

COSTA MESA LITIGATION STATUS REPORT

First Quarter 2019
(Updated through 03/31/19)

Steve Bernede v. City of Costa Mesa; Karen Shaefer

Case Name	Steve Bernede v. City of Costa Mesa; Karen Shaefer	Case Number	30-2019-01041552
Judge	Hon. Linda Marks	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Gary S. Kranker	Opposing Attorney(s)	Seth Davidson Law Office of Seth Davidson
Date of Loss	06/08/2018	Complaint Filed	01/02/2019
Legal Fees and Costs Incurred through 03/31/19	\$2,494.00		
Causes of Action	<ol style="list-style-type: none"> 1. Negligence 2. Dangerous Condition of Public Property 		
Summary	This matter arises out of a June 8, 2018 bicycle accident on a City street. Plaintiff claims that uneven, uplifted, cracked asphalt caused him to crash. Plaintiff also claims that the shadow of a large tree caused him to not be able to see the condition.		
Status	The case is in the discovery phase.		
Next Hearing Date	June 10, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	01/02/19	Complaint Filed	
	01/22/19	First Amended Complaint Filed	
	03/08/19	City's Answer to Amended Complaint Filed	
Written Discovery		Not yet exchanged.	

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 03/31/19	\$104,986.65		
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 parties are preparing for trial.		
Next Hearing Date	October 4, 2019 – Trial Readiness Conference		
Trial Date	October 25, 2019		
Docket	08/03/18	Complaint Filed	
	08/15/18	First Amended Complaint Filed	
	08/21/18	Motion for Preliminary Injunction Filed	
	08/31/18	Stipulation for Continuance of Hearing Filed	
	09/05/18	California Department of Public Health’s Opposition Filed	
	09/07/18	Plaintiffs’ Reply to California Department of Health’s Opposition Filed	
	09/17/18	OCNEP’s Opposition Filed	

09/17/18	Stipulation to Extend Time for OCNEP to Respond to Plaintiffs' First 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
01/11/19	Trial Setting Conference
01/28/19	Notice of Appeal Filed
01/28/19	Notice of Motion and Motion to Stay Enforcement of Preliminary Injunction of the OCNEP Pending Appeal and Writ of Prohibition Filed
02/06/19	Stipulation to Allow OCNEP Leave to Amend Its Answer Filed
02/06/19	OCNEP's Amended Answer Filed
02/25/19	Orange County's and OCFCD's Opposition to Motion to Stay Enforcement of Preliminary Injunction Filed
03/04/19	Notice of Withdrawal of Motion to Stay Enforcement of Preliminary Injunction Order Pending Appeal and Writ of Prohibition Filed by OCNEP
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 03/31/19	\$15,772.06		
Causes of Action	Not specified in complaint, but appears to be for false imprisonment.		
Summary	Plaintiff, in pro per, alleges he was falsely imprisoned by Costa Mesa Fire Department personnel.		
Status	The case is in the discovery phase.		
Next Hearing Date	January 21, 2020 – Trial		
Trial Date	January 21, 2020		
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	
	01/11/19	Plaintiff's Demurrer to City's Answer Filed	
	01/23/19	City's Notice of Related Case Filed	
	02/15/19	Proposed Stipulation and Order re Demurrer Hearing Filed	
	03/15/19	City's Case Management Statement Filed	
	03/18/19	City's Opposition to Plaintiff's Demurrer to Answer Filed	
Written Discovery	02/13/19	City's Requests for Production (RFPS) to Plaintiff, Set One	
	02/13/19	City's Requests for Admission (RFAS) to Plaintiff, Set One	
	02/13/19	City's Form Interrogatories (ROGS) to Plaintiff, Set One	
	02/15/19	Plaintiff's Responses to City's RFAS, Set One	
	03/22/19	Plaintiff's Responses to City's Form ROGS, Set One	

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 03/31/19	\$59,292.03		
Causes of Action	1. Dangerous Condition of Public Property 2. Negligence		
Summary	This lawsuit arises out of a trip and fall on a sidewalk. Plaintiff has sued the City for a dangerous condition of public property, and the adjacent land owner for negligence. Plaintiff allegedly tripped and fell on a raised sidewalk adjacent to 901 Tanana Place causing injury to her right wrist requiring surgery.		
Status	The parties settled the matter.		

