

**COSTA MESA
LITIGATION STATUS REPORT
Fourth Quarter 2018**

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

Case Name	AmeriCare MedServices, Inc. v. City of Costa Mesa and CARE Ambulance Services	Case Number	District Court: 8:16-cv-01804 Court of Appeals: 17-55565																						
Judge	Hon. Josephine L. Staton Magistrate: Hon. Alexander F. MacKinnon	Venue	District Court: United States District Court for Central District of California Court of Appeals: Ninth Circuit Court of Appeals																						
Attorney(s) for City	James R. Touchstone Melissa M. Ballard Bruce A. Lindsay Kendall H. MacVey – Best, Best & Krieger	Opposing Attorney(s)	Jarod Michael Bona Bona Law PC																						
Date of Loss	Not applicable.	Complaint Filed	09/28/2016																						
Legal Fees and Costs Incurred through 12/31/18	\$34,277.42																								
Causes of Action	<ol style="list-style-type: none"> 1. Monopolization – 15 U.S.C. § 2 2. Attempted Monopolization – 15 U.S.C. § 2 3. Conspiracy to Monopolize – 15 U.S.C. § 2 4. Conspiracy to Restrain Trade – 15 U.S.C. § 1 5. Declaration of Rights – Cal. Civ. Proc. Code § 1060 6. Declaratory Judgment – 28 U.S.C. § 2201; 15 U.S.C. § 26 																								
Summary	Antitrust claim by AmeriCare MedServices that City created unlawful monopoly with CARE Ambulance Services.																								
Status	The Court of Appeals upheld the district court’s ruling granting the City’s motion to dismiss. AmeriCare filed a petition for writ of certiorari with the United States Supreme Court.																								
Next Hearing Date	No hearings are scheduled at this time.																								
Court of Appeals Docket	<table border="0"> <tr> <td>05/09/17</td> <td>Plaintiff’s Motion to Expedite Briefing and Hearing on Appeal</td> </tr> <tr> <td>05/15/17</td> <td>Opposition to Motion to Expedite Briefing and Hearing on Appeal Filed by Cities of Anaheim, Laguna Beach, and Newport Beach</td> </tr> <tr> <td>05/17/17</td> <td>City’s Joinder to Opposition to Motion to Expedite Briefing and Hearing on Appeal Filed by Cities of Anaheim, Laguna Beach, and Newport Beach</td> </tr> <tr> <td>05/23/17</td> <td>Plaintiff’s Response to Oppositions to Motion to Expedite Briefing and Hearing on Appeal</td> </tr> <tr> <td>05/23/17</td> <td>Plaintiff’s Motion for Order Requiring Cities to File a Joint Brief on Appeal</td> </tr> <tr> <td>05/26/17</td> <td>City’s Response to Plaintiff’s Motion for Order Requiring Cities to File a Joint Brief on Appeal</td> </tr> <tr> <td>06/02/17</td> <td>Court’s Order Denying Motion to Expedite and Motion for Order Requiring Cities to File a Joint Brief</td> </tr> <tr> <td>09/11/17</td> <td>Plaintiff’s Requested for Extension of Time to File Opening Brief Filed</td> </tr> <tr> <td>09/11/17</td> <td>Court’s Order Approving Plaintiff’s Request for Extension of Time to File Opening Brief</td> </tr> <tr> <td>11/01/17</td> <td>Appellant’s Opening Brief Filed</td> </tr> <tr> <td>11/07/17</td> <td>Amicus Brief for Review and Motion to Become Amicus Curiae Filed by California Emergency Medical Services Authority</td> </tr> </table>			05/09/17	Plaintiff’s Motion to Expedite Briefing and Hearing on Appeal	05/15/17	Opposition to Motion to Expedite Briefing and Hearing on Appeal Filed by Cities of Anaheim, Laguna Beach, and Newport Beach	05/17/17	City’s Joinder to Opposition to Motion to Expedite Briefing and Hearing on Appeal Filed by Cities of Anaheim, Laguna Beach, and Newport Beach	05/23/17	Plaintiff’s Response to Oppositions to Motion to Expedite Briefing and Hearing on Appeal	05/23/17	Plaintiff’s Motion for Order Requiring Cities to File a Joint Brief on Appeal	05/26/17	City’s Response to Plaintiff’s Motion for Order Requiring Cities to File a Joint Brief on Appeal	06/02/17	Court’s Order Denying Motion to Expedite and Motion for Order Requiring Cities to File a Joint Brief	09/11/17	Plaintiff’s Requested for Extension of Time to File Opening Brief Filed	09/11/17	Court’s Order Approving Plaintiff’s Request for Extension of Time to File Opening Brief	11/01/17	Appellant’s Opening Brief Filed	11/07/17	Amicus Brief for Review and Motion to Become Amicus Curiae Filed by California Emergency Medical Services Authority
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11/08/17	Amicus Brief for Review and Motion to Become Amicus Curiae Filed by Emergency Medical Services Administrators Association of California
12/05/17	City Appellees' Joint Request for Extension of Time to File Answering Briefs Filed
12/05/17	Care Ambulance's Motion for Extension of Time to File Answering Brief Filed
12/07/17	Court's Order Granting Extension of Time to File Answering Briefs
01/22/18	City Appellees' Joint Answering Brief Filed
01/22/18	Appellee Care's Answering Brief Filed
01/23/18	AmeriCare's Request for Extension of Time to File Reply Brief Filed
01/24/18	Court's Order Granting Extension of Time to File Reply Brief
01/29/18	Amicus Curiae Brief for Review Filed by California Fire Chiefs Association
01/29/18	Amicus Curiae Brief for Review Filed by International Association of Fire Fighters
01/29/18	Amicus Curiae Brief for Review Filed by League of California Cities and International Municipal Lawyers Association
02/01/18	AmeriCare's Response to Care's Motion for Judicial Notice
02/08/18	Care's Reply to Response re Motion for Judicial Notice
02/16/18	Notice from Court re Consideration of Placement of Matter on June 2018 Oral Argument Calendar in Pasadena
02/20/18	Letter from Counsel for Care re Unavoidable Conflict
03/14/18	AmeriCare's Reply Brief Filed
04/20/18	Notice from Court re Consideration of Placement of Matter on August 2018 Oral Argument Calendar in Pasadena
05/30/18	Notice of Oral Argument Date
06/08/18	Motion by California Emergency Medical Services Authority to Participate in Oral Argument
06/11/18	Order Granting Motion of Amicus Curiae to Participate in Oral Argument
08/07/18	Oral Argument
08/27/18	Court's Decision Affirming District Court's Decision
09/10/18	AmeriCare's Petition for Rehearing En Banc Filed
10/02/18	Amicus Curiae California Fire Chiefs Association, Inc.'s Request for Publication Filed
10/09/18	Letter from Non-Party California Metropolitan Fire Chiefs Association re Request that the Court Publish its Memorandum Decision Filed
10/10/18	Court's Order Denying AmeriCare's Petition for Rehearing en Banc and Denying Request to Publish
10/10/18	Amended Letter from California Metropolitan Fire Chiefs Association Filed
10/11/18	Court's Order Denying California Metropolitan Fire Chiefs Association's Request to Publish as Moot
10/18/18	Costs Taxed Against Appellant

County of Orange, Orange County Flood Control District; City of Costa Mesa; City of Orange; and City of Anaheim v. California Department of Public Health; Karen L. Smith, Director; Orange County Needle Exchange Program

Case Name	County of Orange, Orange County Flood Control District; City of Costa Mesa; City of Orange; and City of Anaheim v. California Department of Public Health; Karen L. Smith, Director; Orange County Needle Exchange Program	Case Number	37-2018-00039176
Judge	Hon. Joel R. Wohlfeil	Venue	Superior Court of California, County of San Diego
Attorney(s) for City	James R. Touchstone Gary S. Kranker Krista MacNevin Jee	Opposing Attorney(s)	Jennifer M. Kim Chara L. Crane Office of the Attorney General of California Carrie Hempel Robert Solomon UCI Law School Community & Economic Development Clinic
Date of Loss	Not applicable.	Complaint Filed	08/03/2018
Legal Fees and Costs Incurred through 12/31/18	\$97,324.87		
Causes of Action	<ol style="list-style-type: none"> 1. Violation of California Waste Management Act 2. Writ of Mandate 3. Declaratory Relief 4. Public Nuisance 5. Writ of Mandate re Violation of California Environmental Quality Act 		
Summary	Action by County, Costa Mesa, and other cities challenging approval by State Department of Public Health of Mobile Needle Exchange Program to operate within County, including within Costa Mesa.		
Status	The Court granted the County's/Cities' motion to enjoin Defendants from "operating" a needle exchange program in Orange County. Trial is scheduled for October 2019.		
Next Hearing Date	October 25, 2019 – Trial		
Trial Date	October 25, 2019		
Docket	08/03/18 08/15/18 08/21/18 08/31/18 09/05/18 09/07/18	Complaint Filed First Amended Complaint Filed Motion for Preliminary Injunction Filed Stipulation for Continuance of Hearing Filed California Department of Public Health's Opposition Filed Plaintiffs' Reply to California Department of Health's Opposition Filed OCNEP's Opposition Filed	

