three
11/14/16	Plaintiffs' RFAS to City, Set Two
11/14/16	Plaintiffs' RFPS to City, Set Eight
11/17/16	City's RFPS to Plaintiff CWR, Set Three
11/17/16	City's ROGS to Plaintiff CWR, Set Two
11/17/16	City's RFPS to Plaintiff SLN, Set Three
11/17/16	City's RFPS to Plaintiff Yellowstone, Set Three
11/17/16	Plaintiffs' ROGS to City, Set Six
11/17/16	Plaintiffs' RFPS to City, Set Nine
11/21/16	Plaintiffs' Second Supplemental Disclosures
11/21/16	Plaintiffs' Amended RFAS, Set One
11/30/16	Plaintiff Yellowstone's Responses to City's RFPS, Set Two
11/25/16	Plaintiff CWR's Objections and Answers to City's ROGS
12/02/16	City's Responses to Plaintiffs' RFPS, Set Five
12/02/16	City's Responses to Plaintiffs' RFPS, Set Six
12/02/16	City's Amended Responses to Plaintiffs' RFAS, Set One
12/04/16	Plaintiffs' ROGS to City, Set Seven
12/04/16	Plaintiffs' RFAS to City, Set Three
12/14/16	City's RFPS to Plaintiff SLN, Set Four
12/14/16	City's RFPS to Plaintiff Yellowstone, Set Four
12/15/16	City's Responses to Plaintiffs' ROGS, Set Five
12/15/16	City's Responses to Plaintiffs' RFPS, Set Seven

12/17/16	Plaintiffs' ROGS to City, Set Eight
12/17/16	Plaintiffs' RFAS to City, Set Four
12/17/16	Plaintiffs' RFPS to City, Set Ten
12/23/16	Plaintiffs' ROGS to City, Set Nine
01/06/17	City's Amended Responses to Plaintiffs' ROGS, Set Five
01/06/17	City's Responses to Plaintiffs' ROGS, Set Six
01/06/17	City's Responses to Plaintiffs' ROGS, Set Seven
01/06/17	City's Responses to Plaintiffs' RFAS, Set Two
01/06/17	City's Responses to Plaintiffs' RFAS, Set Three
01/06/17	City's Responses to Plaintiffs' RFPS, Set Eight
01/16/17	City's Responses to Plaintiffs' ROGS, Set Eight
01/16/17	Plaintiffs' ROGS to City, Set Ten
01/16/17	City's Responses to Plaintiffs' RFAS, Set Four
01/16/17	Plaintiffs' RFAS to City, Set Five
01/16/17	City's Responses to Plaintiffs' RFPS, Set Ten
01/16/17	Plaintiffs' RFPS to City, Set Eleven
01/19/17	City's RFPS to Plaintiff CWR, Set Four
01/19/17	City's ROGS to Plaintiff CWR, Set Three
01/20/17	Plaintiff Yellowstone's Supplemental Responses to City's RFPS, Set One
01/20/16	Plaintiffs' RFPS to City, Set Twelve
01/25/17	City's Responses to Plaintiffs' ROGS, Set Nine
02/10/17	City's Amended Responses to Plaintiffs' RFPS, Set Eight
02/10/17	City's Amended Responses to Plaintiffs' RFPS, Set Nine
02/14/17	Plaintiffs' RFPS to City, Set Thirteen
02/21/17	City's Responses to Plaintiffs' RFPS, Set Eleven

## **CASES BEING HANDLED BY OUTSIDE COUNSEL**

**CMC v. City of Costa Mesa; Costa Mesa Police Department**

<b>Case Name</b>	CMC v. City of Costa Mesa; Costa Mesa Police Department		<b>Case Number</b>	8:16-cv-01690-JLS-JCG
<b>Judge</b>	Hon. Josephine L. Staton Magistrate: Hon. Jay C. Gandhi		<b>Venue</b>	United States District Court for Central District of California
<b>Attorneys for City</b>	Dennis M. Cota Daniel S. Roberts Cota Cole LLP		<b>Opposing Attorney(s)</b>	Jennifer M. McGrath Law Offices of Jennifer McGrath APC  Matthew S. Pappas Law Office of Matthew S. Pappas
<b>Date of Loss</b>	01/27/2016	<b>Complaint Filed</b>	09/12/2016	
<b>Legal Fees and Costs Incurred to Date</b>	\$19,113.68			
<b>Causes of Action</b>	1. 42 U.S.C. § 1983 – Fourteenth Amendment, Due Process 2. 42 U.S.C. § 1983 – Fourth and Fourteenth Amendments			
<b>Summary</b>	Action for writ of mandate seeking return of marijuana seized at illegal marijuana dispensary and damages for alleged unlawful search and seizure.			
<b>Status</b>	Discovery and investigation is ongoing.			
<b>Next Hearing Date</b>	Pre-Trial Conference – 11/17/17			
<b>Trial Date</b>	12/05/17			
<b>Docket</b>	09/12/16	Petition for Writ of Mandamus		
	09/14/16	Initial Standing Order		
	09/19/16	City’s Answer to Petition		
	09/20/16	Order Setting Scheduling Conference		
	10/19/16	[Proposed] Order Continuing Scheduling Conference		
	10/25/16	Court’s Denial of Proposed Order Continuing Scheduling Conference		
	10/27/16	Joint Rule 26(f) Report		
	11/09/16	(In Chambers) Scheduling Order		
	11/09/16	Civil Trial Order		
	11/09/16	Order/Referral to ADR		