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 03/31/19	\$19,950.44		
Causes of Action	<ol style="list-style-type: none"> 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, and Plaintiff Burke sued the City for loss of consortium. Mr. Burke agreed to dismiss his claims against the City since his claim was untimely.		
Status	The parties are attempting to settle the matter.		
Next Hearing Date	June 28, 2019– Mandatory Settlement Conference		
Trial Date	August 15, 2019		
Docket	10/20/17 05/16/18 06/08/18 06/08/18 06/19/18 06/21/18 08/02/18 08/03/18 08/17/18 03/07/19 03/08/19 03/15/19 03/21/19	Complaint Filed Proof of Services of Summons and Complaint Filed Joint Stipulation and Proposed Order Filed Case Management Conference (Continued to August 17, 2018) Stipulation and Order to Dismiss Plaintiff and Strike Allegation from Complaint Filed by City City’s Answer to Complaint Filed City’s Case Management Statement Filed Plaintiff’s Cases Management Statement Filed Case Management Conference Plaintiff’s Settlement Conference Statement Filed City’s Settlement Conference Statement Filed Settlement Conference City’s Stipulation and Order to Continue Trial and Related Dates Filed	
Written Discovery	08/07/18 08/07/18 08/07/18 09/20/18 09/20/18 09/20/18 09/20/18	City’s Special ROGS to Plaintiff, Set One City’s Form ROGS to Plaintiff, Set One City’s RFPS to Plaintiff, Set One Plaintiff’s Responses to City’s Form ROGS, Set One Plaintiff’s Responses to City’s Special ROGS, Set One Plaintiff’s RFAS to City, Set One 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
	03/11/19	City's Supplemental RFPS to Plaintiff, Set One
	03/11/19	City's Supplemental ROGS to Plaintiff, Set One

Huntington Glazing, Inc. v. Horizons Construction Company International; City of Costa Mesa; Old Republic Surety Company; Wesco Insurance Company

Case Name	Huntington Glazing, Inc. v. Horizons Construction Company International; City of Costa Mesa; Old Republic Surety Company; Wesco Insurance Company	Case Number	30-2019-01046176
Judge	Hon. Glenn Salter	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Gary S. Kranker	Opposing Attorney(s)	Andrew C. Carlton Edward Alberola Carlton & Alberola
Date of Loss	Not applicable.	Complaint Filed	01/23/2019
Legal Fees and Costs Incurred through 03/31/19	\$1,032.00		
Causes of Action	<ol style="list-style-type: none"> 1. Breach of Contract (Against Horizons) 2. Breach of Oral Agreement (Against Horizons) 3. Common Count for Work, Labor, and Services – Agreed Price (Against Horizons) 4. Common Count for Work, Labor, and Services Rendered – Reasonable Value (Against Horizons) 5. Claim on Stop Notice (Against City, Horizons) 6. Unjust Enrichment (Against Horizons) 7. Claim on Payment Bond (Against Horizons, Sureties) 8. Claim on License Bond (Against Wesco, Horizons) 		
Summary	This matter arises out of construction work that was performed by a subcontractor on Costa Mesa Fire Station # 1 project. The City is named in a cause of action regarding an alleged Stop Notice that was served on the City.		
Status	The case is in the discovery phase.		
Next Hearing Date	June 13, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	01/23/19	Complaint Filed	
	02/19/19	Horizons Construction’s Answer to Complaint Filed	
	02/19/19	Horizons Construction’s Cross-Complaint Filed	
	02/25/19	City’s Answer to Complaint Filed	
	03/25/19	Huntington Glazing’s Answer to Cross-Complaint Filed	
Written Discovery		Not yet exchanged.	