	09/17/18	Stipulation to Extend Time for OCNEP to Respond to Plaintiffs' Fire Amended Complaint Filed
	09/21/18	California Department of Public Health's Answer Filed
	09/21/18	County's Reply to Opposition Filed
	09/21/18	City's Joinder to Reply to Opposition Filed
	09/21/18	City's Reply to Opposition Filed
	09/21/18	City's Request for Judicial Notice in Support of Reply to Opposition to Motion for Preliminary Injunction Filed
	10/01/18	Hearing on Motion for Preliminary Injunction
	10/01/18	Court's Tentative Ruling on Motion for Preliminary Injunction Published
	10/12/18	OCNEP's Answer Filed
	10/24/18	Motion to Stay Discovery and Quash Notice of Deposition Filed by OCNEP
	10/24/18	Proposed Order Filed by OCNEP
	10/29/18	City's Ex Parte Application for Order Shortening Time Filed
	10/30/18	Hearing on Ex Parte Application
	10/30/18	Stipulation to Move Dates of Evidentiary Hearing Filed by OCNEP
	11/08/18	Plaintiffs' Notice and Request for Hearing Pursuant to Public Resources Code section 21167.4(a) Filed
	11/08/18	State's Evidentiary Hearing Brief Filed
	11/09/18	County's Evidentiary Hearing Brief Filed
	11/09/18	OCNEP's Evidentiary Hearing Brief Filed
	11/14/18	Evidentiary Hearing
	11/15/18	Evidentiary Hearing
	11/27/18	Court's Statement of Decision Filed
	12/20/18	OCNEP's Case Management Statement Filed
	12/20/18	Plaintiffs' Case Management Statement Filed
	12/26/18	California Department of Public Health's Case Management Statement Filed
Written Discovery		Not yet exchanged.

Casa Capri Recovery, Inc. v. City of Costa Mesa

Case Name	Casa Capri Recovery, Inc. v. City of Costa Mesa	Case Number	8:18-cv-00329
Judge	Hon. Judge James Selna Magistrate: Hon. Judge Patrick Walsh	Venue	United States District Court for the Central District of California
Attorney(s) for City	Bruce A. Lindsay	Opposing Attorney(s)	Isaac R. Zfaty Garrett M. Prybylo Zfaty Burns Steven Polin Law Offices of Steven G. Polin
Date of Loss	Not applicable.	Complaint Filed	02/26/2018
Legal Fees and Costs Incurred through 12/31/18	\$67,895.70		
Causes of Action	<ol style="list-style-type: none"> 1. Violation of the Federal Housing Act 2. Violation of the Americans with Disabilities Act 3. Violation of the Rehabilitation Act 4. Violation of the Civil Rights Act of 1871 5. Violation of California Fair Employment and Housing Act 6. Violation of State Zoning Powers 		
Summary	Plaintiff, a sober living home operator, alleges the City engages in a pattern or practice of discrimination against it on the basis of disability in violation of various federal and state laws.		
Status	The case is in the discovery phase.		
Next Hearing Date	November 18, 2019 – Pre-Trial Conference		
Trial Date	December 3, 2019		
Docket	<p>02/26/18 Complaint Filed</p> <p>02/27/18 Summons Filed</p> <p>04/16/18 Court’s Initial Order Following Filing of Complaint</p> <p>04/17/18 Court’s Order Setting Rule 26(f) Conference</p> <p>04/24/18 Plaintiff’s First Amended Complaint Filed</p> <p>05/10/18 Court’s Order Advancing Scheduling Conference</p> <p>05/29/18 City’s Answer to Amended Complaint Filed</p> <p>05/29/18 City’s Notice of Interested Parties Filed</p> <p>06/13/18 Stipulation to Continue Scheduling Conference Filed</p> <p>06/14/18 Court’s Order Continuing Scheduling Conference</p> <p>06/19/18 Joint Rule 26(f) Report Filed</p> <p>07/02/18 Scheduling Conference</p> <p>07/02/18 Court’s Order for Jury Trial; Preparation; Attorney Conduct</p> <p>09/11/18 First Application to Produce Documents Filed by Plaintiff (Stricken by Court)</p> <p>09/11/18 Notice to Filer of Deficiencies in Filing Discovery Requests</p> <p>09/17/18 Response by the Court to Notice of Filer of Deficiencies (Striking Document)</p> <p>12/18/18 Second Notice of Motion and Motion for Leave to Amend Complaint Filed by</p>		

	12/20/18	Plaintiff City's Non-Opposition to Second Notice of Motion and Motion for Leave to Amend Complaint Filed
Written Discovery	09/11/18 10/08/18 10/12/18 10/25/18 11/30/18 11/30/18 12/14/18	Plaintiffs Requests for Production (RFPS) to City, Set One City's RFPS to Plaintiff, Set One City's Initial Disclosures City's Responses to Plaintiff's RFPS, Set One City's RFPS to Plaintiff, Set Two City's Interrogatories (ROGS) to Plaintiff, Set One Plaintiff's Responses to City's RFPS Set One

City of Costa Mesa v. Casa Capri, LLC et al.

Case Name	City of Costa Mesa v. Casa Capri, LLC et al.	Case Number	30-2018-01006156
Judge	Hon. James Crandall	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Bruce A. Lindsay	Opposing Attorney(s)	Isaac R. Zfaty Garrett M. Prybylo Zfaty Burns
Date of Loss	Not applicable.	Complaint Filed	07/17/2018
Legal Fees and Costs Incurred through 12/31/18	\$8,244.30		
Causes of Action	1. Public Nuisance 2. Maintenance of Public Nuisance by Violating Costa Mesa Municipal Code		
Summary	Nuisance abatement action against sober living home operator.		
Status	The parties are attempting to settle the matter.		
Next Hearing Date	March 7, 2019 – Hearing on Defendant’s Motion to Stay; Case Management Conference		
Trial Date	Not yet set.		
Docket	07/17/18	Complaint Filed	
	09/07/18	City’s Motion for Preliminary Injunction Filed	
	10/12/18	Proposed Order and Stipulation Filed	
	10/22/18	Stipulation and Order Filed by Plaintiff	
	10/26/18	Defendant’s Motion for Order to Stay Proceedings Filed	
	11/14/18	City’s Case Management Statement Filed	
	11/14/18	Defendant’s Case Management Statement Filed	
	11/15/18	Proposed Order and Stipulation Filed	
	11/20/18	Stipulation and Order to Continue Case Management Conference Filed	
	12/26/18	City’s Notice of Withdrawal of Motion for Preliminary Injunction Filed	
	12/26/18	City’s Case Management Statement Filed	
Written Discovery		Not yet exchanged.	

City of Costa Mesa v. Clean Path Recovery, LLC

Case Name	City of Costa Mesa v. Clean Path Recovery, LLC	Case Number	30-2018-01015745
Judge	Hon. Theodore Howard	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Gary S. Kranker Bruce A. Lindsay Monica Choi Arredondo	Opposing Attorney(s)	Kroesche Schindler LLP
Date of Loss	Not applicable.	Complaint Filed	08/30/2018
Legal Fees and Costs Incurred through 12/31/18	\$8,244.30		
Causes of Action	1. Public Nuisance 2. Maintenance of Public Nuisance by Violating Costa Mesa Municipal Code		
Summary	Nuisance abatement action against sober living home operator.		
Status	The parties are attempting to settle the matter.		
Next Hearing Date	February 8, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	08/30/18	Complaint Filed	
	10/30/18	Proposed Stipulation and Order Filed	
	11/01/18	First Stipulation and Order to Extend Time to File Answer Filed	
	11/13/18	Proposed Stipulation and Order Filed	
	11/26/18	Second Stipulation and Order to Extend Time to File Verified Answer Filed	
	11/30/18	City’s Case Management Statement Filed	
	12/03/18	Proposed Stipulation and Order Filed	
	12/06/18	Third Stipulation and Order to Extend Time to File Verified Answer Filed	
	12/14/18	Case Management Conference	
Written Discovery		Not yet exchanged.	

