**[Exempt From Filing Fee
Government Code § 6103]**

A165012

IN THE COURT OF APPEAL
OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT
DIVISION THREE

CLAREMONT CANYON CONSERVANCY, ET AL.

Petitioner and Respondent,

v.

THE REGENT OF THE UNIVERSITY OF CALIFORNIA, ET AL.

Defendants and Appellants.

Appeal from Alameda Superior Court
Hon. Frank Roesch, Case Nos. RG21091666/RG21091977

APPLICATION OF THE LEAGUE OF CALIFORNIA CITIES AND THE CALIFORNIA STATE ASSOCIATION OF COUNTIES FOR LEAVE TO FILE AN AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS AND APPELLANTS THE REGENTS OF THE UNIVERSITY OF CALIFORNIA; [PROPOSED] AMICUS CURIAE BRIEF

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ATTORNEYS FOR AMICUS CURIAE LEAGUE OF CALIFORNIA CITIES AND CALIFORNIA STATE ASSOCIATION OF COUNTIES

APPLICATION FOR LEAVE TO FILE AN AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS AND APPELLANTS THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Pursuant to Rule 8.200, subdivision (c) of the California Rules of Court, the Applicants, League of California Cities ("Cal Cities") and California State Association of Counties ("CSAC," collectively "Applicants"), respectfully request leave to file an Amicus Curiae brief ("Brief") in this proceeding in support of Defendants and Appellants, the Regents of the University of California and Carol T. Christ, Chancellor (collectively "Appellants").

I. AUTHORSHIP AND FUNDING

This Brief was drafted by R. Tyson Sohagi of The Sohagi Law Group, PLC on behalf of Cal Cities and CSAC. No party nor counsel for a party in the pending case authored the Brief in whole or in part, or made any monetary contribution intended to fund its preparation or submission.

II. STATEMENT OF INTEREST

Cal Cities is an association of 479 California cities dedicated to protecting and restoring local control to provide for the public health, safety, and welfare of their residents, and to enhance the quality of life for all Californians. Cal Cities is advised by its Legal Advocacy Committee, comprised of 24 city attorneys from all regions of the State. The Committee monitors litigation of concern to municipalities, and identifies those cases that have statewide or nationwide significance. The Committee has identified this case as having such significance.

CSAC is a non-profit corporation. The membership consists of the 58 California counties. CSAC sponsors a Litigation Coordination Program, which is administered by the County Counsels' Association of California and is overseen by the Association's Litigation Overview Committee, comprised of county counsels throughout the state. The Committee monitors litigation of concern to

counties statewide and has determined that this case is a matter affecting all counties.[1]

Cal Cities, CSAC, and The Sohagi Law Group have been extensively involved in amicus work involving CEQA project description adequacy and *Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1 ("*Stop*"), including the preparation of an amicus brief and de-publication request in that case. This Amicus Brief provides information on that decision, its relationship to outstanding legal authority involving project description adequacy, and the policy implications associated with the project specificity required by the decision.

DATED: November 28, 2022

Respectfully submitted,

THE SOHAGI LAW GROUP, PLC

By: _____
R. TYSON SOHAGI
Attorneys for Amicus Curiae
LEAGUE OF CALIFORNIA CITIES
AND CALIFORNIA STATE
ASSOCIATION OF COUNTIES

[1] The Sohagi Law Group, PLC ("SLG"), represents Appellants on other matters, but has not been involved with Appellants in this case or the underlying project. SLG has drafted approximately 20 Amicus briefs and publication/de-publication requests on behalf of Cal Cities and CSAC, including their amicus brief and de-publication requests in *Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1: https://www.cacities.org/Resources-Documents/Member-Engagement/Professional-Departments/City-Attorneys/Request-Amicus-Support/Recent-Filings/Letters/Stopthemillenniumhollywood-com-v-City-of-Los-Ange

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ATTORNEYS FOR AMICUS CURIAE LEAGUE OF CALIFORNIA CITIES AND CALIFORNIA STATE ASSOCIATION OF COUNTIES

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CAL CITIES AND CSAC AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS AND APPELLANTS THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

I. INTRODUCTION

Public agencies throughout the state are required to apply CEQA to unique circumstances, such as the wildland vegetative fuel management program at issue in this case. However, unlike specific development proposals, such regulatory programs are not capable of the type of certainty demanded by Petitioners in this case. The legal authority relied upon by the trial court is ill suited for the unique facts of this case, and directly contradicted by other legal authorities.