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 03/31/19	\$51,337.12		
Causes of Action	1. Dangerous Condition on Public Property		
Summary	Plaintiff alleges she tripped and fell on an uneven sidewalk. Plaintiff is claiming that as a result of the subject fall, she sustained a traumatic brain injury, brain bleed, bruised ribs and lumbar injury.		
Status	The parties recently settled the matter.		

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 03/31/19	\$3,160.50		
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	Petitioner filed a revised development application with the City, which will take a few months to process.		
Next Hearing Date	October 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.	

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 03/31/19	\$106,849.26		
Causes of Action	1. 42 U.S.C. § 1983 – Fourth Amendment, Fifth Amendment, and Fourteenth Amendment		
Summary	Mr. Lopez alleges his Fourth, Fifth, and Fourteenth Amendment rights were violated by Officers Walk and Gallardo during a traffic stop that occurred on February 19, 2015.		
Status	Mr. Lopez appealed the district court’s judgment granting the City’s motion for summary judgment. The parties are awaiting the Court of Appeals’ ruling.		
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 02/06/19 Appellant’s Opening Brief Filed 02/15/19 City’s Request for Extension of Time to File Answering Brief Filed 02/15/19 Court’s Order Approving Extension of Time to File Answering Brief		

Arther Masaoka and June Masaoka v. G&W Towing; City of Costa Mesa; Costa Mesa Police Department et al.

Case Name	Arther Masaoka and June Masaoka v. G&W Towing; City of Costa Mesa; Costa Mesa Police Department et al.	Case Number	30-2018-01009599
Judge	Hon. Peter Wilson	Venue	Superior Court of California, County of Orange
Attorney(s) for City	Melissa M. Ballard	Opposing Attorney(s)	Victor W. Luke Law Offices of Victor W. Luke
Date of Loss	06/06/2018	Complaint Filed	08/02/2018* *City served 12/05/2018
Legal Fees and Costs Incurred through 03/31/19	\$7,332.50		
Causes of Action	<ol style="list-style-type: none"> 1. Violation of Vehicle Code section 22852 2. Violation of Vehicle Code section 22651(o) 3. Injunctive Relief 		
Summary	This litigation arises out of class action allegations that the City and its police officers wrongfully caused the Plaintiffs' car to be towed and ultimately forfeited in a lien sale.		
Status	The parties settled the matter.		

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 03/31/19	\$2,128.50		
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 parties settled the matter.		

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 03/31/19	\$182,166.30		
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	<p>Plaintiffs seek to immediately 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. As to Costa Mesa, plaintiffs seek only to enjoin enforcement of the City’s anti-camping ordinance. Plaintiffs generally claim that, because there is insufficient shelter for the homeless in Orange County, closing the Riverbed area from habitation and enforcing the various local ordinances against the homeless violates their civil rights (under the federal and state constitutions), including the claim that criminal sanctions constitute “cruel and unusual punishment.” They also claim that such actions against the homeless constitute coercion and intimidation in violation of California Civil Code section 52.1.</p>		
Status	The parties settled the matter.		

**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 03/31/19	\$1,612.50		
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 discovery phase.		
Next Hearing Date	June 27, 2019 – Case Management Conference		
Trial Date	Not yet set.		
Docket	12/06/18	Complaint Filed	
	01/18/19	Horizons Construction’s Answer to Complaint Filed	
	01/18/19	Cross-Complaint Filed by Horizons Construction	
	02/06/19	City’s Answer to Complaint Filed	
	02/07/19	Plaintiff’s Case Management Statement Filed	
	02/20/19	City’s Case Management Statement Filed	
	03/05/19	Horizons Construction’s Case Management Statement Filed	
	03/05/19	Case Management Conference	
	03/12/19	Plaintiff’s Request for Entry of Default 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* *City served on 03/30/2018
Legal Fees and Costs Incurred through 03/31/19	\$14,980.75		
Causes of Action	1. General Negligence 2. Motor Vehicle Negligence		
Summary	Plaintiff was involved in an automobile collision with former City employee Michael Beltran.		
Status	The case is in the discovery phase.		
Next Hearing Date	June 14, 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 (Continued to October 12, 2018)	
	10/12/18	Case Management Conference (Continued to January 11, 2019)	
	01/11/19	Case Management Conference (Continued to April 12, 2019)	
	03/29/19	City’s Cross-Complaint Filed	
	03/29/19	Summons Issued and Filed by City	
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	