Jason Gardner v. City of Costa Mesa

Case Name	Jason Gardner v. City of Costa Mesa	Case Number	30-2018-01013117
Judge	Hon. Deborah Servino	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Melissa M. Ballard	Opposing Attorney(s)	Pro per
Date of Loss	11/16/2017	Complaint Filed	08/20/2018
Legal Fees and Costs Incurred through 12/31/18	\$11,243.81		
Causes of Action	Not specified in complaint.		
Summary	Plaintiff alleges he was falsely imprisoned by Costa Mesa Fire Department personnel.		
Status	The case is in the pleading stage.		
Next Hearing Date	No hearings are scheduled at this time.		
Trial Date	September 3, 2019		
Docket	08/20/18	Complaint Filed	
	10/03/18	Plaintiff's Case Management Statement Filed	
	10/10/18	City's Demurrer to Complaint Filed	
	11/01/18	Plaintiff's Opposition to Demurrer Filed	
	11/21/18	City's Reply to Opposition Filed	
	11/28/18	Plaintiff's Reply Filed	
	11/30/18	Hearing on City's Demurrer	
	12/04/18	Plaintiff's Case Management Statement Filed	
	12/12/18	City's Case Management Statement Filed	
	12/14/18	City's Answer to Complaint Filed	
	12/21/18	Case Management Conference	
Written Discovery		Not yet exchanged.	

Cheryl Giacomino v. City of Costa Mesa; Jean Sola

Case Name	Cheryl Giacomino v. City of Costa Mesa; Jean Sola	Case Number	30-2017-00963795
Judge	Hon. Gregory Lewis	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Melissa M. Ballard	Opposing Attorney(s)	W. Douglas Easton Matthew D. Easton Travis R. Easton Easton & Easton, LLP
Date of Loss	03/11/2016	Complaint Filed	12/27/2017* *City served on 01/31/2018
Legal Fees and Costs Incurred through 12/31/18	\$42,203.03		
Causes of Action	1. Dangerous Condition of Public Property 2. Negligence		
Summary	Plaintiff alleges that she tripped and fell on a City-owned sidewalk.		
Status	The case is in the discovery phase.		
Next Hearing Date	May 9, 2019 – Mandatory Settlement Conference		
Trial Date	May 20, 2019		
Docket	12/27/17	Summons and Complaint	
	02/16/18	Sola's Answer to Complaint Filed	
	03/05/18	City's Answer to Complaint Filed	
	05/15/18	Sola's Case Management Statement Filed	
	05/18/18	City's Case Management Statement Filed	
	05/18/18	Plaintiff's Case Management Statement Filed	
	05/18/18	Plaintiff's Amendment to Complaint Filed	
	06/04/18	Case Management Conference	
	07/09/18	Case Management Conference	
	07/30/18	Case Management Conference	
	08/02/18	CJ Construction, Inc.'s Answer to Complaint Filed	
	12/17/18	City's Ex Parte Application for Leave to File Cross-Complaint Against CJ Concrete Filed	
	12/18/18	CJ Concrete's Opposition to City's Ex Parte Application Filed	
	12/18/18	Hearing on City's Ex Parte Application	
	12/18/18	City's Motion for Leave to File Cross-Complaint Against CJ Concrete Filed	
	12/28/18	Plaintiff's Opposition Filed	
Written Discovery	03/20/18	Plaintiff's Special Interrogatories (ROGS) to Sola, Set One	
	03/20/18	Plaintiff's Form ROGS to Sola, Set One	
	03/20/18	Plaintiff's Requests for Production (RFPS) to Sola, Set One	
	03/20/18	Plaintiff's Special ROGS to City, Set One	
	03/20/18	Plaintiff's Form ROGS to City, Set One	
	03/20/18	Plaintiff's RFPS to City, Set One	
	04/05/18	Plaintiff's Responses to Sola's RFPS, Set One	
	04/05/18	Plaintiff's Responses to Sola's Form ROGS, Set One	

04/13/18	City's Form ROGS to Plaintiff, Set One
04/13/18	City's Special ROGS to Plaintiff, Set One
04/13/18	City's RFPS to Plaintiff, Set One
05/08/18	Sola's Responses to Plaintiff's Form ROGS, Set One
05/08/18	Sola's Responses to Plaintiff's Special ROGS, Set One
05/08/18	Sola's Responses to Plaintiff's RFPS, Set One
05/24/18	City's Responses to Plaintiff's Form ROGS, Set One
05/24/18	City's Responses to Plaintiff's Special ROGS, Set One
05/24/18	City's Responses to Plaintiff's RFPS, Set One
06/22/18	Plaintiff's Responses to City's Form ROGS, Set One
06/22/18	Plaintiff's Responses to City's Special ROGS, Set One
06/22/18	Plaintiff's Responses to City's RFPS, Set One
09/14/18	CJ Concrete's Form ROGS to City, Set One
09/14/18	CJ Concrete's Special ROGS to City, Set One
09/14/18	CJ Concrete's RFPS to City, Set One
09/14/18	CJ Concrete's Form ROGS to Sola, Set One
09/14/18	CJ Concrete's Special ROGS to Sola, Set One
09/14/18	CJ Concrete's RFPS to Sola, Set One
09/14/18	CJ Concrete's Form ROGS to Plaintiff, Set One
09/14/18	CJ Concrete's Special ROGS to Plaintiff, Set One
09/14/18	CJ Concrete's RFPS to Plaintiff, Set One
09/20/18	Plaintiff's Form ROGS to CJ Concrete, Set One
09/20/18	Plaintiff's Special ROGS to CJ Concrete, Set One
09/20/18	Plaintiff's RFPS to CJ Concrete, Set One
10/16/18	City's RFPS to CJ Concrete, Set One
10/17/18	City's Responses to CJ Concrete's Form ROGS, Set One
10/17/18	City's Responses to CJ Concrete's Special ROGS, Set One
10/17/18	City's Responses to CJ Concrete's RFPS, Set One
10/18/18	City's RFPS to CJ Concrete, Set Two
10/19/18	Plaintiff's Responses to CJ Concrete's Form ROGS, Set One
10/19/18	Plaintiff's Responses to CJ Concrete's Special ROGS, Set One
10/19/18	Plaintiff's Responses to CJ Concrete's RFPs, Set One
10/24/18	Sola's Responses to CJ Concrete's Form ROGS, Set One
10/24/18	Sola's Responses to CJ Concrete's Special ROGS, Set One
10/24/18	Sola's Responses to CJ Concrete's RFPs, Set One
10/25/18	CJ Concrete's Responses to Plaintiff's Form ROGS, Set One
10/25/18	CJ Concrete's Responses to Plaintiff's Special ROGS, Set One
10/25/18	CJ Concrete's Responses to Plaintiff's RFPS, Set One
11/20/18	CJ Concrete's Responses to City's RFPS, Set One
11/20/18	CJ Concrete's Responses to City's RFPS, Set Two
12/05/18	Plaintiff's Supplemental ROGS to Sola, Set One
12/05/18	Plaintiff's Supplemental ROGS to CJ Concrete, Set One
12/05/18	Plaintiff's Supplemental ROGS to City, Set One
12/05/18	Plaintiff's Supplemental RFPS to Sola, Set One
12/05/18	Plaintiff's Supplemental RFPS to CJ Concrete, Set One
12/05/18	Plaintiff's Supplemental RFPS to City, Set One
12/11/18	City's Supplemental ROGS to Plaintiff, Set one
12/11/18	City's Supplemental RFPS to Plaintiff, Set One
12/11/18	City's Supplemental RFPS to CJ Concrete, Set One