II. ISSUES ON WHICH AMICUS CURIAE SEEK TO ASSIST THE COURT OF APPEAL

The Trial Court decision relied extensively upon the reasoning in *Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1 ("*Stop*") stating: "The EIR here is very much like the EIR in *Stopthemillennium* insofar as it provides conceptual criteria which needs to be supplemented by a subjective decision maker before any specific project of actual fire hazard reduction work can be done. As in *Stopthemillennium,* the project description here is not accurate, stable and finite and does not satisfy CEQA." (Trial Court Opinion, p. 6.) Respondent, Hills Conservation Network ("HCN"), continues this argument asserting:

> the University's EIR also does not describe the location of canopy removal within the FHRs or East-West FB, the extent of tree removal, or the appearance that will result…The unapplied criteria used to

> describe the FHR Projects expect readers to conceptualize what the projects will actually include in terms of tree canopy removal, as well as the resulting visual, fire risk, and wildlife impacts." (HCN Respondent's Brief, p. 45.)

Petitioners' and the Trial Court's reliance upon *Stop* is problematic for numerous reasons. Both make the same error discussed in the Lexis Nexis CEQA treatise:

> Project opponents often also assert that the EIR contains an unstable and inaccurate project description. However, such assertions often mistake *project description flexibility* (e.g., option of replacing commercial uses with office uses), *for an unstable project description* (e.g., internal inconsistencies between EIR chapters). Generally, each of these issues has been addressed by two separate lines of case law. Project description flexibility cases have generally turned upon the controlling language of 14 CCR 15124, which explains that the project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." *Dry Creek Citizens Coalition v. County of Tulare*, 70 Cal.App.4th 20, 27–28 (1999) (rejecting argument that project description was invalid because it provided a conceptual description of dam diversion structures). Similar cases have turned upon whether it was feasible to obtain the level of detail demanded by petitioners and whether the information was relevant to the environmental analysis. Cases involving project description instability have generally focused upon whether the CEQA document contained internally inconsistent descriptions of a project. *County of Inyo v. City of Los Angeles*, 71 Cal.App.3d 185, 190–91 (1977). However, one recent case conflates these two concepts. *Stopthemillenniumhollywood.com v. City of Los Angeles*, 39 Cal.App.5th 1 (2019).
>
> …This case has been strongly criticized as the court omitted any discussion the controlling language from 14 CCR 15124 and failed to explain how the siting, size, mass, or appearance of any buildings "was needed for evaluation and review of the environmental impact." Additionally, it is difficult to align this case with *South of Market Community Action Network v. City and County of San Francisco*, 33 Cal.App.5th 321 (2019), which generally rejected the assertions raised

> in *Stopthemillenniumhollywood.com*, and a later decision, which acknowledged the authority of public agencies to adopt vague land use standards to avoid paralyzing the legislative process. *Sacramentans for Fair Planning v. City of Sacramento*, 37 Cal.App.5th 698, 708, 713 (2019). Subsequent decisions do not appear to be following *Stopthemillenniumhollywood.com*. (Sohagi and Herson, Lexis Nexis, California Environmental Quality Act Compliance, Practice Note, p. 18.)

Amici share serious concerns about the Trial Court's misplaced reliance upon *Stop,* a case that (1) contained an unbounded standard for project description adequacy, (2) conflated legal concepts, which are inconsistent with the CEQA Guidelines and case law, and (3) inappropriately invalidated public policy decisions related to project description flexibility.