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 03/31/19	\$8,212.08		
Causes of Action	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 Court dismissed case on its own motion.		

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* *Plaintiff has not properly effectuated service of the summons, so the Court granted the City's motion to quash service of the summons.
Legal Fees and Costs Incurred through 03/31/19	\$6,103.00		
Causes of Action	1. Harassment 2. Violation of Civil Rights		
Summary	Plaintiff alleges civil rights violations and harassment. Plaintiff was arrested in July 2011 for possession of a controlled substance. He was found not guilty by a jury on January 26, 2012. The complaint is overly vague and potentially barred by the statute of limitations (see below) and thus may be subject to a motion to dismiss if the City is properly served.		
Status	The City prevailed on its motion to quash services of the summons.		
Next Hearing Date	No hearings are scheduled at this time.		
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	
	01/28/19	Case Management Conference (Continued)	
	02/25/19	Case Management Conference (Continued)	
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 03/31/19	Jones & Mayer: \$1,588,468.09 Keller Anderle: \$3,165,599.18		
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	<p>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. Plaintiffs have added allegations that the City's enactment of Ordinance No. 17-05 is a further effort by the City to hinder sober living homes from locating and existing in the City. Over the objections of the City, the Magistrate Judge in the case recently ruled that this later adopted Ordinance is relevant to the discrimination claims made by the Plaintiffs and he has allowed Plaintiffs' discovery to include inquiry regarding its enactment and implementation, including document production required of the City and questioning of witnesses.</p>		
Status	The trial concluded on December 7, 2018 with a complete victory for the City with a unanimous verdict 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 through 03/31/19	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	Case dismissed.		

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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Bruce A. Lindsay Jones & Mayer	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* *City served on 05/07/2018
Legal Fees and Costs Incurred through 03/31/19	Jones & Mayer: \$118,630.54 Everett Dorey: \$26,137.35 ¹		
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. Plaintiff further alleges that the City unlawfully interferes with its operation and occupancy of dwellings for disabled persons in recovery and otherwise makes unavailable or denies housing because of disability.		
Status	The case is in the discovery phase.		
Next Hearing Date	No hearings are scheduled at this time.		
Trial Date	December 3, 2019		
Docket	02/26/18	Complaint Filed	
	02/27/18	Summons Issued	
	04/16/18	Court's Initial Order Following Filing of Complaint	
	04/17/18	Court's Order Setting Rule 26(f) Conference	
	04/24/18	Plaintiff's First Amended Complaint Filed	
	05/10/18	Court's Order Advancing Scheduling Conference	
	05/29/18	City's Answer to Amended Complaint Filed	
	05/29/18	City's Notice of Interested Parties Filed	
	06/13/18	Stipulation to Continue Scheduling Conference Filed	
	06/14/18	Court's Order Continuing Scheduling Conference	

¹ Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for "General Matters."