Gayle Hickey v. City of Costa Mesa

Case Name	Gayle Hickey v. City of Costa Mesa	Case Number	30-2017-00951064
Judge	Hon. Craig Griffin	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Melissa M. Ballard	Opposing Attorney(s)	Orlando J. Castaño, Jr. Law Offices of Orlando J. Castaño, Jr. Inc.
Date of Loss	10/20/2016	Complaint Filed	10/20/2017* *City served on 05/02/2018
Legal Fees and Costs Incurred through 12/31/18	\$17,246.42		
Causes of Action	1. Negligence 2. Willful Failure to Warn 3. Dangerous Condition of Public Property		
Summary	This lawsuit arises out of a trip and fall on a City sidewalk. Plaintiff Hickey sued the City for a dangerous condition of public property.		
Status	The case is in the discovery phase.		
Next Hearing Date	March 15, 2019 – Mandatory Settlement Conference		
Trial Date	May 13, 2019		
Docket	10/20/17	Complaint Filed	
	05/16/18	Proof of Services of Summons and Complaint Filed	
	06/08/18	Joint Stipulation and Proposed Order Filed	
	06/08/18	Case Management Conference	
	06/19/18	Stipulation and Order to Dismiss Plaintiff and Strike Allegation from Complaint Filed by City	
	06/21/18	City's Answer to Complaint Filed	
	08/02/18	City's Case Management Statement Filed	
	08/03/18	Plaintiff's Cases Management Statement Filed	
	08/17/18	Case Management Conference	
Written Discovery	08/07/18	City's Special Interrogatories (ROGS) to Plaintiff, Set One	
	08/07/18	City's Form ROGS to Plaintiff, Set One	
	08/07/18	City's Requests for Production (RFPS) to Plaintiff, Set One	
	09/20/18	Plaintiff's Responses to City's Form ROGS, Set One	
	09/20/18	Plaintiff's Responses to City's Special ROGS, Set One	
	09/20/18	Plaintiff's Requests for Admissions (RFAS) to City, Set One	
	09/20/18	Plaintiff's RFPS to City, Set One	
	09/20/18	Plaintiff's Form ROGS to City, Set One	
	10/01/18	Plaintiff's Responses to City's RFPS, Set One	
	11/12/18	City's Responses to Plaintiff's Form ROGS, Set One	
	11/12/18	City's Responses to Plaintiff's RFAS, Set One	
	11/12/18	City's Responses to Plaintiff's RFPS, Set One	

Jayne Kacer v. City of Costa Mesa

Case Name	Jayne Kacer v. City of Costa Mesa	Case Number	30-2018-00993981
Judge	Hon. Theodore Howard	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Carmen Vasquez Bruce A. Lindsay Harold W. Potter	Opposing Attorney(s)	Jeffrey J. Greenman GreenmanLaw, P.C. William M. Paoli Paoli & Purdy, P.C.
Date of Loss	08/29/2017	Complaint Filed	05/21/2018
Legal Fees and Costs Incurred through 12/31/18	\$40,011.10		
Causes of Action	1. Dangerous Condition on Public Property		
Summary	Plaintiff alleges she tripped and fell on an uneven sidewalk.		
Status	The case is in the discovery phase.		
Next Hearing Date	April 19, 2019 – Mandatory Settlement Conference		
Trial Date	May 20, 2019		
Docket	05/21/18	Summons and Complaint	
	06/27/18	City's Answer to Complaint Filed	
	08/30/18	City's Case Management Statement Filed	
	09/04/18	Plaintiff's Case Management Statement Filed	
	09/21/18	Plaintiff's First Amended Complaint Filed	
	09/21/18	Case Management Conference	
	12/07/18	Penhall Company's Answer to Complaint Filed	
Written Discovery	06/27/18	City's Special Interrogatories (ROGS) to Plaintiff, Set One	
	06/27/18	City's Form ROGS to Plaintiff, Set One	
	06/27/18	City's Requests for Production (RFPS) to Plaintiff, Set One	
	06/27/18	City's Requests for Admission (RFAS) to Plaintiff, Set One	
	06/27/18	City's Request for Statement of Damages	
	08/24/18	Plaintiff's Response to City's Special ROGS, Set One	
	08/24/18	Plaintiff's Response to City's RFPS, Set One	
	08/24/18	Plaintiff's Response to City's RFAS, Set One	
	08/27/18	Plaintiff's Response to City's Form ROGS, Set One	
	08/31/18	Plaintiff's First Amended Response to City's Form ROGS, Set One	
	08/31/18	Plaintiff's First Amended Response to City's Special ROGS, Set One	
	08/31/18	Plaintiff's First Amended Response to City's RFPS, Set One	
	09/14/18	City's Responses to Plaintiff's Form ROGS, Set One	
	09/14/18	City's Responses to Plaintiff's Special ROGS, Set One	
	09/14/18	City's Responses to Plaintiff's RFPS, Set One	
	09/14/18	City's Responses to Plaintiff's RFAS, Set One	

LAB Holding, LLC v. City of Costa Mesa; Costa Mesa City Council

Case Name	LAB Holding, LLC v. City of Costa Mesa	Case Number	30-2018-01021810
Judge	Hon. John Gastelum	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Gary S. Kranker Krista MacNevin Jee	Opposing Attorney(s)	Peter J. Howell Rutan & Tucker
Date of Loss	Not applicable.	Complaint Filed	09/28/2018
Legal Fees and Costs Incurred through 12/31/18	\$1,419.00		
Causes of Action	1. Writ of Mandate		
Summary	Plaintiff seeks a peremptory writ of mandate directing the City and the City Council to set aside City Council's decision to reverse the Planning Commission's approval of a mixed-use development project proposed at 765-767 Baker Street and 2972 Century Place.		
Status	The case is in the pleading stage.		
Next Hearing Date	April 25, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	09/28/18	Complaint Filed	
	11/01/18	Proposed Stipulation and Order Filed	
	11/06/18	Stipulation and Order Filed	
Written Discovery		Not yet exchanged.	

City of Costa Mesa, Cross-Complainant in Interpleader, v. Indtech Group, LLC;
Lilley Planning Group; Jennifer Lilley

Case Name	City of Costa Mesa, Cross-Complainant in Interpleader, v. Indtech Group, LLC; Lilley Planning Group; Jennifer Lilley	Case Number	30-2017-00935893
Judge	Hon. Frederick Horn	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Gary S. Kranker	Opposing Attorney(s)	Jayson M. Lorenzo Law Offices of Jayson M. Lorenzo Counsel for Jennifer Lilley Michaela L. Sozio Yvonne M. Schulte Tressler LLP Counsel for Surrendra Patel, Indtech Group, and Lilley Planning Group
Date of Loss	Not applicable	Cross-Complaint Filed	03/01/2018
Legal Fees and Costs Incurred through 12/31/18	\$8,337.99		
Causes of Action	Not applicable.		
Summary	Underlying lawsuit is between former and current owners of Lilley Planning Group, which previously provided services to the City. Both parties allege to be entitled to amounts owed by the City for services rendered by Lilley Planning Group. The City filed a cross-complaint in interpleader seeking to deposit the funds with the Court and be discharged from liability to either party.		
Status	The parties are attempting to settle the matter.		
Next Hearing Date	June 14, 2019 – Mandatory Settlement Conference		
Trial Date	July 15, 2019		
Docket	03/01/18	City's Cross-Complaint Filed	
	05/10/18	Status Conference	
	06/14/18	Case Management Conference	
	09/21/18	Funds Deposited with Court	
	09/27/18	City's Notice of Deposit Filed	
	09/27/18	City's Notice of IRS Levy Filed	
Written Discovery		None exchanged.	

Arthur Lopez v. Costa Mesa Police Department; City of Costa Mesa; Christopher Walk; Isidro Gallardo

Case Name	Arthur Lopez v. Costa Mesa Police Department; City of Costa Mesa; Christopher Walk; Isidro Gallardo	Case Number	District Court: 8:17-cv-00297 Court of Appeals: 18-55520
Judge	Hon. Valerie Baker Fairbank Magistrate: Hon. Michael R. Wilner	Venue	District Court: United States District Court for Central District of California Court of Appeals: Ninth Circuit Court of Appeals
Attorney(s) for City	Carmen Vasquez James R. Touchstone	Opposing Attorney(s)	Pro per
Date of Loss	02/19/2015	Complaint Filed	02/17/17* *City served on 04/10/2017
Legal Fees and Costs Incurred through 12/31/18	\$87,379.83		
Causes of Action	1. 42 U.S.C. § 1983 – Fourth Amendment, Fifth Amendment, and Fourteenth Amendment		
Summary	Plaintiff alleges his constitutional rights were violated during a traffic stop that occurred on February 19, 2015.		
Status	The case is on appeal to the Ninth Circuit Court of Appeals following the district court's granting of the City's Motion for Summary Judgment.		
Next Hearing Date	No hearings are scheduled at this time.		
Court of Appeals Docket	04/20/18	Court Docketed Cause and Set Briefing Schedule	
	06/18/18	Appellant's Motion for Extension of Time to File Opening Brief	
	06/19/18	Order Granting Appellant's Late Motion to Extend Time to File Opening Brief	
	09/19/18	Appellant's Motion to Extend Time to File Opening Brief	
	10/03/18	Order Granting Appellant's Motion to Extend Time to File Opening Brief	
	10/09/18	Appellant's Motion to Appoint Pro Bono Counsel Filed	
	11/23/18	Appellant's Motion to Extend Time to File Opening Brief Filed	
	11/27/18	Court's Order Denying Motion to Extend Time to File Opening Brief	
	12/19/18	Court's Order Denying Motion to Appoint Counsel and Establishing Briefing Schedule	