A. *Stop's* Analysis Ignored Controlling Legal Authority

While *Stop* remains published today, two Supreme Court Justices voted to have it de-published,[2] and it has not been followed by any subsequent published cases involving the adequacy of a CEQA project description. (See *Buena Vista Water Storage Dist. v. Kern Water Bank Authority* (2022) 76 Cal.App.5th 576, *Southwest Regional Council of Carpenters* (2022) 76 Cal.App.5th 1154, 1178-1181; *McCann v. City of San Diego* (2021) 70 Cal.App.5th 51, 86; *Save the El Dorado Canal v. El Dorado Irrigation Dist.* (2022) 75 Cal.App.5th 239, 256.)

And for good reason, *Stop* failed to consider the *controlling legal standard for adequacy of a CEQA project description;* i.e., project

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[2] "Corrigan and Kruger, JJ., are of the opinion the request for depublication of the opinion in the above-entitled appeal should be granted." https://appellatecases.courtinfo.ca.gov/search/case/dockets.cfm?dist=0&doc_id=2300724&doc_no=S258643&request_token=NiIwLSEmPkg%2FWyApSCJNTEJIIEg0UDxTJiBeXz5TQCAgCg%3D%3D

descriptions "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." (CEQA Guidelines, § 15124.)[3] Such guidelines are to be afforded "great weight." (*Laurel Heights Association v. Regents of the University of California* (1988) 347 Cal.3d 376, 391, fn. 2 ("*Laurel Heights*").) *Stop* omitted any discussion of this standard, and failed to explain how the allegedly deficient project details were *environmentally* relevant. Instead, the court simply concluded as a matter of law, that an EIR is inadequate where it fails to "describe the siting, size, mass, or appearance of any building proposed to be built at the project site." (*Stop, supra,* 39 Cal.App.5th at p. 18.) This holding should not be relied upon by any court, as it impermissibly assumes such information is *environmentally relevant*.[4] Cases "are not authority for

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[3] The Court in *Stop* also ignored the controlling statutory language on the other CEQA issues. More specifically, *Stop* Court held it "is not required to address every one of the parties' respective arguments." (*Stop, supra,* 39 Cal.App.5th at p. 20.) In reaching this holding the court relied upon *criminal* case law. (*Id.*) However, CEQA's statutory language required the Court to "*specifically address each of the alleged grounds for noncompliance*." (Pub. Resources Code, § 21005, subd. (c).)

[4] While some might assume the alleged missing information from *Stop* might be relevant to aesthetics, such considerations are often statutorily exempt for projects exactly like the high-density mixed-use project at issue in *Stop.* (Pub. Resources Code, § 21099, subd. (d)(1) ["Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment."].) Additionally, numerous cases have concluded that final aesthetic designs are not necessary because compliance with design review can be used to ensure aesthetic impacts remain less than significant "…even if some people are dissatisfied with the outcome. A contrary holding that mandated redundant analysis would only produce needless delay and expense." (*Bowman v. City*

propositions not considered" and *Stop's* failure to consider the controlling provisions of CEQA Guidelines section 15124 should preclude reliance upon it. (*People v. Johnson* (2012) 53 Cal.4th 519, 528.)

Stop went too far by requiring the project description to disclose the "siting, size, mass, or appearance of any building." This standard is highly problematic for the adoption of regulatory programs, such as general plans, specific plans, zoning, or as in this case, wildland vegetative fuel management programs. Such planning documents are statutorily defined as projects under CEQA. (Pub. Resources Code, § 21080, subd. (a); CEQA Guidelines, § 15378, subd. (a).) However, the Guidelines recognize that "An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy." (CEQA Guidelines, § 15146.)