	06/19/18	Joint Rule 26(f) Report Filed
	07/02/18	Scheduling Conference
	07/02/18	Court's Order for Jury Trial; Preparation; Attorney Conduct
	09/11/18	First Application to Produce Documents Filed by Plaintiff (Stricken by Court)
	09/11/18	Notice to Filer of Deficiencies in Filing Discovery Requests
	09/17/18	Response by the Court to Notice of Filer of Deficiencies (Striking Document)
	12/18/18	Second Notice of Motion and Motion for Leave to Amend Complaint Filed by Plaintiff
	12/20/18	City's Non-Opposition to Second Notice of Motion and Motion for Leave to Amend Complaint Filed
	01/10/19	Scheduling Notice re Telephonic Discovery Conference Filed by Court
	01/10/19	Court's Order Granting Plaintiff's Motion for Leave to Amend
	01/23/19	Telephonic Discovery Hearing
	01/24/19	Plaintiff's Second Amended Complaint Filed
	01/25/19	Stipulation for Protective Order re Stipulated Confidentiality Agreement and Protective Order
	01/25/19	Court's Order re Stipulated Confidentiality Agreement and Protective Order Filed
	01/28/19	Certificate of Interested Parties Filed by Plaintiff
	02/07/19	City's Answer to Second Amended Complaint Filed
Written Discovery	09/11/18	Plaintiffs Requests for Production (RFPS) to City, Set One
	10/08/18	City's RFPS to Plaintiff, Set One
	10/12/18	City's Initial Disclosures
	10/25/18	City's Responses to Plaintiff's RFPS, Set One
	11/30/18	City's RFPS to Plaintiff, Set Two
	11/30/18	City's Interrogatories (ROGS) to Plaintiff, Set One
	12/14/18	Plaintiff's Responses to City's RFPS Set One
	01/30/19	Plaintiff's Responses to City's RFPS, Set Two
	02/01/19	City's RFPS to Plaintiff, Set Three
	02/05/19	Plaintiff's Amended Responses to City's RFPS, Set One
	02/05/19	Plaintiff's Supplemental Responses to City's RFPS, Set One
	02/05/19	Plaintiff's Supplemental Responses to City's RFPS, Set Two
	03/04/19	Plaintiff's Responses to City's RFPS, Set Three

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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Gary S. Kranker Monica Choi Arredondo Jones & Mayer	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 03/31/19	Jones & Mayer: \$13,598.40 Everett Dorey: \$6,898.70 ²		
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	September 20, 2019 – Mandatory Settlement Conference		
Trial Date	October 21, 2019		
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	Defendants’ Motion for Order to Stay Proceedings Filed	
	11/14/18	City’s Case Management Statement Filed	
	11/14/18	Defendants’ 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	
	01/08/19	Stipulation and Proposed Order to Continue Case Management Conference and Hearing on Motion to Stay Filed	
	01/14/19	Defendants’ Answer to Complaint Filed	
	02/25/19	City’s Opposition to Motion to Stay Filed	
	02/27/19	Notice of Withdrawal of Motion to Stay Filed	
Written Discovery	03/13/19	City’s Form ROGS to Casa Capri, LLC, Set One	
	03/28/19	City’s RFPS to Casa Capri, LLC, Set One	
	03/28/19	City’s Form ROGS to Casa Capri, LLC, Set Two	
	03/28/19	City’s RFAS to Casa Capri, LLC, Set One	
	03/28/19	City’s Special ROGS to Casa Capri, LLC, Set One	

² Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for “General Matters.”

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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Gary S. Kranker Monica Choi Arredondo Jones & Mayer	Opposing Attorney(s)	Kroesche Schindler LLP
Date of Loss	Not applicable.	Complaint Filed	08/30/2018
Legal Fees and Costs Incurred through 03/31/19	Jones & Mayer: \$10,686.12 Everett Dorey: \$996.00 ³		
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	No hearings are scheduled at this time.		
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	
	01/02/19	Fourth Stipulation and Order to Extend Time to File Verified Answer Filed	
	01/21/19	Proposed Stipulation and Order Filed	
	01/23/19	Stipulation and Order to Further Extend Time to File Verified Answer Filed	
	02/08/19	Proposed Stipulation and Order Filed	
	02/20/19	Stipulation and Order to Further Extend Time to File Verified Answer Filed	
	03/29/19	Stipulation and Order Dismissing Action Filed	
Written Discovery		Not yet exchanged.	

³ Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for "General Matters."