**The Kennedy Commission, et al. v. City of Costa Mesa, et al.**

<b>Case Name</b>	The Kennedy Commission, et al. v. City of Costa Mesa, et al.	<b>Case Number</b>	30-2016-00832585
<b>Judge</b>	Hon. Mary H. Strobel	<b>Venue</b>	Superior Court of California, County of Los Angeles
<b>Complaint Filed</b>	01/28/2016		
<b>Petitioners/Plaintiffs</b>	The Kennedy Commission, Mehrnoosh Barimani, Timothy Dadey, Denise Riddell and Patricia Wagner (together, "Petitioners")	<b>Attorneys for Petitioners/Plaintiffs</b>	Jeremy D. Matz Julian C. Burns Bird, Marella, Boxer, Wolpert, Nessim, Drooks, Lincenberg & Rhow  Richard Walker Public Law Center  Lili V. Graham Legal Aid Society of Orange County  Navneet K. Grewal Richard A. Rothschild Western Center on Law & Poverty  Michael Rawson Deborah Collins Public Interest Law Project
<b>Respondents/Defendants</b>	City of Costa Mesa Costa Mesa City Council (together, "Costa Mesa")	<b>Attorneys for Costa Mesa</b>	Celeste Stahl Brady Allison E. Burns David C. Palmer Stradling Yocca Carlson & Rauth, P.C. ("Stradling")
<b>Real Parties in Interest</b>	Miracle Mile Properties, LP and Diamond Star Associates, Inc. (together, "RPIs")	<b>Attorneys for Real Parties in Interest</b>	Elizabeth "Ellia" Thompson Allan Cooper Jeffrey Harlan Ervin Cohen & Jessup, LLP ("ECJ")
<b>Legal Fees and Costs Incurred 2/1/16-1/31/17</b>	\$414,631.50—All Costa Mesa legal fees and costs have been paid by Real Party in Interest, Miracle Mile Properties		
<b>Causes of Action and Summary</b>	Petition for Writ of Mandate challenges four land use actions by the City Council (together, "Development Approvals"): (1) General Plan Amendment (GP 14 04); (2) Rezone (R 14 04); (3) Zoning Code Amendment (CO-14-02); and		

	(4) Master Plan (PA-14-27). Petition alleges the Development Approvals purportedly were adopted in violation of: (a) State Density Bonus Law (Government Code sections 65915 – 65917); (b) City’s General Plan, including the Housing Element; (c) Government Code section 65008; and (d) State Relocation Assistance Law (Government Code section 7260, <i>et seq.</i> ).	
<b>Status</b>	The hearing on the Petition for Writ of Mandate is scheduled for May 11, 2017 in Los Angeles Superior Court.	
<b>Next Hearing Date/Trial Date</b>	05/11/17	
<b>Summary of Proceedings/Docket</b>		<p>01/28/16 Petition Filed in Orange County Superior Court</p> <p>02/03/16 Order Transferring Case to Los Angeles County Superior Court</p> <p>04/01/16 Answer to Petition/Complaint Filed by RPIs</p> <p>04/04/16 Answer to Petition/Complaint Filed by Costa Mesa</p> <p>04/26/16 Petitioners’ Motion for Temporary Restraining Order (TRO)</p> <p>04/28/16 Hearing on TRO (Denied)</p> <p>05/05/16 Petitioners’ Motion for Preliminary Injunction</p> <p>05/11/16 RPI’s Opposition to Petitioners’ Motion for Preliminary Injunction</p> <p>05/11/16 Costa Mesa’s Opposition to Petitioners’ Motion for Preliminary Injunction</p> <p>05/13/16 Petitioners’ Reply Brief in Support of Preliminary Injunction</p> <p>05/18/16 First Hearing on Motion for Preliminary Injunction</p> <p>06/05/16 Petitioner’s Amended Reply to Opposition</p> <p>06/08/16 Second Hearing on Motion for Preliminary Injunction</p> <p>06/08/16 Petitioners’ Request for Judicial Notice</p> <p>06/22/16 Costa Mesa and MMP’s Opposition to Request for Judicial Notice</p> <p>06/22/16 Petitioners’ Amended Reply to Opposition</p> <p>06/22/16 Third Hearing on Motion for Preliminary Injunction (Granted)</p> <p>07/29/16 Petitioners’ Motion for Order to Stop MMP from Vacating Motel</p> <p>07/29/16 Hearing on Motion for Order to Stop MMP Vacating Motel (Denied)</p> <p>07/29/16 Costa Mesa’s Request for Correction</p> <p>07/29/16 Petitioners’ Opposition to Motion for Correction</p> <p>08/12/16 Petitioners’ Motion for Second Preliminary Injunction</p> <p>08/12/16 Costa Mesa’s and RPIs’ Opposition to Second Preliminary Injunction</p> <p>08/12/16 Hearing on Motion for Second Preliminary Injunction (Denied)</p> <p>08/15/16 Order Denying Petitioners’ Motion for Second Injunction</p> <p>08/19/16 Costa Mesa and MMP’s Notices of Appeal of Preliminary Injunction filed with Court of Appeal</p> <p>08/22/16 Petitioners’ Notice of Appeal of Denial of Second Preliminary Injunction filed with Court of Appeal</p> <p>09/02/16 Petitioners’ Motion to Court of Appeal for Emergency Stay, TRO and Second Preliminary Injunction</p> <p>09/07/16 Costa Mesa’s Opposition to Petitioners/Appellants’ Motion for Emergency Stay, TRO and Second Preliminary Injunction</p> <p>09/07/16 Order by Court of Appeal with Denial of Petitioners’ Motion for Emergency Stay</p> <p>09/20/16 Petitioners’ Additional Application for Second Injunction</p> <p>10/03/16 Costa Mesa and RPI’s Opposition to Second Injunction</p> <p>10/13/16 Hearing on Petitioners’ Motion for Second Injunction (Denied)</p>