Indeed, the project descriptions for such plans routinely rely upon general assumptions, without any information on the "siting, size, mass, or appearance of any building." (See *High Sierra Rural Alliance v. County of Plumas* (2018) 29 Cal.App.5th 102 [EIR for general plan based on population growth projections]; *Save Round Valley Alliance v. County of Inyo* (2007) 157 Cal.App.4th 1437 [EIR for zoning did not need to assume

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of Berkeley (2004) 122 Cal.App.4th 572, 594 ("*Bowman*").) This holding was expressly incorporated into the CEQA Guidelines. (Evid. Code, § 452; See 2018 Final Statement of Reasons for Regulatory Action (pp. 66-67): https://resources.ca.gov/CNRALegacyFiles/ceqa/docs/2018_CEQA_Final_Statement_of%20Reasons_111218.pdf

second dwelling unit, even though allowed by zoning amendments.]; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 21 ("*San Diego Citizenry*") [EIR for winery regulations based on "pattern of development of existing grape growers."].)

Stop also failed to address any of the relevant case law on the appropriate level of detail required in a project description, including *Dry Creek Citizens, supra,* 70 Cal.App.4th at pp. 27–28. The court in that case rejected the argument that the EIR provided an "inadequate 'conceptual' description of the bypass channel cut-off walls, and in-stream diversion structures" concluding "Appellants do not point out how additional detail regarding the diversion structures would enhance environmental review in this regard." (*Id.* at 33-36.) It is impossible to align the holding in *Stop* with that in *Dry Creek Citizens*.

Significantly, numerous cases have concluded, in slightly different procedural contexts, that precise siting of a project is not environmentally relevant. (See *Residents Against Specific Plan 380 v. County of Riverside* (2017) 9 Cal.App.5th 941, 954, 965 [option that "swaps commercial office development in southern portion of the site with residential development in the center portion of the site" did not create a considerably different alternative triggering recirculation.]; *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, 1318 ["Shifting 100 units to a different location within the transit center is not a significant change."]; *South County Citizens for Smart Growth v. County of Nevada* (2013) 221 Cal.App.4th 316, 330 [Alternative was not considerably different which changed the sq. footage, open space, and wetland setback.]; *Benton v. Board of Supervisors* (1991) 226 Cal.App.3d 1467, 1483 [project

modifications proposed new winery location].) Additionally, the "appearance of buildings" is also typically not environmentally relevant. (*Bowman, supra,* 122 Cal.App.4th at p. 594.)

The standard set in *Stop*, also runs afoul of the Supreme Court's CEQA ruling that public agencies must initiate CEQA review "as early as feasible in the planning process to enable environmental considerations to influence project program *and design*." (*Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, 139 ("*Save Tara*"), citing CEQA Guidelines, §§ 15004 and 15352.) Reading *Stop* and *Save Tara* together creates a truly infeasible standard for project description adequacy, with the former requiring information on the "siting, size, mass, or appearance of any building" and the latter requiring CEQA review as earlier as feasible in the project design process, without formal project approvals and without the design details, seemingly required by *Stop*. Indeed, the opinion in *Save Tara* noted that no final siting decision had yet been made on that project (*Save Tara, supra*, 45 Cal.4th at p. 123.)

CEQA recognizes that "the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commentors." (CEQA Guidelines, § 15204, subd. (a).) In this case, the Appellant identified a plan for hundreds of acres of land for "adaptive" wildland fuel management, based upon the application of a detailed set of fuel management criteria to real world conditions encountered at the time of fuel management is

conducted. (Project Objectives DEIR Section 2.3, p. 2-4 ["Implement an adaptive management framework to promote the long-term effectiveness of vegetation management activities to reduce wildfire risk."]) Additional details should not be required for these types of regulatory programs.

B. *Stop* Impermissibly Limits Public Agency Discretion

What is even more problematic about the *Stop* opinion, is its attempt to use CEQA to limit a public agency's underlying discretionary authority. Petitioners in this case seek to use CEQA's project description requirements to limit the public agency underlying discretion to adopt flexible and adaptive fuel management standards. According to Petitioners, Appellants cannot just adopt the management plan, because that "expects the readers to conceptualize what the projects will actually include in terms of tree canopy removal." (HCN Respondents Brief p. 45.) Instead, Petitioners simply want Appellants to adopt an explicit plan identifying a certain number or percentage of the specific trees and canopy to be removed. *Stop* failed to provide any reasoned analysis for limiting public agency discretion to adopt a flexible plan, as other courts have subsequently recognized. (*Buena Vista Water Storage, supra,* 76 Cal.App.5th at p. 590 ["a project description may use a flexible parameter when the project is subject to future changing conditions."].)