**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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Bruce A. Lindsay Monica Choi Arredondo Jones & Mayer	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 03/31/19	Jones & Mayer: \$60,308.20 Everett Dorey: \$11,766.55 ⁴																										
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	No hearings are scheduled at this time.																										
Trial Date	April 28, 2020																										
Docket	<table border="0"> <tr><td>06/15/18</td><td>Complaint Filed</td></tr> <tr><td>06/15/18</td><td>Plaintiff's Certification and Notice of Interested Parties Filed</td></tr> <tr><td>07/03/18</td><td>Court's Initial Order</td></tr> <tr><td>07/18/18</td><td>Order Setting Scheduling Conference</td></tr> <tr><td>07/27/18</td><td>City's Answer to Complaint Filed</td></tr> <tr><td>07/27/18</td><td>City's Certification and Notice of Interested Parties Filed</td></tr> <tr><td>09/11/18</td><td>Joint Stipulation to Continue Scheduling Conference Filed</td></tr> <tr><td>09/11/18</td><td>Order Continuing Scheduling Conference</td></tr> <tr><td>10/05/18</td><td>Joint Scheduling Report Filed</td></tr> <tr><td>10/15/18</td><td>Scheduling Conference</td></tr> <tr><td>10/24/18</td><td>Plaintiff's Notice of Motion and Motion for Leave to Amend and File First Amended Complaint</td></tr> <tr><td>10/31/18</td><td>Court's Order for Jury Trial Setting Dates</td></tr> </table>			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
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																										

⁴ Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for "General Matters."

	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
	01/11/19	Court's Scheduling Notice re Telephonic Discovery Conference
	01/23/19	Telephonic Discovery Conference
	01/28/19	Plaintiffs' Certificate of Interested Parties Filed
	03/11/19	Joint Status Report Filed
	03/18/19	Status Conference
Written Discovery	10/16/18	City's Requests for Production (RFPS) to Northbound, Set One
	11/28/18	City's Initial Disclosures
	11/30/18	City's RFPS to Northbound, Set Two
	12/03/18	Northbound's Initial Disclosures
	12/14/18	Northbound's Responses to City's RFPS, Set One
	01/07/19	Northbound's Responses to City's RFPS, Set Two
	01/21/19	City's Interrogatories (ROGS) to Northbound, Set One
	01/21/19	City's ROGS to RAW Recovery, Set One
	01/21/19	City's RFPS to RAW Recovery, Set One
	01/21/19	City's RFPS to RAW Recovery, Set Two
	01/21/19	City's RFPS to RAW Recovery, Set Three
	02/01/19	City's RFPS to Northbound, Set Three
	02/08/19	Northbound's ROGS to City, Set One
	02/08/19	RAW Recovery's ROGS to City, Set One
	02/20/19	Northbound's Responses to City's ROGS, Set One
	02/20/19	RAW Recovery's Responses to City's ROGS, Set One
	02/28/19	RAW Recovery's ROGS to City, Set Two
	02/28/19	RAW Recovery's RFPS to City, Set One
	02/28/19	Northbound's RFPS to City, Set One
	02/28/19	Northbound's ROGS to City, Set Two
	03/04/19	Northbound's Responses to City's RFPS, Set One
	03/04/19	RAW Recovery's Responses to City's RFPS, Set One
	03/18/19	City's Responses to Northbound's ROGS, Set One
	03/18/19	City's Responses to RAW Recovery's ROGS, Set One

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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Gary S. Kranker Monica Choi Arredondo Jones & Mayer	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 03/31/19	Jones & Mayer: \$16,247.82 Everett Dorey: \$893.00 ⁵		
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	June 14, 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 (continued to March 8, 2019)	
	12/14/18	Case Management Statement Filed by City	
	03/08/19	Case Management Conference	
Written Discovery		Not yet exchanged.	

⁵ Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for “General Matters.”