Michael McDonough v. City of Costa Mesa; American Asphalt

Case Name	Michael McDonough v. City of Costa Mesa; American Asphalt	Case Number	30-2018-01026853
Judge	Hon. Thomas Delaney	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Melissa M. Ballard Harold W. Potter	Opposing Attorney(s)	Alison S. Gokal Abbas K. Gokal Gokal Law Group Inc.
Date of Loss	08/24/2017	Complaint Filed	10/19/2018
Legal Fees and Costs Incurred through 12/31/18	\$1,075.00		
Causes of Action	Negligence		
Summary	Lawsuit arises from a two-car motor vehicle accident arising from one car failing to stop at a stop sign. Plaintiff alleges that the stop sign was obstructed from view by trees, and that Defendant American Asphalt South removed the roadway striping as part of its ongoing asphalt road work.		
Status	The case is in the pleading stage.		
Next Hearing Date	February 15, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	10/19/18	Complaint Filed	
Written Discovery		Not yet exchanged.	

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

Case Name	Ivin Mood v. City of Costa Mesa; City of Newport Beach	Case Number	District Court: 8:15-cv-01154 Court of Appeals: 18-55184
Judge	Hon. Stephen V. Wilson Magistrate: Hon. Kenly Kiya Kato	Venue	District Court: United States District Court for the Central District of California Court of Appeals: Ninth Circuit Court of Appeals
Attorney(s) for City	James R. Touchstone Carmen Vasquez	Opposing Attorney(s)	Pro per
Date of Loss	04/05/2014	Complaint Filed	07/22/2015
Legal Fees and Costs Incurred through 12/31/18	\$86,939.76		
Causes of Action	1. 42 U.S.C. § 1983 – Fourth Amendment, Fourteenth Amendment		
Summary	Plaintiff alleges various incidents of false arrest and use of excessive force.		
Status	The Ninth Circuit Court of Appeals affirmed the district court’s granting of summary judgment in the City’s favor.		
Next Hearing Date	No hearings are scheduled at this time.		
Court of Appeals Docket	02/12/18 Notice of Appeal Filed 02/14/18 Court’s Time Schedule Order Issued 02/15/18 Appellant’s Informal Opening Brief Filed 02/15/18 Appellant’s Notice of Motion and Motion to Vacate Judgment 02/27/18 Court’s Order Granting Motion for Leave to Appeal in Forma Pauperis 03/29/18 Plaintiff’s Motion for Extension of Time Filed 04/17/18 Plaintiff’s Motion for Extension of Time Entered by Court 04/17/18 Plaintiff’s Opening Brief Received 04/20/18 Copy of Order on Plaintiff’s Motion for Leave to Appeal in Forma Pauperis Filed 05/01/18 Plaintiff’s Motion for Reconsideration Requesting Permission to File Substitute or Supplemental Brief Filed 05/03/18 Appellate Commissioner’s Order Denying Motion to Vacate District Court’s Judgment, Denying Motion for Extension of Time to File Opening Brief as Moot, and Granting Motion to File a Substitute or Supplemental Brief 07/03/18 Request for Extension of Time to File Answering Brief Filed by Newport Beach 07/03/18 Amended Briefing Schedule Issued 07/25/18 Newport Beach’s Answering Brief Filed 07/30/18 City’s Answering Brief Filed 08/06/18 Letter Submitted by Appellant 11/30/18 Court’s Decision Filed 12/24/18 Court’s Formal Mandate re Effective Date of Court’s Judgment		

**National Therapeutic Services, Inc. dba Northbound Treatment Services v.
City of Costa Mesa**

Case Name	National Therapeutic Services, Inc. dba Northbound Treatment Services v. City of Costa Mesa	Case Number	8:18-cv-01080
Judge	Hon. James Selna Magistrate: Hon. Alicia Rosenberg	Venue	United States District Court for the Central District of California
Attorney(s) for City	Bruce A. Lindsay Monica Choi Arredondo	Opposing Attorney(s)	Isaac R. Zfaty Garrett M. Prybylo Zfaty Burns
Date of Loss	Not applicable.	Complaint Filed	06/15/2018
Legal Fees and Costs Incurred through 12/31/18	\$28,416.80		
Causes of Action	<ol style="list-style-type: none"> 1. Violation of Fair Housing Act 2. Violation of Americans with Disabilities Act 3. Violation of Rehabilitation Act 4. Violation of Civil Rights Act of 1871 5. Violation of California Fair Employment and Housing Act 6. Discrimination in Use of State Zoning Powers 		
Summary	Plaintiff, a sober living home operator, alleges the City engages in a pattern of discrimination against it on the basis of disability in violation of various federal and state laws.		
Status	The case is in the discovery phase.		
Next Hearing Date	February 11, 2019 – Status Conference		
Trial Date	April 28, 2019		
Docket	06/15/18	Complaint Filed	
	06/15/18	Plaintiff's Certification and Notice of Interested Parties Filed	
	07/03/18	Court's Initial Order	
	07/18/18	Order Setting Scheduling Conference	
	07/27/18	City's Answer to Complaint Filed	
	07/27/18	City's Certification and Notice of Interested Parties Filed	
	09/11/18	Joint Stipulation to Continue Scheduling Conference Filed	
	09/11/18	Order Continuing Scheduling Conference	
	10/05/18	Joint Scheduling Report Filed	
	10/15/18	Scheduling Conference	
	10/24/18	Plaintiff's Notice of Motion and Motion for Leave to Amend and File First Amended Complaint	
	10/31/18	Court's Order for Jury Trial Setting Dates	
	11/19/18	Court's Order Granting Plaintiff's Motion for Leave to Amend and Vacating Oral Argument Hearing	
	12/03/18	Plaintiff's Initial Disclosure Filed	
	12/04/18	Plaintiff's First Amended Complaint Filed	
	12/14/18	City's Answer to Amended Complaint/Petition Filed	
Written Discovery	10/16/18	City's Requests for Production (RFPS) to Plaintiff, Set One	
	11/28/18	City's Initial Disclosures	

	11/30/18	City's RFPS to Plaintiff, Set Two
	12/03/18	Plaintiff's Initial Disclosures

City of Costa Mesa v. Ohio House, LLC et al.

Case Name	City of Costa Mesa v. Ohio House, LLC et al.	Case Number	30-2018-01006173
Judge	Hon. Craig Griffin	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Gary S. Kranker Monica Choi Arredondo	Opposing Attorney(s)	Isaac R. Zfaty Garrett M. Prybylo Zfaty Burns Steven Polin Law Offices of Steven G. Polin
Date of Loss	Not applicable.	Complaint Filed	07/17/2018
Legal Fees and Costs Incurred through 12/31/18	\$12,965.17		
Causes of Action	1. Public Nuisance 2. Maintenance of Public Nuisance by Violating Costa Mesa Municipal Code		
Summary	Nuisance abatement action against sober living home operator.		
Status	The parties are attempting to settle the matter.		
Next Hearing Date	March 8, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	07/17/18	Complaint Filed	
	11/26/18	City’s Case Management Statement Filed	
	12/07/18	Case Management Conference	
	12/14/18	Case Management Filed by City	
Written Discovery		Not yet exchanged.	