In *Stop*, the City sought to adopt flexible zoning for the four and a half acre site which spanned nearly two city blocks. The project objectives in *Stop* included the policy decision to "[c]reate an equivalency program to allow changes in uses and floor area to *support the continued revitalization of Hollywood and the region while ensuring the project has the necessary flexibility to respond to changing market conditions and consumer need in*

the Hollywood area" and "*Provide flexibility necessary to ensure that the mix of uses will meet the needs of Hollywood at the time of development*." (Millennium Hollywood DEIR p. II-44;[5] *Stop* De-publication Request, p. 3.)[6] Despite these policy decisions, the *Stop* opinion reasoned that "Millennium's uncertainty about market conditions or the timing of its build-out is an insufficient ground for the ambiguous and blurred Project Description."

However, such decisions are inherently policy decisions that should be given substantial deference by the Court. CEQA itself is not intended as "limitation or restriction on the power or authority of any public agency in the enforcement or administration of any provision of law which it is specifically permitted." (Pub. Resources Code, § 21174.)

Such flexibility is not surprising when public agencies adopt planning documents, particularly for situations like *Stop,* with buildout dates spanning ~20 years. The demand for residential, commercial, and office space can vary greatly depending upon market conditions; in the case of *Stop*, environmental review alone took over a decade. However, such extensive time periods can result in greater uncertainty, such as the 2008 great recession or the 2019 COVID-19 pandemic, which brought about

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[5] Millennium Hollywood DEIR: https://planning.lacity.org/eir/Millennium%20Hollywood%20Project/DEIR/DEIR%20Sections/Millennium%20Hollywood%20DEIR_Volume%201_COMPILED.pdf (Evid. Code, §§ 452, subds. (b), (c).)

[6] *Stop* Request for de-publication: https://www.cacities.org/Resources-Documents/Member-Engagement/Professional-Departments/City-Attorneys/Request-Amicus-Support/Recent-Filings/Letters/Stopthemillenniumhollywood-com-v-City-of-Los-Ange (Evid. Code, § 452, subd. (d).)

significant changes in demand for commercial and office space. Economic and social factors, such as increased automation, online shopping, telecommuting, driverless cars, and other unknown technological and social changes and innovations will continue to change the types of buildings and their uses in the next 20 years and beyond. It is impractical to foresee with any certainty such changes. If public agencies do not have plans in place to quickly respond, they can lose out on economic and social opportunities, which may ultimately plunge cities and counties into stagnation or blight. The ability of public agencies to quickly react to such changes is vitally important, and *Stop* was incorrect in invalidating such objectives.

Nearly every land use case has acknowledged that "California courts permit vague standards because they are sensitive to the need of government in large urban areas to delegate broad discretionary power to administrative bodies if the community's zoning business is to be done *without paralyzing the legislative process*." (*Sacramentans for Fair Planning v. City of Sacramento* (2019) 37 Cal.App.5th 698, 713.) Policy decisions to incorporate flexibility into a project, are inherently a policy decision which is owed deference to the public agency. (*San Diego Citizenry, supra,* 219 Cal.App.4th at p. 13; *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 ("*CNPS*").)