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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Bruce A. Lindsay Monica Choi Arredondo Jones & Mayer	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 03/31/19	Jones & Mayer: \$40,217.41 Everett Dorey: \$7,455.25 ⁶		
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	No hearings are scheduled at this time.		
Trial Date	April 28, 2020		
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	
	01/10/19	Court's Scheduling Notice re Telephonic Discovery Conference	
	01/23/19	Telephonic Discovery Conference	
	02/04/19	Plaintiff's Certificate of Interested Parties Filed	
	03/18/19	Interim Status Conference	
Written Discovery	10/16/18	City's Requests for Production (RFPS) to Plaintiff, Set One	
	11/28/18	City's Initial Disclosures	

⁶ Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for "General Matters."

11/30/18	City's RFPS to Plaintiff, Set Two
12/14/18	Plaintiff's Responses to City's RFPS, Set One
01/07/19	Plaintiff's Responses to City's RFPS, Set Two
01/21/19	City's ROGS to Plaintiff, Set One
02/01/19	City's RFPS to Plaintiff, Set Three
02/05/19	Plaintiff's RFPS to City, Set One
02/19/19	Plaintiff's Responses to City's ROGS, Set One
03/04/19	Plaintiff's Responses to City's RFPS, Set Three
03/07/19	City's Responses to Plaintiff's RFPS, 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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Bruce A. Lindsay Monica Choi Arredondo Jones & Mayer	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 03/31/19	Jones & Mayer: \$33,813.08 Everett Dorey: \$7,971.75 ⁷		
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	No hearings are scheduled at this time.		
Trial Date	April 28, 2020		
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 01/07/19 Notice of Motion and Motion to Amend Complaint 01/10/19 Court's Scheduling Notice re Telephonic Discovery Conference 01/23/19 Telephonic Discovery Conference 01/28/19 Plaintiff's Certificate of Interested Parties Filed		

⁷ Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for "General Matters."

	01/29/19	Court's Order Granting Plaintiff's Motion for Leave to Amend
	03/18/19	Interim Status Conference
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
	01/07/19	Plaintiff's Responses to City's RFPS, Set Two
	01/21/19	City's Interrogatories (ROGS) to Plaintiff, Set One
	02/01/19	City's RFPS to Plaintiff, Set Three
	02/20/19	Plaintiff's Responses to City's ROGS, Set One
	03/04/19	Plaintiff's Responses to City's RFPS, Set Three

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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Gary S. Kranker Monica Choi Arredondo Jones & Mayer	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 03/31/19	Jones & Mayer: \$12,716.11 Everett Dorey: \$1,035.40 ⁸		
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	September 6, 2019 – Mandatory Settlement Conference		
Trial Date	October 28, 2019		
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	
	01/07/19	Hearing on Motion to Stay	
	03/01/19	Case Management Conference	
Written Discovery		Not yet exchanged.	

⁸ Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for “General Matters.”

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	Lead Counsel: Seymour B. Everett Everett Dorey LLP Co-Counsel: Bruce A. Lindsay Monica Choi Arredondo Jones & Mayer	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 03/31/19	Jones & Mayer: \$32,878.53 Everett Dorey: \$1,227.35 ⁹		
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	No hearings are scheduled at this time.		
Trial Date	April 28, 2020		
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	
	01/10/19	Court's Scheduling Notice re Telephonic Discovery Conference	
	01/23/19	Stipulation to Consolidate Cases Filed	

⁹ Overall Fees and Costs for Everett Dorey also include an additional \$36,728.90 for "General Matters."

	01/23/19	Telephonic Discovery Conference
	01/28/19	Plaintiffs' Certificate of Interested Parties Filed
	01/29/19	Court's Order Consolidating Cases for Discovery Related Purposes
	03/18/19	Interim Status Conference
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
	01/07/19	Plaintiff's Responses to City's RFPS, Set One
	01/07/19	Plaintiff's Responses to City's RFPS, Set Two
	01/21/19	City's Interrogatories (ROGS) to Plaintiff
	02/01/19	City's RFPS to Plaintiff, Set Three
	02/19/19	Plaintiff's Responses to City's ROGS, Set One
	03/04/19	Plaintiff's Responses to City's RFPS, Set Three