Orange County Catholic Worker et al. v. Orange County, City of Anaheim, City of Costa Mesa, and City of Orange

Case Name	Orange County Catholic Worker et al. v. Orange County, City of Anaheim, City of Costa Mesa, and City of Orange	Case Number	8:18-cv-00155
Judge	Hon. David O. Carter Magistrate: Karen E. Scott	Venue	United States District Court for the Central District of California
Attorney(s) for City	James R. Touchstone Krista MacNevin Jee Gary Kranker Denise Rocawich	Opposing Attorney(s)	Brooke Weitzman William Wise Elder Law and Disability Rights Center Carol A. Sobel Monique Alarcon Avneet Chattha Law Office of Carol A. Sobel Paul L. Hoffman Catherine Sweetser Colleen M. Mullen Schonbrun, Seplow, Harris & Hoffman
Date of Loss	Not applicable.	Complaint Filed	01/29/2018
Legal Fees and Costs Incurred through 12/31/18	\$109,779.30		
Causes of Action	<ol style="list-style-type: none"> 1. 42 U.S.C. § 1983 – Eighth Amendment, Fourteenth Amendment; Art. 7 § 17 California Constitution 2. 42 U.S.C. § 1983 – First Amendment, Fourteenth Amendment 3. 42 U.S.C. § 1983 – Right to Due Process of Law – Fourteenth Amendment 4. California Civil Code § 52.1 		
Summary	Plaintiffs seek to enjoin and restrain Orange County from closing the Santa Ana Riverbed bike path area from habitation as to the 800-1200 homeless people that are currently living there. Plaintiffs further seek to enjoin and restrain Orange County, and the cities of Costa Mesa, Anaheim, and Orange from enforcing various anti-camping, trespassing, and loitering laws.		
Status	The parties are attempting to settle the matter.		
Next Hearing Date	February 5, 2019		
Trial Date	Not yet set.		
Docket	01/29/18	Complaint Filed	
	01/29/18	Plaintiffs' Notice of Related Case Filed	
	02/01/18	Plaintiffs' Ex Parte Application for Temporary Restraining Order re Enforcement of Various Anti-Camping, Trespass, and Loitering Laws Filed	
	02/01/18	Court's Initial Standing Order	

02/02/18	City's Opposition to Plaintiffs' Ex Parte Application Filed
02/02/18	Orange County's Opposition to Plaintiffs' Ex Parte Application Filed
02/02/18	Anaheim's Opposition to Plaintiffs' Ex Parte Application Filed
02/02/18	Orange's Opposition to Plaintiffs' Ex Parte Application Filed
02/04/18	Court's Minute Order Setting Hearing re Plaintiffs' Ex Parte Application
02/06/18	Plaintiffs' Emergency Stay Request Filed
02/06/18	Court's Order Granting Temporary Restraining Order re Temporary Stay Request
02/07/18	County's Motion for Modification and/or Clarification of Terms of Temporary Restraining Order
02/07/18	Plaintiffs' Response to County's Motion for Clarification
02/08/18	City of Orange's Supplemental Memorandum of Points and Authorities in Opposition to Plaintiffs' Ex Parte Application for Temporary Restraining Order
02/08/18	City of Anaheim's Supplemental Briefing in Opposition to Plaintiffs' Application for Temporary Restraining Order
02/08/18	City's Supplemental Opposition to Plaintiffs' Ex Parte Application for a Temporary Restraining Order
02/09/18	Amicus Curiae Brief of Public Law Center and The Kennedy Commission in Support of Plaintiffs' Application Filed
02/09/18	Court's Minute Order Denying County's Motion for Clarification or Modification
02/09/18	Amicus Letter of Legal Aid Society of Orange County in Support of Preliminary Injunction Filed
02/09/18	Amicus Curiae Brief of ACLU of Southern California in Support of Plaintiffs' Application for Preliminary Injunction Filed
02/11/18	Amicus Curiae Brief of Colette's Children's Home in Support of Plaintiffs' Application for Preliminary Injunction Filed
02/12/18	Plaintiffs' Response in Support of OSC re Preliminary Injunction Filed
02/12/18	City of Santa Ana's Amicus Letter re Preliminary Injunction
02/12/18	Amicus Curiae Letter of National Law Center on Homelessness and Poverty in Support of Emergency Stay Request Filed
02/12/18	Amicus Curiae Brief of Orange County Poverty Alleviation Coalition in Support of Plaintiffs' Application for a Temporary Restraining Order Filed
02/12/18	City's Joinder to Defendants' Opposition and Other Supporting Documents to Plaintiffs' Ex Parte Application for a Temporary Restraining Order
02/13/18	Hearing on Temporary Restraining Order
02/13/18	Court's Minute Order re Extension of Temporary Restraining Order through February 14, 2018
02/14/18	Continued Hearing on Temporary Restraining Order
02/14/18	Court's Minute Order re Extension of Temporary Restraining Order through February 15, 2018
02/14/18	Parties' Stipulation re Ex Parte Application for Temporary Restraining Order
02/15/18	Court's Minute Order re Extension of Temporary Restraining Order through February 20, 2018
02/16/18	Hearing re Logistics of Riverbed Cleanup Scheduled for February 20, 2018
02/17/18	Court's Minute Order re Parties Request for Case Management Conference re Stipulation
02/17/18	County's Notice of Issues Filed
02/17/18	Notice to Court re Issues Relating to Implementation of Stipulation in Related Case Filed

02/17/18	Court's Minute Order re Request for Case Management Conference
02/18/18	County's Update re Stipulation Between Parties
02/20/18	Court's Minute Order Lifting Temporary Restraining Order
02/20/18	Plaintiffs' Notice to Court re Reimposition of Temporary Restraining Order in Related <i>Orange County Catholic Worker, et al. v. County of Orange, et al.</i> , Due to Ongoing Issues re Implementation of Stipulation
03/11/18	Minute Order Setting Status Conference for April 3, 2018
03/11/18	Plaintiffs' Request to Advance Status Conference Filed
03/12/18	Minute Order Denying Request to Advance Status Conference and Requiring Parties to Meet and Confer on March 14, 2018
03/14/18	Joint Status Report re Request to Advance Hearing Filed
03/14/18	Minute Order Advancing Status Conference to March 17, 2018
03/14/18	Plaintiffs' Supplement to Request to Continue Advance Status Conference
03/15/18	Plaintiffs' Ex Parte Application for Temporary Restraining Order to Stay Motel Evictions Pending Status Conference Filed
03/15/18	Ex Parte Application to Intervene Filed by City of Santa Ana
03/15/18	County's Opposition to Plaintiffs' Ex Parte Application for Temporary Restraining Order to Stay Motel Evictions Filed
03/15/18	Court's Minute Order Denying Ex Parte Application for Temporary Restraining Order to Stay Motel Evictions
03/16/18	Plaintiffs' Status Report re First Day of Motel Evictions Filed
03/16/18	Minute Order Setting Mandatory Settlement Conference and Hearing on Santa Ana's Ex Parte Application to Intervene for March 17, 2018
03/17/18	Status/Settlement Conference
03/19/18	Status Conference
03/22/18	Status Conference
03/22/18	Minute Order Setting Status Conference for April 3, 2018
03/23/18	Letter from Public Law Center and The Kennedy Commission in Support of Efforts in Lawsuit
03/24/18	Amicus Brief Filed by Amicus Irvine Residents Against Tent City
03/25/18	Minute Order Directing City of Anaheim to Appear for a Conference with the Special Master, the County, and Plaintiffs
03/29/18	Minute Order Setting Mandatory Settlement Conference for April 3, 2018
03/29/18	Court's Scheduling Notice Setting Status Conference for March 30, 2018 to Discuss Civic Center Area with County, Plaintiffs, and Santa Ana, and Ordering that Various County and Santa Officials, and Plaintiffs' Counsel, Be Present (Orange, Anaheim, and Costa Mesa not required to attend)
03/30/18	Letter from City of Orange City Manager to Judge Carter
04/03/18	Mandatory Settlement Conference and Status Conference
04/05/18	Court's Scheduling Notice re Status Conference with Plaintiffs and County of Orange
04/26/18	Santa Ana's Cross-Complaint Filed Against All Orange County Cities
05/17/18	Stipulation for Extension of Time to Respond to Cross-Complaint
05/17/18	Court's Order Granting Extension of Time and Ordering Responses to Cross-Complaint to be Filed by July 23, 2018
05/25/18	Status Conference
06/13/18	Status Conference
07/09/18	Amicus Curiae Brief In Support of Plaintiff's Application for Preliminary Injunction Filed by George P. Wolf III
07/11/18	Stipulation for Extension of Time to Respond to Cross Complaint Filed by Santa

	07/16/18	Ana Filed by City of Orange
	07/16/18	Court's Order re Extension of Time to Answer Cross Complaint
	07/26/18	Plaintiffs' First Amended Complaint Filed
	07/28/18	Order Setting Hearing for August 3, 2018
	08/02/18	City's Status Report Filed
	08/03/18	Hearing re Closing of Fullerton Armory
	09/05/18	Scheduling Notice from Court
	09/07/18	Status Conference/Settlement Conference
	09/19/18	Stipulation for Extension of Time to File Answer to Amended Complaint Filed
	09/26/18	Status Conference
	10/02/18	Status Conference
	10/22/18	Joint Statement of Settlement Progress Filed
	10/25/18	Status Report re Settlement Discussions between Plaintiffs and Anaheim Filed
	10/26/18	Notice of Settlement with City of Orange Filed by Plaintiff
	10/26/18	Notice of Settlement with Tustin Conditional on Filing of Supplemental Complaint and Dismissal Filed by Plaintiff
	10/28/18	Notice of Motion and Motion for Leave to File Supplemental Complaint Filed by Plaintiff
	10/28/18	Status Conference
	11/02/18	Court's Order Granting Leave to File Supplemental Complaint
	11/02/18	Court's Approval of Settlement with City of Orange
	11/13/18	Supplemental Amended Complaint Against Tustin Filed
	11/13/18	Settlement Agreement and Proposed Order of Dismissal of Tustin Filed
	11/27/18	Settlement Agreement with City of Orange Filed
	11/28/18	Court's Order re Dismissal of Tustin
	12/07/18	Santa Ana's Notice of Dismissal of Orange
	12/07/18	Santa Ana's Notice of Dismissal of Anaheim
	12/07/18	Santa Ana's Notice of Dismissal of Tustin
Written Discovery		Not yet exchanged.