Petitioners in *San Diego Citizenry* also challenged the adequacy of an EIR's project description where the San Diego Board of Supervisors allowed new wineries by right (i.e., with ministerial review), such that they would not be subject to further CEQA review. (*Id.* at 13-15.) In rejecting Petitioner's project description challenge, the court explained that "CEQA does not restrict an agency's discretion to identify and pursue a particular

project designed to meet a particular set of objectives." (Internal quotes omitted; *Id.* at 14.) That Court further explained that "*[i]t is not within the province of a judicial officer to second guess the policy decisions* of the members of the [Board of Supervisors], so long as there was substantial evidence to support their decisions." (*Id.* at 12.) *Stop* arbitrarily dismissed the legitimate policy decision made by the City of Los Angeles, and without considering any of the relevant legal authorities on this issue as well. (See also *In re Bay-Delta etc.* (2008) 43 Cal.4th 1143, 1167 [project objectives reviewed for substantial evidence.]; *CNPS, supra,* 177 Cal.App.4th at p. 987.)

The UC project expressly included a policy decision to "implement an *adaptive* management framework to promote the long-term effectiveness of vegetation management activities to reduce wildfire risk." (UC DEIR Section 2.3.) This is a legitimate policy decision made by the Regents to adopt a flexible and adaptive fuel management plan, and one that should not be overturned because Petitioner's want greater certainty in the CEQA process. The Regents, along with numerous other public agencies throughout the state will have to grapple with millions of acres of wildland fuel management as climate change occurs. These conditions will vary from week to week, as weather conditions change, resulting in variable vegetation moisture levels and uncertain wildfire susceptibility.

Public agencies should be allowed to adopt adaptable fuel management plans, such as the one at issue in this case, without CEQA being used to artificially constrain that discretion. While this case only involves several hundred acres of land, it would set the standard for adequacy of every CEQA project description in similar circumstances. It

would be impossible for public agencies to provide the detailed analysis demanded by Respondents for the millions of acres within the State. "A project opponent or reviewing court can always imagine some additional study or analysis that might provide helpful information. It is not for them to design the EIR. That further study … might be helpful does not make it necessary." (*Laurel Heights, supra,* 347 Cal.3d, 415.) Amici strongly urge this Court to reject the unsupported CEQA standards mandated by *Stop* and the trial court's ruling in this case.

DATED: November 28, 2022

Respectfully submitted,

THE SOHAGI LAW GROUP, PLC

By: _____

R. TYSON SOHAGI
Attorneys for Amicus Curiae
LEAGUE OF CALIFORNIA CITIES AND CALIFORNIA STATE ASSOCIATION OF COUNTIES

CERTIFICATE OF COMPLIANCE

Pursuant to California Rules of Court, rule 8.204, subdivision (c), I certify that the total word count of this LEAGUE OF CALIFORNIA CITIES AND THE CALIFORNIA STATE ASSOCIATION OF COUNTIES AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS AND APPELLANTS THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, excluding covers, table of contents, table of authorities, signature blocks, and certificate of compliance, is 3,101.

DATED: November 28, 2022

Respectfully submitted,

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PROOF OF SERVICE

Claremont Canyon Conservancy et al. v. The Regents of the University of California et al.
California Court of Appeal, First District, Division One, Case No. A165012
STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 11999 San Vicente Boulevard, Suite 150, Los Angeles, CA 90049-5136.

On November 28, 2022, I served true copies of the following document(s) described as **APPLICATION OF THE LEAGUE OF CALIFORNIA CITIES AND THE CALIFORNIA STATE ASSOCIATION OF COUNTIES FOR LEAVE TO FILE AN AMICUS CURIAE BRIEF IN SUPPORT OF DEFENDANTS AND APPELLANTS THE REGENTS OF THE UNIVERSITY OF CALIFORNIA; [PROPOSED] AMICUS CURIAE BRIEF** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY ELECTRONIC SERVICE: I electronically filed the document(s) with the Clerk of the Court by using the TrueFiling system. Participants in the case who are registered users will be served by the TrueFiling system. Participants in the case who are not registered users will be served by mail or by other means permitted by the court rules.

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

Executed on November 28, 2022, at Los Angeles, California.

Cheron J. McAleece

SERVICE LIST
Claremont Canyon Conservancy et al. v. The Regents of the University of California et al.
California Court of Appeal, First District, Division One, Case No. A165012

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