	11/14/16	Parties' and Court Stipulation re Briefing Schedule and Date for Hearing on Petitioners' Writ of Mandate of May 11, 2017
	01/24/17	Parties' Stipulation to Dismiss Appeals Pending at Court of Appeal
	02/03/17	Petitioners' Opening Brief Filed
	03/03/17	Costa Mesa and RPI's Opposition Brief Filed

**City of Costa Mesa v. David William Palmblade and Judith Darlene Palmblade**

<b>Case Name</b>	City of Costa Mesa v. David William Palmblade and Judith Darlene Palmblade	<b>Case Number</b>	30-2016-00841782-CU-BC-CJC
<b>Judge</b>	Hon. James Crandall	<b>Venue</b>	Superior Court of California, County of Orange
<b>Attorney(s) for City</b>	Celeste Stahl Brady Allison E. Burns Colin A. Hendricks Stradling Yocca Carlson & Rauth, P.C. (“Stradling”)	<b>Opposing Attorney(s)</b>	David S. Henshaw Henshaw & Henry, P.C. (“Henshaw”)
<b>Date of Loss</b>	10/14/15	<b>Complaint Filed</b>	03/18/16
<b>Legal Fees and Costs Incurred 03/18/16-12/31/16</b>	\$38,392.32		
<b>Causes of Action</b>	<ol style="list-style-type: none"> <li>1. Breach of Contract</li> <li>2. Breach of Promissory Note</li> </ol>		
<b>Summary</b>	<p>The City of Costa Mesa (“City”) filed a complaint against defendants David William Palmblade and Judith Darlene Palmblade (collectively, “Palmblades”) alleging breach of a certain loan agreement and corresponding promissory note securing a loan of \$35,000 that the Palmblades received from the City to pay for certain rehabilitation work on the Palmblades’ former single-family home in Costa Mesa (“Property”). The Loan Agreement and Promissory Note required the Palmblades to pay off the loan (and two other Costa Mesa loans) in full upon sale of the Property; the Palmblades sold the Property on October 14, 2015, but failed to repay one of the three loans as required by the Loan Agreement and Promissory Note. The Complaint seeks damages in the amount of \$38,500, plus accruing default interest, plus legal costs and attorneys’ fees incurred in the litigation.</p>		
<b>Status</b>	Stradling on behalf of the City is preparing for trial; however, on March 2, 2017, Henshaw informed Stradling that Palmblades will seek continuance of trial from Court.		
<b>Next Hearing Date/Trial Date</b>	03/13/17 (trial date may be continued by Court)		
<b>Docket</b>	03/18/16	Summons and Complaint	
	04/12/16	Answer (General Denial) Filed by David Palmblade	
	04/12/16	Answer (General Denial) Filed by Judith Palmblade	
	06/09/16	Case Management Statement Filed by City	
	06/13/16	Case Management Statement Filed by David Palmblade	
	06/15/16	Court Case Management Conference	
	08/10/16	Case Management Statement Filed by City	
	10/27/16	City’s Motion for Summary Judgment/Adjudication (“MSJ”); Request for Judicial Notice; Proposed Order	
	01/26/17	City’s Motions to Compel Responses by Palmblades’ to City’s Discovery and for Order Deeming Answers Admitted and Interrogatories Answered Without Objection by Palmblades	
	01/30/17	City’s Motion to Advance Hearing on Motion to Compel (Granted)	
	01/30/17	Palmblades’ Opposition Filed to City’s Motion for MSJ	
	02/02/17	City’s Reply Brief Filed on Motion for MSJ	

	02/09/17	Hearing on MSJ-Granted as to Summary Adjudication of Issues that Palmblades Breached Loan Agreement and Breached Promissory Note
	02/10/17	Settlement Conference
	02/16/17	Hearing on City's Motions to Compel Discovery for Palmblades' Responses to Admissions and Interrogatories (Granted)
	03/02/17	Pre-Trial Issues Conference (Cancelled by Henshaw/Palmblades)