Pacific Shores, LLC v. City of Costa Mesa

Case Name	Pacific Shores, LLC v. City of Costa Mesa	Case Number	8:18-cv-01170
Judge	Hon. James Selna Magistrate: Hon. Patrick Walsh	Venue	United States District Court for the Central District of California
Attorney(s) for City	Bruce A. Lindsay Monica Choi Arredondo	Opposing Attorney(s)	Isaac R. Zfaty Garrett M. Prybylo Zfaty Burns
Date of Loss	Not applicable.	Complaint Filed	07/02/2018
Legal Fees and Costs Incurred through 12/31/18	\$15,952.20		
Causes of Action	<ol style="list-style-type: none"> 1. Violation of Fair Housing Act 2. Violation of Americans with Disabilities Act 3. Violation of Rehabilitation Act 4. Violation of Civil Rights Act of 1871 5. Violation of California Fair Employment and Housing Act 6. Discrimination in Use of State Zoning Powers 		
Summary	Plaintiff, a sober living home operator, alleges the City engages in a pattern of discrimination against it on the basis of disability in violation of various federal and state laws.		
Status	The case is in the discovery phase.		
Next Hearing Date	February 11, 2019 – Status Conference		
Trial Date	April 28, 2019		
Docket	07/02/18	Complaint Filed	
	07/02/18	Plaintiff's Certification and Notice of Interested Parties Filed	
	07/23/18	Court's Initial Order	
	08/02/18	Order Setting Scheduling Conference	
	08/08/18	City's Answer to Complaint Filed	
	08/08/18	City's Certification and Notice of Interested Parties Filed	
	10/05/18	Joint Scheduling Report Filed	
	10/15/18	Court's Order Consolidating Cases	
	10/31/18	Court's Order for Jury Trial Setting Dates	
Written Discovery	10/16/18	City's Requests for Production (RFPS) to Plaintiff, Set One	
	11/28/18	City's Initial Disclosures	
	11/30/18	City's RFPS to Plaintiff, Set Two	
	12/14/18	Plaintiff's Responses to City's RFPS, Set One	

**Paramount Tile, Inc. v. Elite Flooring Concepts, John Oberlin, Tami Rondero,
Horizons Construction Company, City of Costa Mesa**

Case Name	Paramount Tile, Inc. v. Elite Flooring Concepts, John Oberlin, Tami Rondero, Horizons Construction Company, City of Costa Mesa	Case Number	30-2018-01036966
Judge	Hon. Frederick Horn	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Gary S. Kranker	Opposing Attorney(s)	Christopher J. Koorstad
Date of Loss	Not applicable.	Complaint Filed	12/06/2018
Legal Fees and Costs Incurred through 12/31/18	\$301.00		
Causes of Action	<ol style="list-style-type: none"> 1. Breach of Contract 2. Account Stated 3. Enforcement of Stop Payment Notice or Stop Payment Release Bond 		
Summary	Plaintiff alleges Plaintiff provided labor, service, equipment, and material in connection with construction of the new Fire Station 1 pursuant to written e-mail agreement with Elite Flooring Concepts, and that Elite failed to pay Plaintiff for the work. As against the City, Plaintiff seeks enforcement of its stop payment notice.		
Status	The case is in the pleading stage.		
Next Hearing Date	No hearings are scheduled at this time.		
Trial Date	Not yet set.		
Docket	12/06/18	Complaint Filed	
Written Discovery		Not yet exchanged.	

Cecil Patterson v. Michael Beltran; City of Costa Mesa

Case Name	Cecil Patterson v. Michael Beltran; City of Costa Mesa	Case Number	30-2017-00954620
Judge	Hon. Craig Griffin	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Melissa M. Ballard	Opposing Attorney(s)	Pro per
Date of Loss	09/24/2016	Complaint Filed	11/08/2017
Legal Fees and Costs Incurred through 12/31/18	\$13,389.75		
Causes of Action	1. General Negligence 2. Motor Vehicle Negligence		
Summary	Plaintiff alleges he was involved in an automobile collision with a former City employee.		
Status	The case is in the pleading stage.		
Next Hearing Date	April 12, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	11/08/17	Complaint Filed	
	03/28/18	Summons Issued	
	04/06/18	Case Management Conference	
	04/27/18	City's Answer to Complaint Filed	
	06/28/18	City's Case Management Statement Filed	
	07/13/18	Plaintiff's Case Management Statement Filed	
	07/13/18	Case Management Conference	
	10/12/18	Case Management Conference	
Written Discovery	09/18/18	City's Form Interrogatories (ROGS) to Plaintiff, Set One	
	09/18/18	City's Special ROGS to Plaintiff, Set One	
	09/18/18	City's Requests for Production (RFPS) to Plaintiff, Set One	

SoCal Recovery, LLC v. City of Costa Mesa

Case Name	SoCal Recovery, LLC v. City of Costa Mesa	Case Number	8:18-cv-01304
Judge	Hon. James Selna Magistrate: Hon. Patrick Walsh	Venue	United States District Court for the Central District of California
Attorney(s) for City	Bruce A. Lindsay Monica Choi Arredondo	Opposing Attorney(s)	Isaac R. Zfaty Garrett M. Prybylo Zfaty Burns
Date of Loss	Not applicable.	Complaint Filed	07/26/2018
Legal Fees and Costs Incurred through 12/31/18	\$16,490.33		
Causes of Action	<ol style="list-style-type: none"> 1. Violation of Fair Housing Act 2. Violation of Americans with Disabilities Act 3. Violation of Rehabilitation Act 4. Violation of Civil Rights Act of 1871 5. Violation of California Fair Employment and Housing Act 6. Discrimination in Use of State Zoning Powers 		
Summary	Plaintiff, a sober living home operator, alleges the City engages in a pattern of discrimination against it on the basis of disability in violation of various federal and state laws.		
Status	The case is in the discovery phase.		
Next Hearing Date	February 11, 2019 – Status Conference		
Trial Date	April 28, 2019		
Docket	07/26/18	Complaint Filed	
	07/26/18	Plaintiff's Certification and Notice of Interested Parties Filed	
	08/03/18	Court's Initial Order	
	08/08/18	Order Setting Scheduling Conference	
	08/30/18	City's Answer to Complaint Filed	
	08/30/18	City's Certificate of Interested Parties Filed	
	10/05/18	Joint Scheduling Report Filed	
	10/15/18	Court's Order Consolidating Cases	
	10/31/18	Court's Order for Jury Trial Setting Dates	
	12/03/18	Plaintiff's Initial Disclosure Filed	
Written Discovery	10/16/18	City's Requests for Production (RFPS) to Plaintiff, Set One	
	11/28/18	City's Initial Disclosures	
	11/30/18	City's RFPS to Plaintiff, Set Two	
	12/03/18	Plaintiff's Initial Disclosures	
	12/14/18	Plaintiff's Responses to City's RFPS, Set One	

City of Costa Mesa v. SoCal Recovery, LLC

Case Name	City of Costa Mesa v. SoCal Recovery, LLC	Case Number	30-2018-01022764
Judge	Hon. Craig Griffin	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Bruce A. Lindsay Monica Choi Arredondo	Opposing Attorney(s)	Isaac R. Zfaty Garrett M. Prybylo Zfaty Burns
Date of Loss	Not applicable.	Complaint Filed	10/02/2018
Legal Fees and Costs Incurred through 12/31/18	\$7,570.46		
Causes of Action	1. Public Nuisance 2. Maintenance of Public Nuisance by Violating Costa Mesa Municipal Code		
Summary	Nuisance abatement action against sober living home operator.		
Status	The case is in the pleading stage.		
Next Hearing Date	No hearings are scheduled at this time.		
Trial Date	Not yet set.		
Docket	10/02/18	Complaint Filed	
	11/02/18	Defendant's Motion for Order to Stay Proceedings; Proposed Order Filed	
	12/17/18	City's Dismissal of Ian Grimley	
	12/21/18	City's Opposition to Defendant's Motion for Order to Stay	
Written Discovery		Not yet exchanged.	

Summit Coastal Living, Inc. v. City of Costa Mesa

Case Name	Summit Coastal Living, Inc. v. City of Costa Mesa	Case Number	8:18-cv-01369
Judge	Hon. James Selna Magistrate: Hon. Patrick Walsh	Venue	United States District Court for the Central District of California
Attorney(s) for City	Bruce A. Lindsay Monica Choi Arredondo	Opposing Attorney(s)	Isaac R. Zfaty Garrett M. Prybylo Zfaty Burns
Date of Loss	Not applicable.	Complaint Filed	08/03/2018
Legal Fees and Costs Incurred through 12/31/18	\$17,233.30		
Causes of Action	<ol style="list-style-type: none"> 1. Violation of Fair Housing Act 2. Violation of Americans with Disabilities Act 3. Violation of Rehabilitation Act 4. Violation of Civil Rights Act of 1871 5. Violation of California Fair Employment and Housing Act 6. Discrimination in Use of State Zoning Powers 		
Summary	Plaintiff, a sober living home operator, alleges the City engages in a pattern of discrimination against it on the basis of disability in violation of various federal and state laws.		
Status	The case is in the discovery phase.		
Next Hearing Date	February 11, 2019 – Status Conference		
Trial Date	Not yet set.		
Docket	08/03/18	Complaint Filed	
	08/03/18	Plaintiff's Certification and Notice of Interested Parties Filed	
	08/10/18	Court's Initial Standing Order (Judge Carter)	
	08/30/18	City's Answer to Complaint Filed	
	08/30/18	City's Certificate of Interested Parties Filed	
	09/17/18	Court's Initial Order (Judge Selna)	
	09/28/18	Court's Order Setting Scheduling Conference	
	10/29/18	Joint Rule 26(f) Report Filed	
	11/05/18	Scheduling Conference	
	11/09/18	Court's Order for Jury Trial Setting Dates	
Written Discovery	11/14/18	City's Requests for Production (RFPS) to Plaintiff, Set One	
	11/28/18	City's Initial Disclosures	
	11/30/18	City's RFPS to Plaintiff, Set Two	

Juan Villeda v. Erick Fricke; Costa Mesa Police Department

Case Name	Juan Villeda v. Erick Fricke; Costa Mesa Police Department	Case Number	30-2018-00980935
Judge	Hon. James Di Cesare	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Melissa M. Ballard	Opposing Attorney(s)	Pro per
Date of Loss	Not identified.	Complaint Filed	03/21/2018
Legal Fees and Costs Incurred through 12/31/18	\$8,212.08		
Causes of Action	<ol style="list-style-type: none"> 1. Wrongful Arrest 2. Violation of Civil Rights 		
Summary	Plaintiff filed a state court action alleging wrongful arrest and violation of his civil rights.		
Status	The City prevailed on its motion to quash service of the summons.		
Next Hearing Date	February 6, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	03/21/18	Complaint Filed	
	04/20/18	City's Motion to Quash Service of Summons Filed	
	07/27/18	Hearing on Motion to Quash Service of Summons	
	08/07/18	Notice of Ruling Filed	
	08/29/18	Case Management Conference	
	11/28/18	Case Management Conference	
Written Discovery		Not yet exchanged.	

Juan Villeda v. David Sevilla; Slawek Luczkiewicz; City of Costa Mesa

Case Name	Juan Villeda v. David Sevilla; Slawek Luczkiewicz; City of Costa Mesa	Case Number	30-2017-00909844
Judge	Hon. Gregory H. Lewis	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Melissa M. Ballard	Opposing Attorney(s)	Pro per
Date of Loss	Not identified.	Complaint Filed	03/17/2017* *City served with First Amended Complaint on 06/11/2018
Legal Fees and Costs Incurred through 12/31/18	\$5,433.60		
Causes of Action	1. Harassment 2. Violation of Civil Rights		
Summary	Plaintiff alleges civil rights violations and harassment.		
Status	The City prevailed on its motion to quash service of the summons.		
Next Hearing Date	January 28, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	03/17/17	Complaint Filed; Summons Issued	
	06/11/18	Plaintiff's First Amended Complaint Filed	
	07/16/18	Case Management Conference (Continued)	
	07/27/18	Plaintiff's Second Amended Complaint Filed	
	08/20/18	Case Management Conference (Continued)	
	09/21/18	City's Motion to Quash Filed	
	11/26/18	Notice of Non-Opposition Filed by City	
	12/03/18	Hearing on City's Motion to Quash	
	12/05/18	Notice of Ruling Filed by City	
Written Discovery		Not yet exchanged.	

Yellowstone v. City of Costa Mesa

Case Name	Yellowstone v. City of Costa Mesa	Case Number	8:14-cv-01852
Judge	Hon. James Selna Magistrate: Hon. Jay Gandhi	Venue	United States District Court for the Central District of California
Attorney(s) for City	James R. Touchstone Bruce A. Lindsay Monica Choi Arredondo Jones & Mayer David Palmer Stradling Yocca Carlson & Rauth Jennifer L. Keller Jesse Asher Gessin Chase Scolnick Keller Anderle	Opposing Attorney(s)	Steven Polin Law Offices of Steven G. Polin Christopher Brancart Elizabeth Brancart Brancart & Brancart Isaac Raymond Zfaty Garrett M. Prybylo Zfaty Burns
Date of Loss	Not applicable.	Complaint Filed	11/20/2014
Legal Fees and Costs Incurred through 12/31/18	Jones & Mayer: \$1,580,197.85 Keller Anderle: \$2,816,017.45		
Causes of Action	<ol style="list-style-type: none"> 1. Violation of Fair Housing Act, 42 U.S.C. §§ 3601 <i>et seq.</i> 2. Violation of Americans with Disabilities Act, 42 U.S.C. §§ 12131 <i>et seq.</i> 3. Violation of Rehabilitation Act, 29 U.S.C. § 794 4. Violation of Civil Rights Act of 1871, 42 U.S.C. §§ 1983, 1985(3) and 1986 5. Violation of California Fair Employment and Housing Act, Cal. Gov. Code §§ 12626, 12627, and 12955, <i>et seq.</i> 6. Violation of Cal. Gov. Code §§ 11135 and 65008 		
Summary	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.		
Status	The jury issued a unanimous verdict for the City on all causes of action.		

**CASES BEING HANDLED BY OUTSIDE
COUNSEL**

**City of Costa Mesa v. Michael Cohen in his official capacity as
Director of the State of California Department of Finance; Jan E. Grimes in
her official capacity as Orange County Auditor-Controller**

Case Name	City of Costa Mesa v. Michael Cohen in his official capacity as Director of the State of California Department of Finance; Jan E. Grimes in her official capacity as Orange County Auditor-Controller	Case Number	34-2013-80001675-CU-WM-GDS
Judge	Hon. Michael P. Kenny	Venue	Superior Court of California, County of Sacramento
Attorney(s) for City	David A. Robinson Benjamin P. Pugh Enterprise Counsel Group	Opposing Attorney(s)	Office of the Attorney General
Date of Loss	Not applicable.	Complaint Filed	10/28/2013
Legal Fees and Costs Incurred to Date	All attorneys' fees and costs were paid by the State of California as administrative expenses.		
Causes of Action	1. Declaratory Relief 2. Writ of Mandate		
Summary	City filed a lawsuit against the Director of the California Department of Finance (DOF) and the Orange County Auditor-Controller following the enactment of ABX1 26, which dissolved all redevelopment agencies (RDAs) effective October 1, 2011, prevented RDAs from engaging in new activities, and outlined a process for winding down a RDA's financial affairs, after the DOF disallowed two loan repayments from the former RDA to the City and ordered the City to repay these amounts to the Orange County Auditor-Controller.		
Status	Counsel for City obtained primary objective of lawsuit by reviving City's loan to its former redevelopment agency.		